



other

RM run

LRB-2927(P1)

RNK:kjf:rs

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

2009 BILL

D-Note

In 11/25

regen. cat.

1 AN ACT *to renumber* 29.207 and 29.213; *to renumber and amend* 29.161,  
2 29.164 (2) (b), 29.184 (1), 29.184 (3) (bg) and 29.204; *to amend* 29.161 (title),  
3 29.184 (3) (bg) (title), 29.194 (1) (a), 29.194 (3), 29.204 (title), 29.231 (2), 29.231  
4 (3), 29.235 (2) (a), 29.235 (2m) (a), 29.553 (1) (f), 29.553 (1) (h), 29.563 (2) (a) 1.,  
5 29.563 (2) (a) 2., 29.563 (2) (a) 3., 29.563 (2) (a) 4., 29.563 (2) (a) 9., 29.563 (2)  
6 (b) 1., 29.563 (2) (b) 8., 29.591 (4) (a) 2. and 29.624 (1); and *to create* 29.001 (7),  
7 29.001 (19m), 29.001 (91), 29.024 (1m), 29.161 (2), 29.162, 29.164 (2) (b) 2.,  
8 29.184 (1) (a), 29.184 (3) (bg) 2., 29.184 (10), 29.204 (2), 29.207 (2), 29.213 (2),  
9 29.553 (1) (fm), 29.553 (1) (hg), 29.563 (2) (a) 1g., 29.563 (2) (a) 1r., 29.563 (2)  
10 (a) 6m., 29.563 (2) (a) 10., 29.563 (2) (b) 1m., 29.563 (2) (b) 4m., 29.563 (2) (b)  
11 9. and 29.971 (3r) of the statutes; **relating to:** weapons authorized for use  
12 under certain hunting approvals, prohibiting certain persons from obtaining or

1 using hunting approvals, and authorizing issuance of archery hunting  
2 approvals and nonfirearm hunting approvals for hunting certain animals.

***Analysis by the Legislative Reference Bureau***

~~This is a preliminary draft. An analysis will be provided in a later version.~~

Insert  
Analysis

***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

3 SECTION 1. 29.001 (7) of the statutes is created to read:  
4 29.001 (7) "Airgun" means a weapon that expels a ~~missile~~ <sup>projectile</sup> by the expansion of  
5 compressed air or other gas.

6 SECTION 2. 29.001 (19m) of the statutes is created to read:  
7 29.001 (19m) "Class A bear license" means a Class A general bear license under  
8 s. 29.184 (3) (bg) 1. or a Class A archery bear license under s. 29.184 (3) (bg) 2.

9 SECTION 3. 29.001 (91) of the statutes is created to read:  
10 29.001 (91) "Wild turkey hunting license" means a general wild turkey hunting  
11 license under s. 29.164 (2) (b) 1. or an archery wild turkey hunting license under s.  
12 29.164 (2) (b) 2.

13 SECTION 4. 29.024 (1m) of the statutes is created to read:  
14 29.024 (1m) PERSONS PROHIBITED FROM OBTAINING OR USING CERTAIN APPROVALS.  
15 No person may obtain or use an approval issued under this chapter that authorizes  
16 hunting with a firearm if the person is prohibited from possessing a firearm under  
17 s. 941.29 (1). The department shall provide each person who applies for an approval  
18 under this chapter that authorizes hunting with a firearm with a notice of the  
19 prohibition under this subsection.

20 SECTION 5. 29.161 (title) of the statutes is amended to read:

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**29.161 (title) Resident general small game hunting license.**

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**SECTION 6.** 29.161 of the statutes is renumbered 29.161 (1) and amended to read:

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29.161 (1) A resident general small game hunting license shall be issued subject to ss. 29.024 and 54.25 (2) (c) 1. d. by the department to any resident applying for this license. The resident general small game hunting license does not authorize the hunting of bear, deer, elk, or wild turkey.

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**SECTION 7.** 29.161 (2) of the statutes is created to read:

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29.161 (2) A resident general small game hunting license authorizes hunting with a firearm, airgun, or bow and arrow or with a crossbow if the holder of the license has a Class A, Class B, or Class C permit issued under s. 29.193 (2) that authorizes hunting with a crossbow, has a crossbow permit issued under s. 29.171 (4) (a), or is a resident senior citizen.

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**SECTION 8.** 29.162 of the statutes is created to read:

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**29.162 Nonfirearm small game hunting license. (1) ISSUANCE.** A

16

nonfirearm small game hunting license shall be issued subject to ss. 29.024 and 54.25 (2) (c) 1. d. by the department to any person applying for this license. A ~~nonfirearm~~

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<sup>nonfirearm</sup> small game hunting license does not authorize the hunting of bear, deer, elk, or wild turkey ~~or, if the person is a nonresident, fur-bearing animals~~

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**(2) AUTHORIZATION.** A nonfirearm small game hunting license authorizes a

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resident or nonresident holder of the license to hunt small game with an airgun, bow and arrow, or with a crossbow if the holder of the license is a resident and has a

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Class A, Class B, or Class C permit issued under s. 29.193 (2) that authorizes hunting with a crossbow or has a crossbow permit issued under s. 29.171 (4) (a), or

25

is a resident senior citizen.

insert 4-1 →

1 SECTION 9. 29.164 (2) (b) of the statutes is renumbered 29.164 (2) (b) 1. and  
2 amended to read:

3 29.164 (2) (b) 1. A general wild turkey hunting license issued under this section  
4 authorizes ~~hunting a resident or nonresident holder of the license to hunt wild turkey~~  
5 with a firearm or bow and arrow or with a crossbow if the holder of the license is a  
6 resident and has a Class A, Class B or Class C permit issued under s. 29.193 (2) that  
7 authorizes hunting with a crossbow or has a crossbow permit issued under s. 29.171  
8 (4) (a), or is a resident senior citizen.

9 SECTION 10. 29.164 (2) (b) 2. of the statutes is created to read:

10 29.164 (2) (b) 2. An archery wild turkey hunting license issued under this  
11 section authorizes a resident or nonresident holder of the license to hunt wild turkey  
12 with a bow and arrow or with a crossbow if the holder of the license has a Class A,  
13 Class B, or Class C permit issued under s. 29.193 (2) that authorizes hunting with  
14 a crossbow or has a crossbow permit issued under s. 29.171 (4) (a), or is a resident  
15 senior citizen.

insert 4-15 →

16 SECTION 11. 29.184 (1) of the statutes is renumbered 29.184 (1) (intro.) and  
17 amended to read:

18 29.184 (1) ~~DEFINITION~~ DEFINITIONS. (intro.) In this section, notwithstanding:  
19 (b) Notwithstanding s. 29.001 (42), "hunt bear" means to shoot, shoot at, take,  
20 catch, or kill a bear or pursue, with or without the use of dogs, a bear for the purpose  
21 of shooting, shooting at, taking, catching, or killing the bear.

22 SECTION 12. 29.184 (1) (a) of the statutes is created to read:

23 29.184 (1) (a) "Class A bear license" means a Class A general bear license or  
24 a Class A archery bear license issued under this section.

25 SECTION 13. 29.184 (3) (bg) (title) of the statutes is amended to read:

1 29.184 (3) (bg) (title) *Authorization; Class A bear license licenses.*

2 SECTION 14. 29.184 (3) (bg) of the statutes is renumbered 29.184 (3) (bg) 1. and  
3 amended to read:

4 29.184 (3) (bg) 1. A Class A general bear license authorizes a resident or  
5 nonresident holder of the license to hunt bear with a firearm or bow and arrow or  
6 with a crossbow if the holder of the license has a Class A, Class B, or Class C permit  
7 issued under s. 29.193 (2) that authorizes hunting with a crossbow or has a crossbow  
8 permit issued under s. 29.171 (4) (a), or is a resident senior citizen, and to exercise  
9 all of the privileges of a Class B bear license.

10 SECTION 15. 29.184 (3) (bg) 2. of the statutes is created to read:

11 29.184 (3) (bg) 2. A Class A archery bear license authorizes a resident or  
12 nonresident holder of the license to hunt bear with a bow and arrow or with a  
13 crossbow if the holder of the license has a Class A, Class B, or Class C permit issued  
14 under s. 29.193 (2) that authorizes hunting with a crossbow or has a crossbow permit  
15 issued under s. 29.171 (4) (a), or is a resident senior citizen, and to exercise all of the  
16 privileges of a Class B bear license.

17 SECTION 16. 29.184 (10) of the statutes is created to read:

18 29.184 (10) LICENSE LIMITATION. No person may apply for or receive more than  
19 one Class A bear license during one season.

20 SECTION 17. 29.194 (1) (a) of the statutes is amended to read:

21 29.194 (1) (a) Notwithstanding ss. 29.024 (2) and 29.228 (1) (a), the department  
22 shall issue a resident fishing license, resident general small game hunting license,  
23 resident nonfirearm small game hunting license, or resident deer hunting license to  
24 a qualified student applying for the license. A qualified student is a person who  
25 exhibits proof that he or she is a registered full-time student who is present in this

1 state attending a public or private college or university that is located in this state  
2 and that offers an associate degree or a bachelor's degree or that he or she is a citizen  
3 of a foreign country temporarily residing in this state while attending a high school  
4 located in this state or an agricultural short course at the University of Wisconsin  
5 System.

6 **SECTION 18.** 29.194 (3) of the statutes is amended to read:

7 29.194 (3) RESIDENT ARMED FORCES SMALL GAME HUNTING LICENSE LICENSES. A  
8 general small game hunting license or nonfirearm small game hunting license shall  
9 be issued by the department to any member of the U.S. armed forces applying for this  
10 license who exhibits proof that he or she is in active service with the armed forces and  
11 that he or she is a resident on furlough or leave.

12 **SECTION 19.** 29.204 (title) of the statutes is amended to read:

13 **29.204 (title) Nonresident annual general small game hunting license.**

14 **SECTION 20.** 29.204 of the statutes is renumbered 29.204 (1) and amended to  
15 read:

16 29.204 (1) A nonresident annual general small game hunting license shall be  
17 issued subject to s. 29.024 by the department to any nonresident applying for this  
18 license. The nonresident annual general small game hunting license authorizes the  
19 hunting of small game during the appropriate open season but does not authorize the  
20 hunting of deer, elk, bear, wild turkey, or fur-bearing animals.

21 **SECTION 21.** 29.204 (2) of the statutes is created to read:

22 29.204 (2) A nonresident annual general small game hunting license  
23 authorizes hunting with a firearm, airgun, or bow and arrow or with a crossbow if  
24 the holder of the license has a Class A, Class B, or Class C permit issued under s.  
25 29.193 (2) that authorizes hunting with a crossbow.

1 SECTION 22. 29.207 of the statutes is renumbered 29.207 (1).

2 SECTION 23. 29.207 (2) of the statutes is created to read:

3 29.207 (2) A nonresident 5-day small game hunting license authorizes hunting  
4 with a firearm, airgun, or bow and arrow or with a crossbow if the holder of the license  
5 has a Class A, Class B, or Class C permit issued under s. 29.193 (2) that authorizes  
6 hunting with a crossbow.

7 SECTION 24. 29.213 of the statutes is renumbered 29.213 (1).

8 SECTION 25. 29.213 (2) of the statutes is created to read:

9 29.213 (2) A nonresident fur-bearing animal hunting license authorizes  
10 hunting with a firearm, airgun, or bow and arrow or with a crossbow if the holder of  
11 the license has a Class A, Class B, or Class C permit issued under s. 29.193 (2) that  
12 authorizes hunting with a crossbow.

13 SECTION 26. 29.231 (2) of the statutes is amended to read:

14 29.231 (2) A resident sports license confers upon the licensee all of the  
15 combined privileges conferred by a resident (general) small game hunting license,  
16 resident fishing license and resident deer hunting license subject to all of the duties,  
17 conditions, limitations and restrictions of those licenses.

18 SECTION 27. 29.231 (3) of the statutes is amended to read:

19 29.231 (3) A nonresident sports license confers upon the licensee all of the  
20 combined privileges conferred by a nonresident (general) small game hunting license,  
21 nonresident fishing license and nonresident deer hunting license subject to all of the  
22 duties, conditions, limitations and restrictions of those licenses.

23 SECTION 28. 29.235 (2) (a) of the statutes is amended to read:

24 29.235 (2) (a) A resident (general) small game hunting license.

25 SECTION 29. 29.235 (2m) (a) of the statutes is amended to read:

insert  
7-24 →

insert  
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1 29.235 (2m) (a) A nonresident general small game hunting license.

2 SECTION 30. 29.553 (1) (f) of the statutes is amended to read:

3 29.553 (1) (f) <sup>stet</sup> Wild General ~~will~~ turkey hunting license.  
<sub>plain → no strike</sub>

4 SECTION 31. 29.553 (1) (fm) of the statutes is created to read:

5 29.553 (1) (fm) Archery wild turkey hunting license.

6 SECTION 32. 29.553 (1) (h) of the statutes is amended to read:

7 29.553 (1) (h) Class A general bear license.

8 SECTION 33. 29.553 (1) (hg) of the statutes is created to read:

9 29.553 (1) (hg) Class A archery bear license.

10 SECTION 34. 29.563 (2) (a) 1. of the statutes is amended to read:

11 29.563 (2) (a) 1. <sup>stet</sup> Small General ~~small~~ game. \$15.25.  
<sub>plain → no strike</sub>

12 SECTION 35. 29.563 (2) (a) 1g. of the statutes is created to read:

13 29.563 (2) (a) 1g. Nonfirearm small game. \$15.25.

14 SECTION 36. 29.563 (2) (a) 1r. of the statutes is created to read:

15 29.563 (2) (a) 1r. Nonfirearm small game issued to 12-year-olds to  
16 17-year-olds: \$6.25.

17 SECTION 37. 29.563 (2) (a) 2. of the statutes is amended to read:

18 29.563 (2) (a) 2. <sup>stet</sup> Small General ~~small~~ game issued to a resident senior citizen:  
19 \$6.25.  
<sub>plain no strike</sub>

20 SECTION 38. 29.563 (2) (a) 3. of the statutes is amended to read:

21 29.563 (2) (a) 3. <sup>stet</sup> Small General ~~small~~ game issued to a member of the armed  
22 forces under s. 29.194 (3): \$0.  
<sub>plain no strike</sub>

23 SECTION 39. 29.563 (2) (a) 4. of the statutes is amended to read:

24 29.563 (2) (a) 4. <sup>stet</sup> Small General ~~small~~ game issued to 12-year-olds to  
25 17-year-olds: \$6.25.  
<sub>plain no strike</sub>

as affected by 2009 Wisconsin Act 39,

persons who are under 18 years of age

1 SECTION 40. 29.563 (2) (a) 6m. of the statutes is created to read:

2 29.563 (2) (a) 6m. Class A archery bear: \$46.25.

3 SECTION 41. 29.563 (2) (a) 9. of the statutes is amended to read:

4 29.563 (2) (a) 9. <sup>plain shot</sup> ~~Wild~~ General ~~wild~~ turkey: \$12.25.  
<sub>no strike</sub>

5 SECTION 42. 29.563 (2) (a) 10. of the statutes is created to read:

6 29.563 (2) (a) 10. Archery wild turkey: \$12.25.

7 SECTION 43. 29.563 (2) (b) 1. of the statutes is amended to read:

8 29.563 (2) (b) 1. Annual general small game: \$82.25.

9 SECTION 44. 29.563 (2) (b) 1m. of the statutes is created to read:

10 29.563 (2) (b) 1m. Nonfirearm small game: \$82.25.

11 SECTION 45. 29.563 (2) (b) 4m. of the statutes is created to read:

12 29.563 (2) (b) 4m. Class A archery bear: \$248.25.

13 SECTION 46. 29.563 (2) (b) 8. of the statutes is amended to read:

14 29.563 (2) (b) 8. <sup>plain shot</sup> ~~Wild~~ General ~~wild~~ turkey: \$57.25.  
<sub>no strike</sub>

15 SECTION 47. 29.563 (2) (b) 9. of the statutes is created to read:

16 29.563 (2) (b) 9. Archery wild turkey: \$57.25.

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17 SECTION 48. 29.591 (4) (a) 2. of the statutes is amended to read:

18 29.591 (4) (a) 2. A resident may use the certificate of accomplishment issued

19 to him or her for successfully completing the course of instruction under the hunter

20 education program for the first time in place of a general small game hunting license <sup>or nonfirearm</sup>

insert  
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21 SECTION 49. 29.624 (1) of the statutes is amended to read:

22 29.624 (1) A senior citizen recreation card entitles the holder to exercise all of

23 the combined rights and privileges conferred by a resident general small game

24 hunting license, a wild turkey hunting license, a wild turkey hunting stamp and a

25 resident fishing license, subject to all duties, conditions, limitations and restrictions

1 of the licenses and stamp. A person may operate any motor vehicle, except a motor  
2 bus, as defined in s. 340.01 (31), subject to the admission requirements under s. 27.01  
3 (7) in any vehicle admission area under s. 27.01 (7) without having an admission  
4 receipt affixed to the vehicle or otherwise displayed and without paying a fee if the  
5 vehicle has as an occupant a card holder who can present the card upon demand in  
6 the vehicle admission area. The card permits a card holder to enter Heritage Hill  
7 state park or a state trail without paying an admission fee.

8 **SECTION 50.** 29.971 (3r) of the statutes is created to read:

9 29.971 (3r) For obtaining or using a hunting approval in violation of s. 29.024  
10 (1m), by a forfeiture of not less than \$500 nor more than \$1,000. In addition, the court  
11 shall order the revocation of all hunting privileges and approvals issued to the person  
12 under this chapter and shall prohibit the person from holding any hunting approval  
13 under this chapter for a period of 5 years from the date of the court's order.

(END)

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insert  
10-13

D-Note

2009-2010 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB-2927/1ins.  
RNK:.....

INSERT ANALYSIS

Current law prohibits certain persons from possessing a firearm. A felon is prohibited from possessing a firearm subsequent to conviction and certain persons adjudicated delinquent may not possess a firearm subsequent to adjudication. A person found not guilty of a felony by reason of mental defect is prohibited from possessing a firearm subsequent to the not guilty finding. Current law also prohibits certain persons ordered not to possess a firearm, such as those committed for treatment for a mental illness, from possessing a firearm while subject to that order. A person who is enjoined from committing acts of domestic abuse or who is enjoined from coming into contact with a child is prohibited from possessing a firearm while the injunction is in effect. Finally, a person who is subject to an order that prohibits the person from engaging in harassing behavior and from possessing a firearm, is prohibited from possessing a firearm while the order is in effect.

X  
X  
This bill prohibits a person who, under current law, is prohibited from possessing a firearm from obtaining or using a license, permit, or other approval (approval) issued by the Department of Natural Resources (DNR) if the approval authorizes hunting with a firearm. The bill provides that a person who violates this prohibition is subject to a forfeiture of not less than \$500 nor more than \$1,000. In addition, the court must revoke all hunting approvals issued to that person by DNR and prohibit that person from holding such an approval for a period of five years.

X  
Under current law, the statutes for some of the hunting licenses issued by DNR specify whether firearms, bows and arrows, or crossbows may be used for hunting under those licenses. For other licenses, the allowable weapon is specified in the administrative code. This bill clarifies in the statutes which weapons may be used under the authority of existing hunting licenses. The bill changes the name of a small game hunting license to a small game hunting general license, changes the name of a wild turkey hunting license to a wild turkey hunting general license, and changes the name of a Class A bear license to a Class A bear general license. The bill also creates three new licenses. The bill creates a small game hunting nonfirearm license, a wild turkey hunting archery license, and a Class A bear archery license. All three of these new licenses authorize hunting with a bow and arrow or with a crossbow if the holder has a permit that authorizes the holder to use a crossbow or if the holder is a resident senior citizen. The small game hunting nonfirearm license also allows the holder to hunt with a airgun.

(n)  
For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

INSERT 4-1

1

SECTION 1. 29.164 (1) (e) of the statutes is created to read:

1 29.164 (1) (e) "Wild turkey hunting license" means a wild turkey hunting  
2 general license or a wild turkey hunting archery license.

INSERT 4-15

3 SECTION 2. 29.179 (1) (a) 7. of the statutes is amended to read:  
4 29.179 (1) (a) 7. A wild turkey hunting general license.

gHistory: 2007 a. 65 ss. 2 to 5, 10 to 13.

5 SECTION 3. 29.179 (1) (a) 7m. of the statutes is created to read:  
6 29.179 (1) (a) 7m. A wild turkey hunting archery license.

7 SECTION 4. 29.179 (1) (a) 9. of the statutes is amended to read:  
8 29.179 (1) (a) 9. A Class A bear general license.

9 SECTION 5. 29.179 (1) (a) 9m. of the statutes is created to read:  
10 29.179 (1) (a) 9m. A Class A bear archery license.

gHistory: 2007 a. 65 ss. 2 to 5, 10 to 13.

11 SECTION 6. 29.180 (1) (a) of the statutes is created to read:  
12 29.180 (1) (a) (Class A bear archery license.

13 SECTION 7. 29.180 (1) (a) 7. of the statutes is amended to read:  
14 29.180 (1) (a) 7. Wild turkey hunting general license.

gHistory: 2005 a. 88; 2007 a. 65, 66.

15 SECTION 8. 29.180 (1) (a) 7m. of the statutes is created to read:  
16 29.180 (1) (a) 7m. Wild turkey hunting archery license.

17 SECTION 9. 29.180 (1) (a) 9. of the statutes is amended to read:  
18 29.180 (1) (a) 9. Class A bear general license.

gHistory: 2005 a. 88; 2007 a. 65, 66.

INSERT 7-24

19 SECTION 10. 29.235 (2) (c) of the statutes is amended to read:

1 29.235 (2) (c) A resident wild turkey hunting general license.

gHistory: 1983 a. 27; 1987 a. 27; 1991 a. 39, 269; 1993 a. 213; 1995 a. 27; 1997 a. 1, 27; 1997 a. 248 ss. 338 to 344; Stats. 1997 s. 29.235; 2001 a. 109; 2005 a. 25, 284, 387; 2007 a. 97; 2009 a. 39.

INSERT 8-1

2 SECTION 11. 29.235 (2m) (c) of the statutes is amended to read:

3 29.235 (2m) (c) A nonresident wild turkey hunting general license.

gHistory: 1983 a. 27; 1987 a. 27; 1991 a. 39, 269; 1993 a. 213; 1995 a. 27; 1997 a. 1, 27; 1997 a. 248 ss. 338 to 344; Stats. 1997 s. 29.235; 2001 a. 109; 2005 a. 25, 284, 387; 2007 a. 97; 2009 a. 39.

INSERT 9-16

4 SECTION 12. 29.563 (14) (a) 1. of the statutes is amended to read:

5 29.563 (14) (a) 1. The processing fee for applications for approvals under the  
6 cumulative preference systems for the hunter's choice deer hunting permit, bonus  
7 deer hunting permit, wild turkey hunting general license, wild turkey hunting  
8 archery license, Class A bear general license, Class A bear archery license, Canada  
9 goose hunting permit, sharp-tailed grouse hunting permit, otter trapping permit,  
10 fisher trapping permit or sturgeon fishing permit: \$2.75.

*bobcat hunting and trapping permit, ← plair*

NOTE: NOTE: Subd. 1. is shown as amended eff. 3-31-10 by 2009 Wis. Act 28. Prior to 3-31-10 it reads: NOTE:

1. The processing fee for applications for approvals under the cumulative preference systems for the hunter's choice deer hunting permit, bonus deer hunting permit, wild turkey hunting license, Class A bear license, Canada goose hunting permit, sharp-tailed grouse hunting permit, bobcat hunting and trapping permit, otter trapping permit, fisher trapping permit or sturgeon fishing permit: \$2.75.

gHistory: 1997 a. 248; 1999 a. 9, 32, 47, 63, 186; 2001 a. 16, 17, 56, 109; 2003 a. 22, 25, 55, 284, 288; 2007 a. 20; 2009 a. 28, 39.

14 SECTION 13. 29.563 (14) (a) 1. of the statutes, as affected by 2009 Wisconsin Act <sup>S</sup>

15 28 and ~~2009 Wisconsin Act~~ ... (this act) is repealed and recreated to read:

16 29.563 (14) (a) 1. The processing fee for applications for approvals under the  
17 cumulative preference systems for the hunter's choice deer hunting permit, bonus  
18 deer hunting permit, wild turkey hunting general license, wild turkey hunting  
19 archery license, Class A bear general license, Class A bear archery license, Canada  
20 goose hunting permit, sharp-tailed grouse hunting permit, otter trapping permit,  
21 fisher trapping permit or sturgeon fishing permit: \$2.75.

INSERT 9-20

1 ~~no #~~ unless the resident is prohibited from obtaining a small game hunting general  
 2 license under s. 29.024 (1m). If the resident is prohibited from obtaining a small  
 3 game hunting general license under s. 29.024 (1m), the resident may use the  
 4 certificate of accomplishment in place of a small game hunting nonfirearm license

5 **SECTION 14. Effective dates.** This act takes effect on the day after publication,

6 except as follows:

7 (1) The repeal and recreation of section 29.563 (14) (a) 1. of the statutes takes  
 8 effect on March 1, 2010, or the day after publication, whichever is later.

This is  
insert  
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↓  
31

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-2927/1dn

RNK: *gjf*

*Date*

This redraft reflects changes to the preliminary version of this draft which we discussed at our recent meeting. Please review the draft closely to ensure that the draft meets your intent.

Please note that the draft contains some minor changes from the previous version of the draft to the names of the licenses in the draft. These changes were made for purposes of consistency and to ensure that the definitions in the draft were not ambiguous.

Please feel free to contact me if you have any questions with regard to this draft.

Robin N. Kite  
Legislative Attorney  
Phone: (608) 266-7291  
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**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-2927/1dn  
RNK:kjf:md

December 3, 2009

This redraft reflects changes to the preliminary version of this draft which we discussed at our recent meeting. Please review the draft closely to ensure that the draft meets your intent.

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Please feel free to contact me if you have any questions with regard to this draft.

Robin N. Kite  
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Phone: (608) 266-7291  
E-mail: [robin.kite@legis.wisconsin.gov](mailto:robin.kite@legis.wisconsin.gov)

**Kite, Robin**

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**From:** Wahl, Andrea  
**Sent:** Monday, December 14, 2009 11:13 AM  
**To:** Kite, Robin  
**Subject:** FW: Felon Hunting License Bill draft - One more issue

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**From:** Van Haren, Thomas - DNR [mailto:Thomas.VanHaren@Wisconsin.gov]  
**Sent:** Friday, December 11, 2009 1:28 PM  
**To:** Wahl, Andrea  
**Cc:** Stark, Randall J - DNR  
**Subject:** RE: Felon Hunting License Bill draft - One more issue

Andrea, just as I hit the send button on the last e-mail, I noticed one additional issue I had meant to include.

It has to do with the cost for duplicate approvals, which always seems to be overlooked. The issue is not new or unique to the licenses created by this bill, but will be affected by this bill.

The issue is that the current language under s. 29.563(12) has not taken into account that there are now hunting licenses that cost less than what it costs to get a duplicate for the same license if lost or stolen. This would apply to a license such as a small game hunting general license or a small game hunting nonfirearm license issued to a person under age 18. These licenses only costs \$6.25, while the cost to get a duplicate is currently set at \$9.25.

It would be helpful and make sense to create a new line under s. 29.563(12)(a), similar to the language found under s. 29.563(12)(b)2. such as:

Amend s. 29.563(12)(a) 3. and create a 6. to read:

29.563(12) Duplicates of approvals. The fees for duplicate approvals are as follows:

(a) Hunting.

1. Deer: \$14.25.
2. Archer, sports or conservation patron: \$14.25 if deer tags are included; \$11.25 after open season and deer tags are not included.
3. Other hunting: \$9.25 except as provided in subd. 6.
4. Class A bear: \$13.
5. Elk: \$13.
6. The total cost of issuing the original approval, including any supplemental fee under sub.

(14), if the total cost is less than \$10.

Below is the fishing license duplicate language.

29.563(12)(b) Fishing.

1. Fishing: \$9.25 except as provided in subd. 2.
2. The total cost of issuing the original approval, including any supplemental fee under sub. (14), if the total cost is less than \$10.

Thanks again for the chance to review and comment.

12/14/2009

**Kite, Robin**

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**From:** Wahl, Andrea  
**Sent:** Monday, December 14, 2009 11:13 AM  
**To:** Kite, Robin  
**Subject:** FW: Felon Hunting License Bill draft

Robin,

Below is the email I received from Tom at DNR regarding the hunting license bill. He sent a follow-up that I will forward as well. Could you give me a call so we can walk through these changes?

Thank you!

**Andrea Wahl**  
Office of Representative Jeff Smith  
93rd Assembly District  
608-266-0660

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**From:** Van Haren, Thomas - DNR [mailto:Thomas.VanHaren@Wisconsin.gov]  
**Sent:** Friday, December 11, 2009 1:09 PM  
**To:** Wahl, Andrea  
**Cc:** Stark, Randall J - DNR  
**Subject:** RE: Felon Hunting License Bill draft

Hi Andrea,

I finally found some time to read more closely through this draft and the following are the issues I caught that we feel should still be addressed.

✓ **1. SECTION 1.** 29.001 (7)

29.001 (7) "Airgun" means a weapon that expels a projectile by the expansion of compressed air or other gas and not by the use of gun powder.

**The above additional language is being suggested to the definition of "Airgun" so that a person can not try to claim that it is the gas created by the explosion of the gun powder that expels the projectile from their gun.**

**From Wikipedia, Gunpowder, also called black powder, is a mixture of sulfur, charcoal, and potassium nitrate. It burns rapidly, producing volumes of hot solids and gases which can be used as a propellant in firearms**

✓ **2. SECTION 8.** 29.164 (2) (b)

29.164 (2) (b) 1. A wild turkey hunting general license issued under this section authorizes hunting a resident or nonresident holder of the license to hunt wild turkey with a firearm or bow and arrow, or with a crossbow if the holder of the license ~~is a~~

~~resident and~~ has a Class A, Class B or Class C permit issued under s. 29.193 (2) that authorizes hunting with a crossbow or has a crossbow permit issued under s. 29.171

(4) (a), or is a resident senior citizen.

The above strike out of the words "is a resident and" is inconsistent with the language in all the other license sections in the statutes, including the language created in Section 6 Line 12 and Section 9 Line 4, for the new Nonfirearm small game hunting license and Wild Turkey Hunting Archery License". There is no reason to not allow a nonresident with a Class A, B, or C disabled hunting permit which authorizes the use of a crossbow, to hunt turkeys with a crossbow under the "Wild Turkey Hunting General License". Especially since they can do so with the proper disabled permit under the archery turkey and all other hunting licenses.

✓ **3. SECTION 24.** 29.194 (1) (a)

29.194 (1) (a) Notwithstanding ss. 29.024 (2) and 29.228 (1) (a), the department shall issue a ~~resident~~ fishing license, ~~resident~~ small game hunting general license, small game hunting nonfirearm license, or ~~resident~~ deer hunting license to a qualified student applying for the license at the resident fee. A qualified student is a person who exhibits proof that he or she is a registered full-time student who is present in this state attending a public or private college or university that is located in this state and that offers an associate degree or a bachelor's degree or that he or she is a citizen of a foreign country temporarily residing in this state while attending a high school located in this state or an agricultural short course at the University of Wisconsin System.

The department does not actually issue these nonresidents a resident license, but simply issues them a nonresident license (which is what they are and we need to record them in the license data base as) at the resident fee. If we sell them a resident license, the system then records them as a resident, and when no longer a student, they would still be issued a resident license unless the student told the license agent that they were no longer a student. This is basically a housekeeping fix to accurately reflect how the license issuance system operates.

✓ **4. SECTION 45.** 29.563 (2) (a)

**SECTION 45.** 29.563 (2) (a) 1r. of the statutes is created to read:

29.563 (2) (a) 1r. Small game nonfirearm issued to ~~12 year olds to~~  
~~17 year olds~~ persons who are under 18 years of age: \$6.25.

The above language should be changed to be consistent with current language recently amended under 2009 Act 39 and which is also used in Section 48 Lines 11 & 12 of this bill.

✓ **5. SECTION 62.0****Effective dates.** This act takes effect on the first day of the third month after publication,

or on July 1, 2010, which every is later, except as follows:

(1) The repeal and recreation of section 29.563 (14) (a) 1. of the statutes takes

effect on March 31, 2010, or the day after publication, whichever is later.

I discussed the current effective date in the bill draft with our License Section staff and was advised that there will be some major changes that will need to be made to the ALIS system to accommodate the changes made by this bill, such as creating the logic in the system for the new license types, to require that the agents be prompted to ask the necessary questions when determining the appropriate license to issue, etc. They have advised that they will need at least 3 months to get the contractor to write a new program for the license system and get it tested and up and running.

**6. One last thing to consider:** I am not sure if Rep. Smith wants to address this issue or not, but there are 3-5 other licenses that authorize hunting (with either firearm or bow), which are not addressed by this bill because those licenses are not issued under the authority of Chapter 29, but under Chapter 169. These licenses relate to the hunting of certain released captive wild animals (Not deer on a deer hunting preserve which. The primary concern might be the Bird Hunting Preserve License under s. 169.19(2)(a)2., Stats. and the Bird Dog Training and Trial Licenses issued under s. 169.20(1)(b) and (2)(b), Stats.

These licenses are issued by DNR, but not the same way that most hunting licenses are issued. These require a special paper application and are issued after review of the application. These license do allow the holder to release captive game birds, such as pheasants or quail, and then hunt for those birds and shoot them essentially year round on the property approved on the license. They do not always shoot the birds with a dog training or trial license, but the license still authorizes the holder to do so if they want to.

The question is, do we want to still allow persons who may not possess a firearm, to still be able to purchase one of these Ch. 169 Bird hunting preserve, dog training or dog trail license? It would not probably make a lot of sense to allow a felon to be able to license and run a bird hunting preserve where most of the clients would be hunting the birds with firearms. The dog training and trial license are a bit different, as a person might want to train a dog using captive game birds, but would not necessarily need to possess a firearm or shoot any of the birds.

Just wanted to make sure everyone understood that these licenses and their issuance would not be affected by this bill as currently drafted.

Thanks for the opportunity to review and comment on the current bill draft. Let me know if you have any questions.

*Thomas Van Haren*

Conservation Warden & NR Policy Officer

12/14/2009

Bureau of Law Enforcement

Wisconsin Department of Natural Resources

(☎) phone: (608) 266-3244

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**From:** Wahl, Andrea [mailto:Andrea.Wahl@legis.wisconsin.gov]

**Sent:** Friday, December 04, 2009 9:53 AM

**To:** Van Haren, Thomas - DNR; Stark, Randall J - DNR

**Subject:** Felon Hunting License Bill draft

Randy and Tom,

I've attached the most recent draft of the bill to prohibit certain persons from hunting with a license that allows use of guns. Could you look it over and make sure everything is in order?

<<09-29271.pdf>>

Thank you!

**Andrea Wahl**

Office of Representative Jeff Smith

93rd Assembly District

608-266-0660



other

RM num  
2

LRB-2927/10

RNK:kjf:md

## 2009 BILL

In 12/14  
sections eff'd ✓

D-Note

Regen

1 AN ACT *to renumber* 29.207 and 29.213; *to renumber and amend* 29.161,  
2 29.164 (2) (b), 29.184 (1), 29.184 (3) (bg) and 29.204; *to amend* 29.161 (title),  
3 29.179 (1) (a) 7., 29.179 (1) (a) 9., 29.180 (1) (a) 7., 29.180 (1) (a) 9., 29.184 (3)  
4 (bg) (title), 29.194 (1) (a), 29.194 (3), 29.204 (title), 29.231 (2), 29.231 (3), 29.235  
5 (2) (a), 29.235 (2) (c), 29.235 (2m) (a), 29.235 (2m) (c), 29.553 (1) (f), 29.553 (1)  
6 (h), 29.563 (2) (a) 1., 29.563 (2) (a) 2., 29.563 (2) (a) 3., 29.563 (2) (a) 4., 29.563  
7 (2) (a) 9., 29.563 (2) (b) 1., 29.563 (2) (b) 8., 29.563 (14) (a) 1., 29.591 (4) (a) 2. and  
8 29.624 (1); *to repeal and recreate* 29.563 (14) (a) 1.; and *to create* 29.001 (7),  
9 29.024 (1m), 29.161 (2), 29.162, 29.164 (1) (e), 29.164 (2) (b) 2., 29.179 (1) (a) 7m.,  
10 29.179 (1) (a) 9m., 29.180 (1) (a) 7m., 29.180 (1) (a) 9m., 29.184 (1) (a), 29.184  
11 (3) (bg) 2., 29.184 (10), 29.204 (2), 29.207 (2), 29.213 (2), 29.553 (1) (fm), 29.553  
12 (1) (hg), 29.563 (2) (a) 1g., 29.563 (2) (a) 1r., 29.563 (2) (a) 6m., 29.563 (2) (a) 10.,  
13 29.563 (2) (b) 1m., 29.563 (2) (b) 4m., 29.563 (2) (b) 9. and 29.971 (3r) of the  
14 statutes; **relating to:** weapons authorized for use under certain hunting

**BILL**

1 approvals, prohibiting certain persons from obtaining or using hunting  
 2 approvals, (and) authorizing issuance of archery hunting approvals and  
 3 nonfirearm hunting approvals for hunting certain animals ) and providing a penalty

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***Analysis by the Legislative Reference Bureau***

Current law prohibits certain persons from possessing a firearm. A felon is prohibited from possessing a firearm subsequent to conviction and certain persons adjudicated delinquent may not possess a firearm subsequent to adjudication. A person found not guilty of a felony by reason of mental defect is prohibited from possessing a firearm subsequent to the not guilty finding. Current law also prohibits certain persons ordered not to possess a firearm, such as those committed for treatment for a mental illness, from possessing a firearm while subject to that order. A person who is enjoined from committing acts of domestic abuse or who is enjoined from coming into contact with a child is prohibited from possessing a firearm while the injunction is in effect. Finally, a person who is subject to an order that prohibits the person from engaging in harassing behavior and from possessing a firearm, is prohibited from possessing a firearm while the order is in effect.

This bill prohibits a person who, under current law, is prohibited from possessing a firearm from obtaining or using a license, permit, or other approval (approval) issued by the Department of Natural Resources (DNR) if the approval authorizes hunting with a firearm. The bill provides that a person who violates this prohibition is subject to a forfeiture of not less than \$500 nor more than \$1,000. In addition, the court must revoke all hunting approvals issued to that person by DNR and prohibit that person from holding such an approval for a period of five years.

Under current law, the statutes for some of the hunting licenses issued by DNR specify whether firearms, bows and arrows, or crossbows may be used for hunting under those licenses. For other licenses, the allowable weapon is specified in the administrative code. This bill clarifies in the statutes which weapons may be used under the authority of existing hunting licenses. The bill changes the name of a small game hunting license to a small game hunting general license, changes the name of a wild turkey hunting license to a wild turkey hunting general license, and changes the name of a Class A bear license to a Class A bear general license. The bill also creates three new licenses. The bill creates a small game hunting nonfirearm license, a wild turkey hunting archery license, and a Class A bear archery license. All three of these new licenses authorize hunting with a bow and arrow or with a crossbow if the holder has a permit that authorizes the holder to use a crossbow or if the holder is a resident senior citizen. The small game hunting nonfirearm license also allows the holder to hunt with an airgun.

**BILL**

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

1           **SECTION 1.** 29.001 (7) of the statutes is created to read:

2           29.001 (7) "Airgun" means a weapon that expels a projectile by the expansion  
3 of compressed air or other gas. *and not by the use of gunpowder*

*NO  
Scored  
Created*

4           **SECTION 2.** 29.024 (1m) of the statutes is created to read:

5           29.024 (1m) PERSONS PROHIBITED FROM OBTAINING OR USING CERTAIN APPROVALS.  
6 No person may obtain or use an approval issued under this chapter that authorizes  
7 hunting with a firearm if the person is prohibited from possessing a firearm under  
8 s. 941.29 (1). The department shall provide each person who applies for an approval  
9 under this chapter that authorizes hunting with a firearm with a notice of the  
10 prohibition under this subsection.

11           **SECTION 3.** 29.161 (title) of the statutes is amended to read:

12           **29.161 (title) Resident small game hunting general license.**

13           **SECTION 4.** 29.161 of the statutes is renumbered 29.161 (1) and amended to  
14 read:

15           29.161 (1) A resident small game hunting general license shall be issued  
16 subject to ss. 29.024 and 54.25 (2) (c) 1. d. by the department to any resident applying  
17 for this license. The resident small game hunting general license does not authorize  
18 the hunting of bear, deer, elk, or wild turkey.

19           **SECTION 5.** 29.161 (2) of the statutes is created to read:

20           29.161 (2) A resident small game hunting general license authorizes hunting  
21 with a firearm, airgun, or bow and arrow or with a crossbow if the holder of the license

## BILL

1 has a Class A, Class B, or Class C permit issued under s. 29.193 (2) that authorizes  
2 hunting with a crossbow, has a crossbow permit issued under s. 29.171 (4) (a), or is  
3 a resident senior citizen.

4 **SECTION 6.** 29.162 of the statutes is created to read:

5 **29.162 Small game hunting nonfirearm license. (1) ISSUANCE.** A small  
6 game hunting nonfirearm license shall be issued subject to ss. 29.024 and 54.25 (2)  
7 (c) 1. d. by the department to any person applying for this license. A small game  
8 hunting nonfirearm license does not authorize the hunting of bear, deer, elk, or wild  
9 turkey or, if the person is a nonresident, fur-bearing animals.

10 **(2) AUTHORIZATION.** A small game hunting nonfirearm license authorizes a  
11 resident or nonresident holder of the license to hunt small game with an airgun, bow  
12 and arrow, or with a crossbow if the holder of the license has a Class A, Class B, or  
13 Class C permit issued under s. 29.193 (2) that authorizes hunting with a crossbow  
14 or has a crossbow permit issued under s. 29.171 (4) (a), or is a resident senior citizen.

15 **SECTION 7.** 29.164 (1) (e) of the statutes is created to read:

16 29.164 (1) (e) "Wild turkey hunting license" means a wild turkey hunting  
17 general license or a wild turkey hunting archery license.

18 **SECTION 8.** 29.164 (2) (b) of the statutes is renumbered 29.164 (2) (b) 1. and  
19 amended to read:

20 29.164 (2) (b) 1. A wild turkey hunting general license issued under this section  
21 authorizes hunting a resident or nonresident holder of the license to hunt wild turkey  
22 with a firearm or bow and arrow or with a crossbow if the holder of the license ~~is a~~  
23 ~~resident and~~ has a Class A, Class B or Class C permit issued under s. 29.193 (2) that  
24 authorizes hunting with a crossbow or has a crossbow permit issued under s. 29.171  
25 (4) (a), or is a resident senior citizen.

**BILL**

1           **SECTION 9.** 29.164 (2) (b) 2. of the statutes is created to read:

2           29.164 (2) (b) 2. A wild turkey hunting archery license issued under this section  
3 authorizes a resident or nonresident holder of the license to hunt wild turkey with  
4 a bow and arrow or with a crossbow if the holder of the license has a Class A, Class  
5 B, or Class C permit issued under s. 29.193 (2) that authorizes hunting with a  
6 crossbow or has a crossbow permit issued under s. 29.171 (4) (a), or is a resident  
7 senior citizen.

8           **SECTION 10.** 29.179 (1) (a) 7. of the statutes is amended to read:

9           29.179 (1) (a) 7. A wild turkey hunting general license.

10          **SECTION 11.** 29.179 (1) (a) 7m. of the statutes is created to read:

11          29.179 (1) (a) 7m. A wild turkey hunting archery license.

12          **SECTION 12.** 29.179 (1) (a) 9. of the statutes is amended to read:

13          29.179 (1) (a) 9. A Class A bear general license.

14          **SECTION 13.** 29.179 (1) (a) 9m. of the statutes is created to read:

15          29.179 (1) (a) 9m. A Class A bear archery license.

16          **SECTION 14.** 29.180 (1) (a) 7. of the statutes is amended to read:

17          29.180 (1) (a) 7. Wild turkey hunting general license.

18          **SECTION 15.** 29.180 (1) (a) 7m. of the statutes is created to read:

19          29.180 (1) (a) 7m. Wild turkey hunting archery license.

20          **SECTION 16.** 29.180 (1) (a) 9. of the statutes is amended to read:

21          29.180 (1) (a) 9. Class A bear general license.

22          **SECTION 17.** 29.180 (1) (a) 9m. of the statutes is created to read:

23          29.180 (1) (a) 9m. Class A bear archery license.

24          **SECTION 18.** 29.184 (1) of the statutes is renumbered 29.184 (1) (intro.) and  
25 amended to read:

**BILL**

1           29.184 (1) ~~DEFINITION DEFINITIONS.~~ (intro.) In this section, ~~notwithstanding:~~  
2           **(b) Notwithstanding** s. 29.001 (42), "hunt bear" means to shoot, shoot at, take,  
3 catch, or kill a bear or pursue, with or without the use of dogs, a bear for the purpose  
4 of shooting, shooting at, taking, catching, or killing the bear.

5           **SECTION 19.** 29.184 (1) (a) of the statutes is created to read:

6           29.184 (1) (a) "Class A bear license" means a Class A bear general license or  
7 a Class A bear archery license issued under this section.

8           **SECTION 20.** 29.184 (3) (bg) (title) of the statutes is amended to read:

9           29.184 (3) (bg) (title) *Authorization; Class A bear license licenses.*

10          **SECTION 21.** 29.184 (3) (bg) of the statutes is renumbered 29.184 (3) (bg) 1. and  
11 amended to read:

12          29.184 (3) (bg) 1. A Class A bear general license authorizes a resident or  
13 nonresident holder of the license to hunt bear with a firearm or bow and arrow or  
14 with a crossbow if the holder of the license has a Class A, Class B, or Class C permit  
15 issued under s. 29.193 (2) that authorizes hunting with a crossbow or has a crossbow  
16 permit issued under s. 29.171 (4) (a), or is a resident senior citizen, and to exercise  
17 all of the privileges of a Class B bear license.

18          **SECTION 22.** 29.184 (3) (bg) 2. of the statutes is created to read:

19          29.184 (3) (bg) 2. A Class A bear archery license authorizes a resident or  
20 nonresident holder of the license to hunt bear with a bow and arrow or with a  
21 crossbow if the holder of the license has a Class A, Class B, or Class C permit issued  
22 under s. 29.193 (2) that authorizes hunting with a crossbow or has a crossbow permit  
23 issued under s. 29.171 (4) (a), or is a resident senior citizen, and to exercise all of the  
24 privileges of a Class B bear license.

25          **SECTION 23.** 29.184 (10) of the statutes is created to read:

use 3 times

**BILL**

nonresident

1           29.184 (10) LICENSE LIMITATION. No person may apply for or receive more than  
2 one Class A bear license during one season.

3           **SECTION 24.** 29.194 (1) (a) of the statutes is amended to read:

4           29.194 (1) (a) Notwithstanding ss. 29.024 (2) and 29.228 (1) (a), the department  
5 shall issue a ~~resident~~ fishing license, ~~resident~~ small game hunting general license,  
6 small game hunting nonfirearm license, or ~~resident~~ deer hunting license to a  
7 qualified student applying for the license. A qualified student is a person who  
8 exhibits proof that he or she is a registered full-time student who is present in this  
9 state attending a public or private college or university that is located in this state  
10 and that offers an associate degree or a bachelor's degree or that he or she is a citizen  
11 of a foreign country temporarily residing in this state while attending a high school  
12 located in this state or an agricultural short course at the University of Wisconsin  
13 System.

14           **SECTION 25.** 29.194 (3) of the statutes is amended to read:

15           29.194 (3) RESIDENT ARMED FORCES SMALL GAME HUNTING ~~LICENSE~~ LICENSES. A  
16 small game hunting general license or small game hunting nonfirearm license shall  
17 be issued by the department to any member of the U.S. armed forces applying for this  
18 license who exhibits proof that he or she is in active service with the armed forces and  
19 that he or she is a resident on furlough or leave.

20           **SECTION 26.** 29.204 (title) of the statutes is amended to read:

21           **29.204 (title) Nonresident annual small game hunting general license.**

22           **SECTION 27.** 29.204 of the statutes is renumbered 29.204 (1) and amended to  
23 read:

24           29.204 (1) A nonresident annual small game hunting general license shall be  
25 issued subject to s. 29.024 by the department to any nonresident applying for this

Notwithstanding the fees specified for these licenses under s 29.563 (2) and (3) the department shall charge the fees for these licenses as if they were issued to a resident.

Score THIS

**BILL**

1 license. The nonresident annual small game hunting general license authorizes the  
2 hunting of small game during the appropriate open season but does not authorize the  
3 hunting of deer, elk, bear, wild turkey, or fur-bearing animals.

4 **SECTION 28.** 29.204 (2) of the statutes is created to read:

5 29.204 (2) A nonresident annual small game hunting general license  
6 authorizes hunting with a firearm, airgun, or bow and arrow or with a crossbow if  
7 the holder of the license has a Class A, Class B, or Class C permit issued under s.  
8 29.193 (2) that authorizes hunting with a crossbow.

9 **SECTION 29.** 29.207 of the statutes is renumbered 29.207 (1).

10 **SECTION 30.** 29.207 (2) of the statutes is created to read:

11 29.207 (2) A nonresident 5-day small game hunting license authorizes hunting  
12 with a firearm, airgun, or bow and arrow or with a crossbow if the holder of the license  
13 has a Class A, Class B, or Class C permit issued under s. 29.193 (2) that authorizes  
14 hunting with a crossbow.

15 **SECTION 31.** 29.213 of the statutes is renumbered 29.213 (1).

16 **SECTION 32.** 29.213 (2) of the statutes is created to read:

17 29.213 (2) A nonresident fur-bearing animal hunting license authorizes  
18 hunting with a firearm, airgun, or bow and arrow or with a crossbow if the holder of  
19 the license has a Class A, Class B, or Class C permit issued under s. 29.193 (2) that  
20 authorizes hunting with a crossbow.

21 **SECTION 33.** 29.231 (2) of the statutes is amended to read:

22 29.231 (2) A resident sports license confers upon the licensee all of the  
23 combined privileges conferred by a resident small game hunting general license,  
24 resident fishing license and resident deer hunting license subject to all of the duties,  
25 conditions, limitations and restrictions of those licenses.

**BILL**

1           **SECTION 34.** 29.231 (3) of the statutes is amended to read:

2           29.231 (3) A nonresident sports license confers upon the licensee all of the  
3 combined privileges conferred by a nonresident small game hunting general license,  
4 nonresident fishing license and nonresident deer hunting license subject to all of the  
5 duties, conditions, limitations and restrictions of those licenses.

6           **SECTION 35.** 29.235 (2) (a) of the statutes is amended to read:

7           29.235 (2) (a) A resident small game hunting general license.

8           **SECTION 36.** 29.235 (2) (c) of the statutes is amended to read:

9           29.235 (2) (c) A resident wild turkey hunting general license.

10          **SECTION 37.** 29.235 (2m) (a) of the statutes is amended to read:

11          29.235 (2m) (a) A nonresident small game hunting general license.

12          **SECTION 38.** 29.235 (2m) (c) of the statutes is amended to read:

13          29.235 (2m) (c) A nonresident wild turkey hunting general license.

14          **SECTION 39.** 29.553 (1) (f) of the statutes is amended to read:

15          29.553 (1) (f) Wild turkey hunting general license.

16          **SECTION 40.** 29.553 (1) (fm) of the statutes is created to read:

17          29.553 (1) (fm) Wild turkey hunting archery license.

18          **SECTION 41.** 29.553 (1) (h) of the statutes is amended to read:

19          29.553 (1) (h) Class A bear general license.

20          **SECTION 42.** 29.553 (1) (hg) of the statutes is created to read:

21          29.553 (1) (hg) Class A bear archery license.

22          **SECTION 43.** 29.563 (2) (a) 1. of the statutes is amended to read:

23          29.563 (2) (a) 1. Small game general: \$15.25.

24          **SECTION 44.** 29.563 (2) (a) 1g. of the statutes is created to read:

25          29.563 (2) (a) 1g. Small game nonfirearm: \$15.25.

## BILL

## SECTION 45

1 SECTION 45. 29.563 (2) (a) 1r. of the statutes is created to read:

2 29.563 (2) (a) 1r. Small game nonfirearm issued to ~~12-year-olds to~~  
3 ~~17-year-olds~~: \$6.25. persons who are under 18 years of age

4 SECTION 46. 29.563 (2) (a) 2. of the statutes is amended to read:

5 29.563 (2) (a) 2. Small game general issued to a resident senior citizen: \$6.25.

6 SECTION 47. 29.563 (2) (a) 3. of the statutes is amended to read:

7 29.563 (2) (a) 3. Small game general issued to a member of the armed forces  
8 under s. 29.194 (3): \$0.

9 SECTION 48. 29.563 (2) (a) 4. of the statutes, as affected by 2009 Wisconsin Act  
10 39, is amended to read:

11 29.563 (2) (a) 4. Small game general issued to persons who are under 18 years  
12 of age: \$6.25.

13 SECTION 49. 29.563 (2) (a) 6m. of the statutes is created to read:

14 29.563 (2) (a) 6m. Class A bear archery: \$46.25.

15 SECTION 50. 29.563 (2) (a) 9. of the statutes is amended to read:

16 29.563 (2) (a) 9. Wild turkey general: \$12.25.

17 SECTION 51. 29.563 (2) (a) 10. of the statutes is created to read:

18 29.563 (2) (a) 10. Wild turkey archery: \$12.25.

19 SECTION 52. 29.563 (2) (b) 1. of the statutes is amended to read:

20 29.563 (2) (b) 1. Annual small game general: \$82.25.

21 SECTION 53. 29.563 (2) (b) 1m. of the statutes is created to read:

22 29.563 (2) (b) 1m. Small game nonfirearm: \$82.25.

23 SECTION 54. 29.563 (2) (b) 4m. of the statutes is created to read:

24 29.563 (2) (b) 4m. Class A bear archery: \$248.25.

25 SECTION 55. 29.563 (2) (b) 8. of the statutes is amended to read:

*h/o  
PTM/K  
8  
2/0  
Sewi*

**BILL**

*as affected by 2009 Wisconsin Act 28,*

1 29.563 (2) (b) 8. Wild turkey general: \$57.25.

2 **SECTION 56.** 29.563 (2) (b) 9. of the statutes is created to read:

3 29.563 (2) (b) 9. Wild turkey archery: \$57.25.

*insert  
11-3*

4 **SECTION 57.** 29.563 (14) (a) 1. of the statutes is amended to read:

5 29.563 (14) (a) 1. The processing fee for applications for approvals under the

6 cumulative preference systems for the hunter's choice deer hunting permit, bonus

7 deer hunting permit, wild turkey hunting general license, wild turkey hunting

8 archery license, Class A bear general license, Class A bear archery license, Canada

9 goose hunting permit, sharp-tailed grouse hunting permit, ~~bobcat hunting and~~

10 ~~trapping permit~~, otter trapping permit, fisher trapping permit, or sturgeon fishing

11 permit: \$2.75.

12 **SECTION 58.** 29.563 (14) (a) 1. of the statutes, as affected by 2009 Wisconsin Acts  
13 28 and .... (this act), is repealed and recreated to read:

14 29.563 (14) (a) 1. The processing fee for applications for approvals under the  
15 cumulative preference systems for the hunter's choice deer hunting permit, bonus  
16 deer hunting permit, wild turkey hunting general license, wild turkey hunting  
17 archery license, Class A bear general license, Class A bear archery license, Canada  
18 goose hunting permit, sharp-tailed grouse hunting permit, otter trapping permit,  
19 fisher trapping permit, or sturgeon fishing permit: \$2.75.

20 **SECTION 59.** 29.591 (4) (a) 2. of the statutes is amended to read:

21 29.591 (4) (a) 2. A resident may use the certificate of accomplishment issued  
22 to him or her for successfully completing the course of instruction under the hunter  
23 education program for the first time in place of a small game hunting general or  
24 nonfirearm license unless the resident is prohibited from obtaining a small game  
25 hunting general license under s. 29.024 (1m). If the resident is prohibited from

**BILL**

1 obtaining a small game hunting general license under s. 29.024 (1m), the resident  
2 may use the certificate of accomplishment in place of a small game hunting  
3 nonfirearm license.

4 **SECTION 60.** 29.624 (1) of the statutes is amended to read:

5 29.624 (1) A senior citizen recreation card entitles the holder to exercise all of  
6 the combined rights and privileges conferred by a resident small game hunting  
7 general license, a wild turkey hunting license, a wild turkey hunting stamp and a  
8 resident fishing license, subject to all duties, conditions, limitations and restrictions  
9 of the licenses and stamp. A person may operate any motor vehicle, except a motor  
10 bus, as defined in s. 340.01 (31), subject to the admission requirements under s. 27.01  
11 (7) in any vehicle admission area under s. 27.01 (7) without having an admission  
12 receipt affixed to the vehicle or otherwise displayed and without paying a fee if the  
13 vehicle has as an occupant a card holder who can present the card upon demand in  
14 the vehicle admission area. The card permits a card holder to enter Heritage Hill  
15 state park or a state trail without paying an admission fee.

16 **SECTION 61.** 29.971 (3r) of the statutes is created to read:

17 29.971 (3r) For obtaining or using a hunting approval in violation of s. 29.024  
18 (1m), by a forfeiture of not less than \$500 nor more than \$1,000. In addition, the court  
19 shall order the revocation of all hunting privileges and approvals issued to the person  
20 under this chapter and shall prohibit the person from holding any hunting approval  
21 under this chapter for a period of 5 years from the date of the court's order.

22 **SECTION 62. Effective dates.** (This act takes effect on the <sup>first</sup> day after publication

23 except as follows:

*insert 12-21*  
*change component to act on use of date*  
*of the 3rd month beginning*  
*stays 10*  
*text NS: eff date A*  
*July 1, 2010*  
*whichever is later.*  
*or on*

**BILL**

1  
2  
3

(1) The repeal and recreation of section 29.563 (14) (a) 1. of the statutes takes effect on March 31, 2010, or the day after publication, whichever is later.

(END)

*D-Note*

**2009-2010 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-2927/2ins.  
RNK:.....

**INSERT 11-3**

1           **SECTION 1.** 29.563 (12) (a) 3. of the statutes is amended to read:

2           29.563 (12) (a) 3. Other hunting: \$9.25, except that the fee shall be the total  
3 cost of issuing the original approval, including any supplemental fee under sub. (14),  
4 if that total cost is less than \$10.

History: 1997 a. 248; 1999 a. 9, 32, 47, 63, 186; 2001 a. 16, 17, 56, 109; 2003 a. 33; 2005 a. 22, 25, 55, 284, 288; 2007 a. 20; 2009 a. 28, 39.

**INSERT 12-21**

5           **SECTION 2.** 169.09 (1r) of the statutes is created to read:

6           **169.09 (1r) PERSONS PROHIBITED FROM OBTAINING OR USING CERTAIN LICENSES.**  
7           Notwithstanding any authorization for hunting under this section, no person may  
8 obtain or use a license specified under sub. (1) if the person is prohibited from  
9 possessing a firearm under s. 941.29 (1). The department shall provide each person  
10 who applies for a license specified under sub. (1) with a notice of the prohibition  
11 under this subsection.

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-2927/2dn

RNK: *kgf*

*Date*

Please review this redraft closely to ensure that the draft accurately addresses the issues raised by Tom Van Haren from DNR. *of the statutes*

*X* One change in this draft concerns certain licenses issued under ch. 169, stats, which is the chapter concerning captive wildlife. The draft provides that persons prohibited from possessing a firearm may not acquire certain captive wildlife licenses that authorize hunting. The penalties that currently exist under s. 169.45 will apply to a violation of this new prohibition. Please note that the penalties under ch. 169 are different than the penalties created in the draft that apply to a violation of the prohibition against obtaining certain licenses under ch. 29. Is that O.K.?

Please feel free to contact me if you have any questions with regard to this draft.

Robin N. Kite  
Legislative Attorney  
Phone: (608) 266-7291  
E-mail: robin.kite@legis.wisconsin.gov

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-2927/2dn  
RNK:kjf:ph

December 18, 2009

Please review this redraft closely to ensure that the draft accurately addresses the issues raised by Tom Van Haren from DNR.

One change in this draft concerns certain licenses issued under ch. 169, stats. which is the chapter of the statutes concerning captive wildlife. The draft provides that persons prohibited from possessing a firearm may not acquire certain captive wildlife licenses that authorize hunting. The penalties that currently exist under s. 169.45 will apply to a violation of this new prohibition. Please note that the penalties under ch. 169 are different than the penalties created in the draft that apply to a violation of the prohibition against obtaining certain licenses under ch. 29. Is that O.K.?

Please feel free to contact me if you have any questions with regard to this draft.

Robin N. Kite  
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E-mail: robin.kite@legis.wisconsin.gov

**Basford, Sarah**

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**From:** Wahl, Andrea  
**Sent:** Tuesday, February 09, 2010 10:22 AM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB 09-2927/2 Topic: Hunting by felons and weapons used for hunting

Please Jacket LRB 09-2927/2 for the ASSEMBLY.