



2017 ASSEMBLY BILL 203

April 5, 2017 - Introduced by Representatives SHANKLAND, KLEEFISCH, MILROY, BERCEAU, E. BROOKS, R. BROOKS, CROWLEY, DOYLE, HEBL, HORLACHER, KOLSTE, KREMER, MASON, MURSAU, OHNSTAD, SINICKI, SKOWRONSKI, SPIROS, SPREITZER, THIESFELDT, TITTL, WACHS, STEFFEN and EDMING, cosponsored by Senators MOULTON, MILLER, BEWLEY, LASEE, MARKLEIN, VINEHOUT and WIRCH. Referred to Committee on Natural Resources and Sporting Heritage.

1 **AN ACT** *to create* 29.054 of the statutes; **relating to:** requiring the Department
2 of Natural Resources to establish a special wild turkey hunting program for
3 certain disabled veterans, providing an exemption from emergency rule
4 procedures, and requiring the exercise of rule-making authority.

Analysis by the Legislative Reference Bureau

This bill requires the Department of Natural Resources to promulgate rules to administer a program under which it provides instruction to disabled veterans who are learning to hunt wild turkey and under which it establishes a special wild turkey hunting event during which only disabled veterans are allowed to participate. The bill defines a disabled veteran as a veteran who is a resident of this state and who has a service-connected disability rating under federal law of at least 50 percent.

Under this bill, a disabled veteran may hunt wild turkey during a special wild turkey hunting event established by DNR if the disabled veteran holds the required turkey hunting approvals or has been issued a waiver from all hunting license, permit, and other approval requirements by DNR, receives instruction about wild turkey hunting as specified by DNR, and is accompanied by a mentor at all times while hunting. The bill requires the mentor to have at least five years of hunting experience, to hold a valid hunting approval, and to provide instruction or assistance to the disabled veteran. The bill prohibits DNR from charging a disabled veteran participating in the program a fee to receive instruction or a waiver. The bill requires the special event to take place during the two-week period immediately preceding

ASSEMBLY BILL 203

the period during which the hunting of wild turkey is otherwise allowed by the department.

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.** 29.054 of the statutes is created to read:

2 **29.054 Special wild turkey hunting event. (1)** In this section:

3 (a) “Disabled veteran” means a person who is all of the following:

4 1. A veteran, as defined in s. 45.01 (12) (a) to (f).

5 2. A resident of this state.

6 3. The recipient of an award from the U.S. department of veterans affairs of a
7 service-connected disability rating under 38 USC 1114 or 1134 of at least 50 percent.

8 (b) “Mentor” means a person who has at least 5 years of hunting experience,
9 who holds any valid hunting approval issued by the department, and who provides
10 instruction or renders assistance to a disabled veteran learning to hunt wild turkey.

11 **(2)** The department shall promulgate rules to administer a program under
12 which it provides instruction to disabled veterans about wild turkey hunting and
13 establishes a special wild turkey hunting event for disabled veterans who are
14 learning to hunt wild turkey. A disabled veteran is authorized to hunt wild turkey
15 during the special wild turkey hunting event established under this subsection if all
16 of the following apply:

17 (a) The disabled veteran holds the required approvals under s. 29.164 or holds
18 a waiver issued by the department under sub. (3).

19 (b) The disabled veteran receives instruction about wild turkey hunting as
20 specified by the department.

ASSEMBLY BILL 203

1 (c) The disabled veteran is accompanied by a mentor at all times while hunting.

2 (3) The department shall issue a waiver to a disabled veteran under this
3 section who applies for the waiver in the form and manner required by the
4 department. A disabled veteran who is issued a waiver under this subsection may
5 hunt wild turkey during the special wild turkey hunting event established under
6 sub. (2) without holding any approval that would otherwise be required under this
7 chapter to hunt wild turkey.

8 (4) The special wild turkey hunting event established under sub. (2) shall allow
9 wild turkey hunting during the 2 weeks immediately preceding the time period
10 during which wild turkey hunting is otherwise allowed by the department.

11 (5) The department may not charge a fee for a waiver issued, or the instruction
12 provided, by the department under this section.

13 **SECTION 2. Nonstatutory provisions.**

14 (1) The department of natural resources may use the procedure under section
15 227.24 of the statutes to promulgate rules under section 29.054 (2) of the statutes.
16 Notwithstanding section 227.24 (1) (c) and (2) of the statutes, emergency rules
17 promulgated under this subsection remain in effect until July 1, 2019, or the date on
18 which permanent rules take effect, whichever is sooner. Notwithstanding section
19 227.24 (1) (a) and (3) of the statutes, the department of natural resources is not
20 required to provide evidence that promulgating a rule under this subsection as an
21 emergency rule is necessary for the preservation of the public peace, health, safety,
22 or welfare and is not required to provide a finding of emergency for a rule
23 promulgated under this subsection.

24

(END)