



2011 SENATE BILL 226

October 11, 2011 - Introduced by Senators GALLOWAY, MOULTON, TAYLOR and HOLPERIN, cosponsored by Representatives STEINEKE, RIVARD, SUDER, BIES, BERNIER, BROOKS, ENDSLEY, JACQUE, KAUFERT, KERKMAN, KESTELL, KLEEFISCH, KNILANS, KRUG, LEMAHIEU, LITJENS, MARKLEIN, MEYER, MURTHA, NASS, NYGREN, A. OTT, PETRYK, SEVERSON, SPANBAUER, STRACHOTA, STROEBEL, TIFFANY, TRANEL, WILLIAMS, PRIDEMORE and ZIEGELBAUER. Referred to Committee on Natural Resources and Environment.

1 **AN ACT** *to renumber and amend* 29.591 (2); *to amend* 29.197 (3), 29.237 (1m),
2 29.563 (2) (intro.), 29.597 (1) (a) and 29.597 (1) (c); and *to create* 15.347 (21),
3 23.0917 (8) (f), 23.0917 (8) (g), 29.036, 29.084, 29.563 (2t), 29.591 (1) (am),
4 29.591 (2) (b), 29.597 (1m), 29.597 (2) (c), 29.597 (2) (d) and 120.12 (26) of the
5 statutes; **relating to:** creating a sporting recruitment and retention council,
6 programs to encourage recruitment of hunters and trappers, restrictions on
7 expenditures under the Warren Knowles-Gaylord Nelson stewardship
8 program, reduced fees for certain first-time hunting and trapping approvals,
9 high school credit under and administration of the hunter and trapper
10 education programs, waiving fishing license requirements for a weekend ice
11 fishing event, and sturgeon spearing license age requirements.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Natural Resources (DNR) administers the laws regulating hunting, fishing, and trapping. This bill makes various changes to those laws.

SENATE BILL 226**FEEES**

Current law requires, with certain exceptions, a person to obtain a license, permit, or other approval (approval) from DNR in order to hunt or trap wild animals or to fish. The fees for these approvals vary depending on the type of animal for which hunting or trapping is authorized under the approval, the age of the applicant for the approval, and whether the approval is issued to a resident of this state or to a nonresident. Generally, fees for nonresident approvals are higher than fees for resident approvals. The fees for fishing approvals also vary based on similar factors. This bill requires DNR to charge a reduced fee for certain hunting approvals, including small game, deer, and wild turkey licenses, issued to persons who have not received that type of approval in any of the ten years preceding the date on which the application for the approval is made. For these approvals issued to residents of this state, the bill requires DNR to charge a reduced fee of \$4.25 and for these approvals issued to nonresidents, the bill requires DNR to charge a reduced fee of one-half of the fee that would otherwise apply for the approval.

HUNTER AND TRAPPER EDUCATION

Current law requires DNR to establish a hunter education program, a bow hunter education program, and a trapper education program and to issue a certificate of accomplishment to a person who successfully completes the course of instruction under the respective program. Generally, with certain exceptions, a person may not obtain a hunting or trapping approval unless the person has been issued a certificate of accomplishment by DNR under the relevant hunter education or trapper education program. This bill requires school boards to award one-half high school credit to a pupil who successfully completes the hunter education program, the bow hunter education program, or the trapper education program.

This bill also requires DNR to offer an online course of instruction under the hunter education program and under the trapper education program for persons who are at least 18 years old. In addition, the bill provides that if the online course of instruction under the hunter education program or the trapper education program requires field testing or completion of a written test, DNR must make that testing available at each DNR service center at least bimonthly for persons who take the online course of instruction.

HUNTER AND TRAPPER RECRUITMENT

This bill requires DNR to establish a program to recognize people who recruit others as hunters and trappers. The bill requires the program to include a component under which a person who is issued his or her first hunting or trapping approval may designate one person as the person who encouraged the applicant to obtain the approval. The bill establishes requirements for DNR to keep record of these designations and to establish a method for issuing a credit toward future fees or, under certain conditions a donated prize, to a person who receives a designation a specified number of times.

The bill also creates a 15-member sporting recruitment and retention council (council). The bill requires the council to study, and advise and make recommendations to the natural resources board and the legislature on, ways to improve the recruitment and retention of hunters and trappers. The bill requires the

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council to conduct an initial study of options and recommendations for increasing access to private land for hunting and trapping and options and recommendations for simplifying DNR hunting and trapping rules.

STEWARDSHIP PROGRAM

Current law authorizes the state to incur public debt for certain conservation activities under the stewardship program, which is administered by DNR. The state may incur this debt to acquire land for the state and may award grants to certain local governmental units and nonprofit conservation organizations to acquire lands for these conservation activities.

This bill prohibits DNR from awarding a grant under the stewardship program unless DNR first considers whether the grant will benefit local businesses and the economy of this state. It also prohibits DNR from acquiring land under the stewardship program unless hunting, fishing, trapping, hiking, and cross-country skiing will be allowed on the land acquired or unless every member of the natural resources board approves the land acquisition.

OTHER PROVISIONS

Under current law, a person must have a sturgeon spearing license issued by DNR in order to spear lake sturgeon. Current law requires a person to be at least 14 years old to obtain a sturgeon spearing license. Under this bill, a person may obtain a sturgeon spearing license if the person is at least 12 years old.

This bill also requires DNR to designate the first full weekend in January as a special event weekend during which a person may engage in ice fishing without holding or paying a fee for a fishing license.

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.** 15.347 (21) of the statutes is created to read:
- 2 15.347 (21) SPORTING RECRUITMENT AND RETENTION COUNCIL. (a) There is created
- 3 in the department of natural resources a sporting recruitment and retention council
- 4 consisting of the following members:
- 5 1. The secretary of natural resources, or his or her designee, who shall serve
- 6 as chairperson.
- 7 2. Two members, appointed by the governor.

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1 3. Two members, appointed by the speaker of the assembly, who may not be
2 members of the same political party.

3 4. Two members, appointed by the senate majority leader, who may not be
4 members of the same political party.

5 5. Five members, appointed by the secretary of natural resources from
6 nominations provided by sporting organizations that have as their primary objective
7 the promotion of hunting or trapping. Of the 5 members, one shall represent the
8 interests of deer hunters, one shall represent the interests of bear hunters, one shall
9 represent the interests of waterfowl hunters, one shall represent the interests of
10 upland game hunters, and one shall represent the interests of furbearing animal
11 hunters and trappers.

12 6. One member, appointed by the executive committee of the conservation
13 congress, who is a member of the conservation congress.

14 7. Two members, appointed by the secretary of natural resources, each of whom
15 has held a conservation patron license for 2 of the 3 license years preceding the date
16 of the member's appointment.

17 (b) The members of the sporting recruitment and retention council appointed
18 under par. (a) 2. to 7. shall be appointed for 3-year terms.

19 **SECTION 2.** 23.0917 (8) (f) of the statutes is created to read:

20 23.0917 (8) (f) The department may not obligate moneys from the
21 appropriation under s. 20.866 (2) (ta) to award a grant under sub. (3) or sub. (4)
22 unless the department first considers whether the grant will benefit local businesses
23 and the economy of this state.

24 **SECTION 3.** 23.0917 (8) (g) of the statutes is created to read:

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1 23.0917 (8) (g) The department may not obligate moneys from the
2 appropriation under s. 20.866 (2) (ta) to acquire land under sub. (3) unless hunting,
3 fishing, trapping, hiking, and cross-country skiing will be allowed on the land
4 acquired or unless every member of the natural resources board approves the land
5 acquisition.

6 **SECTION 4.** 29.036 of the statutes is created to read:

7 **29.036 Sporting recruitment and retention council.** The sporting
8 recruitment and retention council shall study, and advise and make
9 recommendations to the natural resources board and to the legislature on, ways to
10 improve the recruitment and retention of hunters and trappers. The sporting
11 recruitment and retention council shall prepare a biennial report on the status of the
12 recruitment and retention of hunters and trappers in this state. The sporting
13 recruitment and retention council shall submit its initial report under this
14 subsection no later than July 1, 2014, and shall submit subsequent reports no later
15 than July 1 of each even-numbered year thereafter, for distribution to the natural
16 resources board and to the appropriate standing committees of the legislature under
17 s. 13.172 (3).

18 **SECTION 5.** 29.084 of the statutes is created to read:

19 **29.084 Incentives for recruitment.** The department shall establish a
20 program to recognize people who recruit others as hunters and trappers. The
21 program shall include a component under which a person who is issued his or her
22 first hunting or trapping approval in his or her lifetime may designate one person
23 as the person who encouraged the applicant to obtain the license. The program shall
24 provide for all of the following:

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1 (1) A method for maintaining a record of persons designated as provided under
2 this section.

3 (2) A method for issuing a credit of \$20 to any person who is designated as
4 provided under this section a specified number of times, as determined by the
5 department, in any license year. The department may not require a person to be
6 designated more than 5 times in a license year in order to be eligible for a credit under
7 this subsection. In this subsection, "license year" means the period between April
8 1 and the following March 31.

9 (3) A method under which a person who is issued a credit as provided under
10 sub. (2) may use the credit toward the cost of a hunting or trapping approval issued
11 by the department.

12 (4) A method under which a person who is designated as provided under this
13 section by more than 20 different people may be entered in a drawing for prizes
14 awarded by the department.

15 (5) A method under which a person may donate a prize to the department to
16 be awarded in a drawing under sub. (4).

17 **SECTION 6.** 29.197 (3) of the statutes is amended to read:

18 29.197 (3) ~~WEEKEND EVENT~~ EVENTS. In addition to any special event or program
19 sponsored under sub. (2), the department shall, by rule, ~~for a~~ designate 2 special
20 event ~~for one weekend~~ weekends per year, during which it shall waive the
21 requirement that persons be issued fishing licenses and pay the applicable fees in
22 order to fish in the waters of this state. One of the special event weekends shall be
23 designated for the purpose of ice fishing during the first full weekend in January.
24 The department shall, by rule, designate to which inland or outlying waters this
25 waiver these waivers shall apply.

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1 **SECTION 7.** 29.237 (1m) of the statutes is amended to read:

2 29.237 **(1m)** Subject to s. 29.024 and any limit imposed under s. 29.192 (3), a
3 sturgeon spearing license shall be issued by the department to any person applying
4 for this license who is at least 14 12 years old.

5 **SECTION 8.** 29.563 (2) (intro.) of the statutes is amended to read:

6 29.563 **(2)** HUNTING APPROVALS. (intro.) Except as provided in sub. (2m) and,
7 (2r), and (2t), the fees for hunting approvals are as follows:

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

9 29.563 **(2t)** REDUCED FEES FOR CERTAIN FIRST-TIME APPROVALS. (a) The fee for an
10 approval that is listed under sub. (2) (a) 1., 2., 4. to 5g., or 7. to 9. or (6) (a) is \$4.25
11 if the approval is issued to a person who has not received that type of approval, or
12 has not been conferred the privileges of that type of approval under a license issued
13 under s. 29.231 or s. 29.235, in any of the 10 years preceding the date of application.

14 (b) The fee for an approval listed under sub. (2) (b) 1. to 3. or 5. to 8. or (6) (am)
15 is one-half of the fee listed for the respective approval if the approval is issued to a
16 person who has not received that type of approval by the department, or has not been
17 conferred the privileges of that type of approval under a license issued under s.
18 29.231 or s. 29.235, in any of the 10 years preceding the date of application.

19 **SECTION 10.** 29.591 (1) (am) of the statutes is created to read:

20 29.591 **(1)** (am) The department shall offer an online course of instruction
21 under the hunter education program for persons who are at least 18 years of age.

22 **SECTION 11.** 29.591 (2) of the statutes is renumbered 29.591 (2) (am) and
23 amended to read:

24 29.591 **(2)** (am) ADMINISTRATION. The department may appoint county, regional
25 and statewide directors and categories of hunter education instructors necessary for

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1 the hunter education program and the bow hunter education program. These
2 appointees are responsible to the department and shall serve on a voluntary basis
3 without compensation. This paragraph does not apply to the online course of
4 instruction under sub. (1) (am).

5 **SECTION 12.** 29.591 (2) (b) of the statutes is created to read:

6 29.591 (2) (b) 1. If the online course of instruction under the hunter education
7 program requires field testing for a person to demonstrate successful completion of
8 the course, the department shall make field testing available through each
9 department service center at least bimonthly for persons who are at least 18 years
10 of age.

11 2. If the online course of instruction under the hunter education program
12 requires a written test for a person to demonstrate successful completion of the
13 course, the department shall offer the test at each department service center at least
14 bimonthly to persons who are at least 18 years of age.

15 **SECTION 13.** 29.597 (1) (a) of the statutes is amended to read:

16 29.597 (1) ESTABLISHMENT; PROGRAM REQUIREMENTS. (a) The department shall
17 establish and supervise the administration of a trapper education program funded
18 from the appropriations under s. 20.370 (1) (Lq) and (ma). The Except with respect
19 to the online course of instruction under sub. (1m), the department shall enter into
20 an agreement with an organization that has demonstrated ability and experience in
21 the field of trapper education to assist in the establishment and administration of the
22 program.

23 **SECTION 14.** 29.597 (1) (c) of the statutes is amended to read:

24 29.597 (1) (c) The trapper education program shall use certified instructors
25 when providing the instruction on techniques of trapping fur-bearing animals. The

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1 department shall establish criteria and standards for certifying these instructors.

2 This paragraph does not apply to the online course of instruction under sub. (1m).

3 **SECTION 15.** 29.597 (1m) of the statutes is created to read:

4 29.597 (1m) ONLINE COURSE OF INSTRUCTION FOR ADULTS. The department shall
5 offer an online course of instruction under the trapper education program for persons
6 who are at least 18 years of age.

7 **SECTION 16.** 29.597 (2) (c) of the statutes is created to read:

8 29.597 (2) (c) 1. If the online course of instruction under the trapper education
9 program requires field testing for a person to demonstrate successful completion of
10 the course, the department shall make field testing available through each
11 department service center at least bimonthly for persons who are at least 18 years
12 of age.

13 2. If the online course of instruction under the trapper education program
14 requires a written test for a person to demonstrate successful completion of the
15 course, the department shall offer the test at each department service center at least
16 bimonthly to persons who are at least 18 years of age.

17 **SECTION 17.** 29.597 (2) (d) of the statutes is created to read:

18 29.597 (2) (d) Paragraphs (a) and (b) do not apply to the online course of
19 instruction under the trapper education program.

20 **SECTION 18.** 120.12 (26) of the statutes is created to read:

21 120.12 (26) HUNTER EDUCATION PROGRAMS. A school board shall award 0.5 high
22 school credit to a pupil who successfully completes while in the high school grades
23 a course of instruction under the hunter education program or bow hunter education
24 program under s. 29.591 or the trapper education program under s. 29.597. A school

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1 board may award credit to a pupil under this subsection for completion of only one
2 program.

3 **SECTION 19. Nonstatutory provisions.**

4 (1) SPORTING RECRUITMENT AND RETENTION COUNCIL; INITIAL STUDY REQUIREMENTS.
5 Before June 30, 2014, the sporting recruitment and retention council shall study
6 each of the following:

7 (a) Options and recommendations for increasing access to private land for
8 hunting and trapping, especially in all of the following areas of this state:

9 1. Areas with a high population density.

10 2. Areas with a percentage of land open for public hunting that is lower than
11 the statewide average.

12 (b) Options and recommendations for simplifying hunting and trapping rules
13 promulgated by the department of natural resources.

14 (2) SPORTING RECRUITMENT AND RETENTION COUNCIL; INITIAL MEMBERSHIP.
15 Notwithstanding the length of terms specified for the appointed members of the
16 sporting recruitment and retention council under section 15.347 (21) (b) of the
17 statutes, as created by this act, 4 of the initial members shall be appointed for terms
18 expiring on July 1, 2013, 4 of the initial members shall be appointed for terms
19 expiring on July 1, 2014, 4 of the initial members shall be appointed for terms
20 expiring on July 1, 2015, and 2 of the initial members shall be appointed for terms
21 expiring on July 1, 2016.

22 **SECTION 20. Initial applicability.**

23 (1) The treatment of section 23.0917 (8) (f) and (g) of the statutes first applies
24 to land acquired and grants awarded on the effective date of this subsection.

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1 (2) The treatment of section 120.12 (26) of the statutes first applies to courses
2 of instruction taken in the hunter education program or bow hunter education
3 program under section 29.591 of the statutes or the trapper education program
4 under section 29.597 of the statutes during the first school year beginning after the
5 effective date of this subsection.

6 **SECTION 21. Effective dates.** This act takes effect on the day after publication,
7 except as follows:

8 (1) Except as provided in subsection (2), the treatment of sections 29.084 and
9 29.563 (2) (intro.) and (2t) of the statutes takes effect on March 1, 2011.

10 (2) If this subsection takes effect after October 31, 2011, the treatment of
11 sections 29.084 and 29.563 (2) (intro.) and (2t) of the statutes takes effect on March
12 1, 2013.

13

(END)