



State of Wisconsin
2015 - 2016 LEGISLATURE

LRB-0661/1
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2015 ASSEMBLY BILL 44

February 17, 2015 - Introduced by Representatives JACQUE, EDMING, KLEEFISCH, MILROY, MURSAU, RIPP, SKOWRONSKI, TITTL, BRANDTJEN, E. BROOKS, R. BROOKS, GENRICH, HORLACHER, KNODL, KREMER, KRUG, T. LARSON, MURPHY, OHNSTAD, PETRYK, ROHRKASTE, SINICKI and THIESFELDT, cosponsored by Senators ROTH, TIFFANY, MOULTON, COWLES, BEWLEY, GUDEX, HARSDFORF, LASSA and NASS. Referred to Committee on Natural Resources and Sporting Heritage.

1 **AN ACT** *to amend* 29.179 (title), 29.179 (2) and 29.179 (4); and *to create* 29.179
2 (1) (am), 29.179 (1) (c) and 29.179 (2m) of the statutes; **relating to:** transfer of
3 certain fish and game approvals to persons with disabilities and the transfer
4 of Class A bear licenses to persons awarded the Purple Heart or serving on
5 active duty in the U.S. armed forces.

Analysis by the Legislative Reference Bureau

Under current law, with certain exceptions, a person who holds a hunting, fishing, or trapping approval issued by the Department of Natural Resources (DNR) may not transfer that approval to another person. Under one exception to this general prohibition, the holder of certain approvals may transfer those approvals to a person who is under 18 years of age (minor). Among the approvals that may be transferred to a minor is a bonus deer hunting permit, a bobcat hunting and trapping permit, a wild turkey hunting license, a Class A bear license, and a sturgeon spearing license. The holder of the approval must apply to DNR to transfer the approval to the minor and if the application is made within a specified period of time, the minor has not been previously transferred that type of approval, and the minor is otherwise eligible to use the approval, the approval may be transferred. Current law prohibits the holder of an approval from receiving any payment for transfer of an approval. Current law also provides that if the approval is one that is administered under a cumulative preference system, the transferee retains all preference points that were previously accumulated. DNR administers a cumulative preference system for

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certain approvals where the number of applicants exceeds the number of approvals available. The more preference points an applicant has, the higher the priority he or she is given in the issuance of the approval.

This bill expands the exceptions to the general prohibition against the transfer of approvals. The bill allows the transfer of the same approvals that may be transferred to a minor under current law to be transferred to a person with a disability. The bill defines such a person to be a person who has certain permanent disabilities such as those that require the person to use a wheelchair; a person who has certain temporary disabilities that restrict mobility; a person who has an amputation or permanent substantial loss of his or her shoulder, arm, or hand; or a person who is visually handicapped. Under the bill, the same requirements that apply to the transfer of an approval to a minor under current law apply to the transfer of an approval to a person with a disability.

This bill also allows a person who is issued a Class A bear license to transfer that license to a person who was awarded a Purple Heart or to a person who is serving on active duty in the U.S. armed forces (service member). Under the bill, the same requirements that apply to the transfer of an approval to a minor under current law apply to the transfer of a Class A bear license to a Purple Heart recipient or service member.

For further information see the *state and local* 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.** 29.179 (title) of the statutes is amended to read:

2 **29.179 (title) Transfer of approvals to minors and disabled persons.**

3 **SECTION 2.** 29.179 (1) (am) of the statutes is created to read:

4 **29.179 (1) (am)** “Disabled person” means a person who holds a Class A, Class
5 B, Class C, or Class D permit issued under s. 29.193.

6 **SECTION 3.** 29.179 (1) (c) of the statutes is created to read:

7 **29.179 (1) (c)** “Service member” means a person who is serving on active duty
8 in the U.S. armed forces.

9 **SECTION 4.** 29.179 (2) of the statutes is amended to read:

10 **29.179 (2) APPLICATION; GENERALLY.** Upon application by a holder of an approval
11 to transfer the approval to a minor or a disabled person, and upon the payment of any

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1 fee required under sub. (3), the department shall transfer the approval to the minor
2 or the disabled person if the application is made no later than the 15 days
3 immediately preceding the first day of the applicable open season and if the minor
4 or the disabled person has not been previously transferred that type of approval
5 under this section and if the minor or disabled person is otherwise eligible to use the
6 approval. The department may transfer a sturgeon spearing license under this
7 subsection only during the period beginning on the October 1st of each year and
8 ending on the day that is the 15th day preceding the first day of the open season for
9 the spearing of lake sturgeon that follows that October 1st.

10 **SECTION 5.** 29.179 (2m) of the statutes is created to read:

11 29.179 (2m) APPLICATION; CLASS A BEAR LICENSE. Upon application by a holder
12 of a Class A bear license to transfer the license to a person awarded the Purple Heart
13 or to a service member, and upon the payment of any fee required under sub. (3), the
14 department shall transfer the license to the person awarded the Purple Heart or the
15 service member if the application is made no later than 15 days immediately
16 preceding the open season for the hunting of bear to which the license applies and
17 if the person awarded the Purple Heart or the service member has not been
18 previously transferred a Class A bear license under this section.

19 **SECTION 6.** 29.179 (4) of the statutes is amended to read:

20 29.179 (4) Notwithstanding ss. 29.164 (3) (cr), 29.177 (5) (b), 29.184 (6) (b), and
21 29.192 (4), a minor person who is transferred an approval under this section shall
22 retain all preference points that he or she has previously accumulated for that type
23 of approval.

24 (END)