



## 1997 ASSEMBLY BILL 61

February 3, 1997 – Introduced by Representatives GUNDERSON, LINTON, JOHNSRUD, BAUMGART, AINSWORTH, DUEHOLM, HUTCHISON, MURAT, OURADA, SCHAFER, BOYLE, DOBYNS, OTT, OLSEN, UNDERHEIM and M. LEHMAN, cosponsored by Senators SHIBILSKI, JAUCH, HUELSMAN, MOORE and RISSER. Referred to Committee on Natural Resources.

1     **AN ACT to repeal** 29.093 (2) (cm), 29.1085 (2) (b), 29.1085 (2) (c), 29.109 (title),  
2           29.109 (1) (title), 29.109 (2), 29.109 (3) and 29.114; **to renumber** 29.1085 (1);  
3           **to renumber and amend** 29.1085 (3) (a), 29.1085 (3) (c) and 29.109 (1); **to**  
4           **amend** 29.01 (8), 29.09 (9m) (a) (intro.), 29.092 (2) (a), 29.092 (2) (c), 29.092 (2)  
5           (d), 29.092 (2) (e), 29.092 (2) (em), 29.092 (2) (f), 29.092 (2) (g), 29.092 (2) (h),  
6           29.092 (2) (i), 29.092 (2) (j), 29.092 (2) (k), 29.092 (2) (kd), 29.092 (2) (kg), 29.092  
7           (2) (kr), 29.092 (2) (m), 29.092 (2) (om), 29.092 (3) (a), 29.092 (3) (b), 29.092 (3)  
8           (c), 29.092 (3) (h), 29.092 (3) (i), 29.092 (3) (j), 29.092 (3) (k), 29.092 (3) (L), 29.092  
9           (3) (m), 29.092 (3v) (a) 1., 29.092 (3v) (a) 2., 29.092 (3v) (b), 29.092 (4) (a), 29.092  
10          (4) (am), 29.092 (4) (b), 29.092 (4) (bn), 29.092 (6) (a), 29.092 (7) (a) 4., 29.092  
11          (7) (b) 5., 29.092 (13) (a), 29.092 (13) (b), 29.092 (13) (c), 29.092 (13) (cm), 29.092  
12          (13) (d), 29.092 (13m) (a), 29.092 (14) (a), 29.092 (14) (b), 29.1085 (title), 29.1085  
13          (3) (b), 29.1085 (4), 29.1085 (5), 29.1475 (2), 29.1475 (2m), 29.22 (3), 29.245 (3)  
14          (b) 3., 29.245 (5) (b) 1., 29.99 (11m) (a) and 29.99 (11m) (b); **to repeal and**

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1           **recreate** 29.1085 (2) (title) and 29.1085 (2) (a); and **to create** 29.09 (9m) (a) 8.,  
2           29.09 (9m) (c), 29.092 (2) (or), 29.092 (14) (am), 29.1085 (1b), 29.1085 (2) (am),  
3           29.1085 (2) (bg), 29.1085 (2) (br), 29.1085 (2g), 29.1085 (2m), 29.1085 (3) (a) 2.,  
4           29.1085 (3m), 29.1085 (5g), 29.1085 (5r) and 29.99 (11m) (c) of the statutes;  
5           **relating to:** fees for fish and game licenses and stamps, bear hunting, shining  
6           bear, the bear hunting approval system, the wildlife damage surcharge and  
7           granting rule-making authority.

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

This bill increases the fees charged by the department of natural resources (DNR) for certain fish and game approvals. The fee increases affect all hunting approvals except bear hunting licenses, bonus deer hunting permits and wild turkey and pheasant stamps, all sports fishing licenses except fishing licenses issued to disabled state residents and sturgeon spearing licenses, all sports licenses, all conservation patron licenses, resident trapping licenses, certain duplicate licenses and certain commercial fishing licenses. Sports licenses and conservation patron licenses are licenses that confer a combination of privileges authorized by certain hunting and fishing licenses and stamps.

Under current law, a resident conservation patron license confers the privilege of being able to pursue, but not shoot at or kill, bear. Under this bill, a person with such a license no longer has these privileges.

Under current law, a wildlife damage surcharge of \$1 is imposed on the fees for most hunting licenses and on the fee for sports licenses. Under current law, the wildlife damage surcharge is not imposed on the fee for conservation patron licenses. This bill imposes a \$2 surcharge on the fee for these licenses.

Under current law as administered by DNR, a person applying for a conservation patron license does not have to pay the processing fee for an application for certain permits and licenses that other applicants must pay. These permits and licenses include hunter's choice and bonus deer hunting permits, wild turkey hunting licenses and bobcat hunting and trapping permits. Under the bill, a holder of a conservation patron license must pay the processing fee for a bobcat hunting and trapping permit.

Under current law, a person must have a bear hunting license in order to chase wild bear. To shoot at or kill a bear, a person must have a bear harvest permit in addition to the bear hunting license. Under current law, a preference system applies to limit the number of harvest permits issued. This system gives preference to those applicants who have applied for, in consecutive previous years, but who have not received permits due to the numerical limit and gives the most preference to those

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applicants who applied for but did not receive permits in the most consecutive previous seasons.

This bill changes the bear hunting approval system by establishing 2 different bear hunting licenses. Under the bill, a person who holds a Class A bear license, which is similar to the bear harvest permit under current law, may hunt bear, may bait bear and may use and train dogs to track or otherwise locate bear. A person who holds a Class B bear license, which is similar to the bear hunting license under current law, may assist a person with a Class A bear license in hunting bear but may not shoot at, shoot or otherwise take a bear. A person who holds a Class B bear license may also bait bear and use and train dogs to track or otherwise locate bear. The bill exempts a child under the age of 12 who is engaged in these bear hunting activities from holding a Class B bear license. The bill also requires a person applying for a bear hunting license to specify on the application when and where he or she will be bear hunting or training dogs to hunt bear. The bill restricts the licensed hunter engaging in these activities to the areas and times he or she specified on the application.

Under current law, hunting dogs are exempt from the requirements of wearing collars and licensing and rabies vaccination tags when they are engaged in hunting. Under this bill, this exemption does not apply to hunting dogs while they are being used or trained to hunt bear. A person who fails to have his or dogs licensed or to have their collars and tags on while hunting is subject to having his or her bear hunting license and bear hunting privileges revoked for 3 years.

Under the bill, the preference system that applies to Class A bear licenses is the same as the one that applies to bear harvest permits under current law except that the previous seasons in which the applicants applied need not be consecutive.

The bill also increases the fees for these bear hunting approvals.

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

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

1           **SECTION 1.** 29.01 (8) of the statutes is amended to read:

2           29.01 (8) "Hunt" or "hunting" includes shooting, shooting at, pursuing, taking,  
3 catching or killing any wild animal or animals, ~~except that for the purposes of ss.~~  
4 ~~29.1085, 29.109 and 29.114, "hunt" or "hunting" does not include shooting, shooting~~  
5 ~~at, taking, catching or killing any bear.~~

6           **SECTION 2.** 29.09 (9m) (a) (intro.) of the statutes is amended to read:

**ASSEMBLY BILL 61****SECTION 2**

1           29.09 (9m) (a) (intro.) If Except as provided in par. (c), if the department issues  
2 any of the following approvals, a nonrefundable processing fee, in addition to any  
3 other fee imposed under s. 29.092, shall be collected for each application for such an  
4 approval:

5           **SECTION 3.** 29.09 (9m) (a) 8. of the statutes is created to read:

6           29.09 (9m) (a) 8. Class A bear license.

7           **SECTION 4.** 29.09 (9m) (c) of the statutes is created to read:

8           29.09 (9m) (c) The department may waive the processing fee for the approvals  
9 specified in par. (a) 1., 1m. and 3. to 7. for persons who apply for or are holders of  
10 resident conservation patron licenses and nonresident conservation patron licenses.

11          **SECTION 5.** 29.092 (2) (a) of the statutes is amended to read:

12          29.092 (2) (a) *Resident small game.* Except as provided in sub. (3v) (a) 1. and  
13 (am), the fee for a resident small game hunting license is ~~\$10.25~~ \$12.25.

14          **SECTION 6.** 29.092 (2) (c) of the statutes is amended to read:

15          29.092 (2) (c) *Resident deer.* The fee for a resident deer hunting license is ~~\$16.25~~  
16 \$18.25.

17          **SECTION 7.** 29.092 (2) (d) of the statutes is amended to read:

18          29.092 (2) (d) (title) *Resident Class A bear.* The fee for a resident Class A bear  
19 hunting license is ~~\$5~~ \$39.25.

20          **SECTION 8.** 29.092 (2) (e) of the statutes is amended to read:

21          29.092 (2) (e) *Resident archer.* The fee for a resident archer hunting license is  
22 ~~\$16.25~~ \$18.25.

23          **SECTION 9.** 29.092 (2) (em) of the statutes is amended to read:

24          29.092 (2) (em) *Resident wild turkey.* The fee for a resident wild turkey hunting  
25 license is ~~\$7.25~~ \$10.25.

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1           **SECTION 10.** 29.092 (2) (f) of the statutes is amended to read:

2           29.092 (2) (f) *Nonresident annual small game.* The fee for a nonresident annual  
3 small game hunting license is ~~\$68.25~~ \$73.25.

4           **SECTION 11.** 29.092 (2) (g) of the statutes is amended to read:

5           29.092 (2) (g) *Nonresident 5-day small game.* The fee for a nonresident 5-day  
6 small game hunting license is ~~\$38.25~~ \$41.25.

7           **SECTION 12.** 29.092 (2) (h) of the statutes is amended to read:

8           29.092 (2) (h) *Nonresident deer.* The fee for a nonresident deer hunting license  
9 is ~~\$118.25~~ \$128.25.

10          **SECTION 13.** 29.092 (2) (i) of the statutes is amended to read:

11          29.092 (2) (i) (title) *Nonresident Class A bear.* The fee for a nonresident Class  
12 A bear hunting license is ~~\$20~~ \$199.25.

13          **SECTION 14.** 29.092 (2) (j) of the statutes is amended to read:

14          29.092 (2) (j) *Nonresident fur-bearing animal.* The fee for a nonresident  
15 fur-bearing animal hunting license is ~~\$138.25~~ \$148.25.

16          **SECTION 15.** 29.092 (2) (k) of the statutes is amended to read:

17          29.092 (2) (k) *Nonresident archer.* The fee for a nonresident archer hunting  
18 license is ~~\$118.25~~ \$128.25.

19          **SECTION 16.** 29.092 (2) (kd) of the statutes is amended to read:

20          29.092 (2) (kd) *Nonresident wild turkey.* The fee for a nonresident wild turkey  
21 hunting license is ~~\$49.25~~ \$54.25.

22          **SECTION 17.** 29.092 (2) (kg) of the statutes is amended to read:

23          29.092 (2) (kg) (title) *Resident Class B bear ~~harvest permit license~~.* The fee for  
24 a resident Class B bear harvest permit license is ~~\$30~~ \$6.25.

25          **SECTION 18.** 29.092 (2) (kr) of the statutes is amended to read:

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1           29.092 (2) (kr) (title) *Nonresident Class B bear harvest permit license*. The fee  
2 for a nonresident Class B bear harvest permit license is \$120 ~~\$98.25~~.

3           **SECTION 19.** 29.092 (2) (m) of the statutes is amended to read:

4           29.092 (2) (m) *Waterfowl hunting stamp*. The fee for a waterfowl hunting  
5 stamp is \$5 ~~\$6.75~~.

6           **SECTION 20.** 29.092 (2) (om) of the statutes is amended to read:

7           29.092 (2) (om) *Bear carcass tag*. There is no fee for a bear carcass tag issued  
8 with a resident Class A bear harvest permit ~~or nonresident bear harvest permit~~  
9 license.

10          **SECTION 21.** 29.092 (2) (or) of the statutes is created to read:

11          29.092 (2) (or) *Bear back tag*. There is no fee for a back tag issued with a Class  
12 A bear license or a Class B bear license.

13          **SECTION 22.** 29.092 (3) (a) of the statutes is amended to read:

14          29.092 (3) (a) *Resident annual*. Except as provided in sub. (3v) (a) 2. and (b),  
15 the fee for a resident annual fishing license is \$11.25 ~~\$13.25~~.

16          **SECTION 23.** 29.092 (3) (b) of the statutes is amended to read:

17          29.092 (3) (b) *Resident annual husband and wife*. The fee for a resident annual  
18 husband and wife fishing license is \$19.25 ~~\$23.25~~.

19          **SECTION 24.** 29.092 (3) (c) of the statutes is amended to read:

20          29.092 (3) (c) *Resident 2-day sports fishing*. The fee for a resident 2-day sports  
21 fishing license is \$7.25 ~~\$9.25~~.

22          **SECTION 25.** 29.092 (3) (h) of the statutes is amended to read:

23          29.092 (3) (h) *Nonresident annual*. The fee for a nonresident annual fishing  
24 license is \$27.25 ~~\$32.25~~.

25          **SECTION 26.** 29.092 (3) (i) of the statutes is amended to read:

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1           29.092 (3) (i) *Nonresident annual family*. The fee for a nonresident annual  
2 family fishing license is ~~\$47.25~~ \$51.25.

3           **SECTION 27.** 29.092 (3) (j) of the statutes is amended to read:

4           29.092 (3) (j) *Nonresident 15-day*. The fee for a nonresident 15-day fishing  
5 license is ~~\$17.25~~ \$19.25.

6           **SECTION 28.** 29.092 (3) (k) of the statutes is amended to read:

7           29.092 (3) (k) *Nonresident 15-day family*. The fee for a nonresident 15-day  
8 family fishing license is ~~\$27.25~~ \$29.25.

9           **SECTION 29.** 29.092 (3) (L) of the statutes is amended to read:

10          29.092 (3) (L) *Nonresident 4-day*. The fee for a nonresident 4-day fishing  
11 license is ~~\$12.25~~ \$13.25.

12          **SECTION 30.** 29.092 (3) (m) of the statutes is amended to read:

13          29.092 (3) (m) *Nonresident 2-day sports fishing*. The fee for a nonresident  
14 2-day sports fishing license is ~~\$7.25~~ \$9.25.

15          **SECTION 31.** 29.092 (3v) (a) 1. of the statutes is amended to read:

16          29.092 (3v) (a) 1. Resident small game hunting license, ~~\$3.25~~ \$5.25.

17          **SECTION 32.** 29.092 (3v) (a) 2. of the statutes is amended to read:

18          29.092 (3v) (a) 2. Resident annual fishing license, ~~\$4.25~~ \$6.25.

19          **SECTION 33.** 29.092 (3v) (b) of the statutes is amended to read:

20          29.092 (3v) (b) The fee for a resident annual fishing license issued to a resident  
21 aged 16 or 17 is ~~\$4.25~~ \$6.25.

22          **SECTION 34.** 29.092 (4) (a) of the statutes is amended to read:

23          29.092 (4) (a) *Resident sports license*. The minimum fee for a resident sports  
24 license is ~~\$36.25~~ \$41.25. Any applicant, at the applicant's option, may pay a greater  
25 or additional fee for this license.

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1           **SECTION 35.** 29.092 (4) (am) of the statutes is amended to read:

2           29.092 (4) (am) *Nonresident sports license.* The minimum fee for a nonresident  
3 sports license is ~~\$222.25~~ \$248.25. Any applicant, at the applicant's option, may pay  
4 a greater or additional fee for this license.

5           **SECTION 36.** 29.092 (4) (b) of the statutes is amended to read:

6           29.092 (4) (b) *Resident conservation patron license.* The fee for a resident  
7 conservation patron license is ~~\$100~~ \$117.25. Any applicant, at the applicant's option,  
8 may pay a greater or additional fee for this license.

9           **SECTION 37.** 29.092 (4) (bn) of the statutes is amended to read:

10          29.092 (4) (bn) *Nonresident conservation patron license.* The fee for a  
11 nonresident conservation patron license is ~~\$523.25~~ \$572.25. Any applicant, at the  
12 applicant's option, may pay a greater or additional fee for this license.

13          **SECTION 38.** 29.092 (6) (a) of the statutes is amended to read:

14          29.092 (6) (a) *Resident trapping.* The fee for a resident trapping license is  
15 ~~\$14.25~~ \$17.25.

16          **SECTION 39.** 29.092 (7) (a) 4. of the statutes is amended to read:

17          29.092 (7) (a) 4. The license fee for each licensed boat or for fishing without a  
18 boat is ~~\$749.25~~ \$899.25 if issued for an effective period ending June 30, 1993, or any  
19 June 30 thereafter.

20          **SECTION 40.** 29.092 (7) (b) 5. of the statutes is amended to read:

21          29.092 (7) (b) 5. The license fee for each licensed boat or for fishing without a  
22 boat is ~~\$5,599.25~~ \$6,499.25 if issued for an effective period ending June 30, 1993, or  
23 any June 30 thereafter.

24          **SECTION 41.** 29.092 (13) (a) of the statutes is amended to read:



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1           29.092 (13) (a) *Duplicate deer hunting license.* The fee for a duplicate resident  
2 deer hunting license or a nonresident deer hunting license is ~~\$6.50~~ \$10.25.

3           **SECTION 42.** 29.092 (13) (b) of the statutes is amended to read:

4           29.092 (13) (b) *Duplicate archer hunting, sports or conservation patron license.*  
5 The fee for a duplicate resident archer hunting license, nonresident archer hunting  
6 license, resident sports license, nonresident sports license, resident conservation  
7 patron license or nonresident conservation patron license is ~~\$6.50~~ \$10.25 if the  
8 duplicate license includes any deer tags and ~~\$4.25~~ \$7.25 if the duplicate license is  
9 issued after the open season for hunting deer and does not include any deer tags.

10          **SECTION 43.** 29.092 (13) (c) of the statutes is amended to read:

11          29.092 (13) (c) *Duplicate hunting license; other.* The fee for a duplicate hunting  
12 license not specified under par. (a) or (b) is ~~\$4.25~~ \$6.25.

13          **SECTION 44.** 29.092 (13) (cm) of the statutes is amended to read:

14          29.092 (13) (cm) (title) *Duplicate Class A bear harvest permit license.* The fee  
15 for a duplicate resident Class A bear harvest permit or a duplicate nonresident bear  
16 harvest permit license is \$13.

17          **SECTION 45.** 29.092 (13) (d) of the statutes is amended to read:

18          29.092 (13) (d) *Duplicate fishing license.* The fee for a duplicate fishing license  
19 is ~~\$4.25~~ \$6.25.

20          **SECTION 46.** 29.092 (13m) (a) of the statutes is amended to read:

21          29.092 (13m) (a) The processing fee for an application for a hunter's choice deer  
22 hunting permit, a bonus deer hunting permit, a wild turkey hunting license, a Class  
23 A bear license, a Canada goose hunting permit, a sharp-tailed grouse hunting  
24 permit, a bobcat hunting and trapping permit, an otter trapping permit or a fisher  
25 trapping permit is \$2.75.

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1           **SECTION 47.** 29.092 (14) (a) of the statutes is amended to read:

2           29.092 (14) (a) *Surcharge generally.* In addition to the fees specified under  
3 subs. (2) (a) and (c) to (k), (3v) (a) 1. and (am) and (4) (a) and (am), a person who  
4 applies for a resident small game, resident deer, resident Class A or Class B bear,  
5 resident archer, nonresident annual small game, nonresident 5-day small game,  
6 nonresident deer, nonresident Class A or Class B bear, nonresident fur-bearing  
7 animal, nonresident archer license, resident sports license, or nonresident sports  
8 license shall pay a wildlife damage surcharge of \$1.

9           **SECTION 48.** 29.092 (14) (am) of the statutes is created to read:

10           29.092 (14) (am) *Surcharge for conservation patron license.* In addition to the  
11 fee specified under sub. (4) (b) or (bn), a person who applies for a conservation patron  
12 license shall pay a wildlife damage surcharge of \$2.

13           **SECTION 49.** 29.092 (14) (b) of the statutes is amended to read:

14           29.092 (14) (b) *Addition of surcharge.* The wildlife damage surcharge shall be  
15 added to the fee provided in sub. (2) (a) or (c) to (k), (3v) (a) 1. or (am) or (4) (a) ~~or~~, (am),  
16 (b) or (bn).

17           **SECTION 50.** 29.093 (2) (cm) of the statutes is repealed.

18           **SECTION 51.** 29.1085 (title) of the statutes is amended to read:

19           **29.1085** (title) **Bear harvest permits licenses.**

20           **SECTION 52.** 29.1085 (1) of the statutes is renumbered 29.1085 (1m).

21           **SECTION 53.** 29.1085 (1b) of the statutes is created to read:

22           29.1085 (1b) **DEFINITION.** Notwithstanding s. 29.01 (8), in this section “hunt  
23 bear” means to shoot, shoot at, take, catch or kill a bear or pursue, with or without  
24 the use of dogs, a bear for the purpose of shooting, shooting at, taking, catching or  
25 killing the bear.

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1           **SECTION 54.** 29.1085 (2) (title) of the statutes is repealed and recreated to read:

2           29.1085 (2) (title) LICENSES; PROHIBITIONS; AUTHORIZATION.

3           **SECTION 55.** 29.1085 (2) (a) of the statutes is repealed and recreated to read:

4           29.1085 (2) (a) *Prohibition.* Except as authorized under a Class A bear license  
5 or a Class B bear license and under sub. (2m), no person may do any of the following:

6           1. Hunt bear.

7           2. Assist a person in hunting bear by tracking bear, trailing bear or engaging  
8 in any other activity to locate bear.

9           3. Bait bear.

10          4. Train a dog to track bear, to trail bear or to otherwise engage in any activity  
11 that contributes to locating bear.

12          **SECTION 56.** 29.1085 (2) (am) of the statutes is created to read:

13          29.1085 (2) (am) *Evidence of bear hunting.* The fact that a person is observing  
14 a bear while possessing a firearm is not sufficient evidence to prove that the person  
15 holding the firearm is hunting bear.

16          **SECTION 57.** 29.1085 (2) (b) of the statutes is repealed.

17          **SECTION 58.** 29.1085 (2) (bg) of the statutes is created to read:

18          29.1085 (2) (bg) *Authorization; Class A bear license.* A Class A bear license  
19 authorizes a resident or nonresident holder of the license to hunt bear and to exercise  
20 all of the privileges of a Class B bear license.

21          **SECTION 59.** 29.1085 (2) (br) of the statutes is created to read:

22          29.1085 (2) (br) *Authorization; Class B bear license.* A Class B bear license  
23 authorizes a resident or nonresident holder of the license to do only the following:

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1           1. Assist a holder of a Class A bear license in hunting bear by tracking bear,  
2 trailing bear or otherwise engaging in an activity that contributes to locating bear  
3 and that is authorized by rule by the department.

4           2. Bait bear.

5           3. Train a dog to track bear, to trail bear or to otherwise engage in an activity  
6 that contributes to locating bear and that is authorized by rule by the department.

7           **SECTION 60.** 29.1085 (2) (c) of the statutes is repealed.

8           **SECTION 61.** 29.1085 (2g) of the statutes is created to read:

9           29.1085 **(2g)** USE OF DOGS. Notwithstanding ss. 95.21 (2) (f) ,174.053 (2) and  
10 174.07 (1) (e), a person shall keep a collar on a dog and shall keep attached to the  
11 collar any tag required under ss. 95.21 (2) (f), 174.053 (2) and 174.07 (1) (e) while the  
12 person is using the dog to hunt bear or to engage in any of the activities specified in  
13 sub. (2) (br) 1. to 3.

14           **SECTION 62.** 29.1085 (2m) of the statutes is created to read:

15           29.1085 **(2m)** EXEMPTION. A person under the age of 12 years may engage in  
16 the activities authorized under sub. (2) (br) 1. to 3. without holding a Class B bear  
17 license.

18           **SECTION 63.** 29.1085 (3) (a) of the statutes is renumbered 29.1085 (3) (a) 1. and  
19 amended to read:

20           29.1085 **(3)** (a) 1. A person who seeks a Class A or Class B bear harvest permit  
21 ~~shall hold a bear hunting license valid for the applicable bear hunting season at the~~  
22 ~~time of application and shall apply to the department on forms provided by the~~  
23 department.

24           3. The department may specify other information to be included in the  
25 application and other requirements and procedures for application.

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1           **SECTION 64.** 29.1085 (3) (a) 2. of the statutes is created to read:

2           29.1085 (3) (a) 2. The applicant shall specify on the application the starting and  
3 ending date of the period of time during which the applicant will hunt bear or engage  
4 in any of the activities specified in sub. (2) (br) 1. to 3. and the area in the state in  
5 which the applicant will hunt bear or engage in any of the activities specified in sub.  
6 (2) (br) 1. to 3. The period of time specified to hunt bear may not exceed 21 days. The  
7 license shall state on its face the area of the state and the periods of time specified  
8 by the applicant.

9           **SECTION 65.** 29.1085 (3) (b) of the statutes is amended to read:

10           29.1085 (3) (b) (title) *Continuous Cumulative preference system; random*  
11 *selection.* If the number of qualified applications for Class A bear harvest permits  
12 licenses exceeds the number of available permits licenses, the department shall  
13 select applicants to be issued Class A bear harvest permits licenses based upon a  
14 continuous cumulative preference system. This system shall establish preference  
15 categories for those applicants who applied for but did not receive a who were not  
16 issued Class A bear licenses or bear harvest permit permits under s. 29.1085 (3) (b),  
17 1993 stats., in the previous season, with the highest preference category for those  
18 who applied for but did not receive the permit in the most consecutive preceding  
19 seasons have the most preference points. The department shall give a preference  
20 point to each applicant who applies for a given season and who is not selected or who  
21 is selected but declines to pay the required fee for a Class A bear license. Applicants  
22 who fail to apply at least once during any 3 consecutive years shall lose all previously  
23 accumulated preference points. The department shall select at random the  
24 applicants to be issued Class A bear harvest permits licenses within each preference  
25 category.

**ASSEMBLY BILL 61****SECTION 66**

1           **SECTION 66.** 29.1085 (3) (c) of the statutes is renumbered 29.1085 (3) (c) 1. and  
2 amended to read:

3           29.1085 **(3)** (c) 1. The department shall issue a notice of approval to those  
4 qualified applicants selected to receive a Class A bear harvest permit license. A  
5 person who receives a notice of approval and who pays the required fee as required  
6 ~~by the department shall be issued a bear harvest permit~~ the license.

7           **SECTION 67.** 29.1085 (3m) of the statutes is created to read:

8           29.1085 **(3m)** RESTRICTIONS. No person may hunt bear or engage in any of the  
9 activities specified in sub. (2) (br) 1. to 3. outside the period of time specified on the  
10 license or outside the area in the state specified on his or her Class A or Class B bear  
11 hunting license.

12           **SECTION 68.** 29.1085 (4) of the statutes is amended to read:

13           29.1085 **(4)** USE OF FEES. Fees received from the issuance of ~~bear harvest~~  
14 ~~permits~~ licenses under this section shall be paid into the conservation fund to be used  
15 for administering bear ~~hunting~~ licenses and ~~bear harvest permits~~ and for bear  
16 management activities.

17           **SECTION 69.** 29.1085 (5) of the statutes is amended to read:

18           29.1085 **(5)** CARCASS TAG. The department shall issue a bear carcass tag to each  
19 person who is issued a Class A bear harvest permit license. A person who kills a bear  
20 shall immediately validate and attach the carcass tag to the bear. The carcass tag  
21 shall be attached and validated according to rules promulgated by the department.

22           **SECTION 70.** 29.1085 (5g) of the statutes is created to read:

23           29.1085 **(5g)** BACK TAG. The department shall issue a back tag to each person  
24 who is issued a Class A bear license, and the department or county clerk shall issue

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1 a back tag to each person who is issued a Class B bear licence. The back tag shall  
2 be in the form and numbered as required by the department.

3 **SECTION 71.** 29.1085 (5r) of the statutes is created to read:

4 29.1085 (5r) LIST OF HUNTERS. The department shall maintain a list containing  
5 the time periods and the areas stated on licenses under sub. (3) (a) 2. to inform the  
6 public as to when and where persons are hunting bear or engaged in any of the  
7 activities specified in sub. (2) (br) 1. to 3.

8 **SECTION 72.** 29.109 (title) of the statutes is repealed.

9 **SECTION 73.** 29.109 (1) (title) of the statutes is repealed.

10 **SECTION 74.** 29.109 (1) of the statutes is renumbered 29.1085 (3) (c) 2. and  
11 amended to read:

12 29.1085 (3) (c) 2. A resident Class B bear ~~hunting~~ license shall be issued subject  
13 to s. 29.09 by the department or by a county clerk to any resident applying who  
14 applies for this license and who pays the required fee.

15 **SECTION 75.** 29.109 (2) of the statutes is repealed.

16 **SECTION 76.** 29.109 (3) of the statutes is repealed.

17 **SECTION 77.** 29.114 of the statutes is repealed.

18 **SECTION 78.** 29.1475 (2) of the statutes is amended to read:

19 29.1475 (2) AUTHORIZATION; RESIDENT HUNTING, FISHING AND TRAPPING PRIVILEGES.  
20 A resident conservation patron license confers upon the licensee all the combined  
21 privileges conferred by a resident small game hunting license, resident deer hunting  
22 license, resident wild turkey hunting license, ~~resident bear hunting license~~, resident  
23 archer hunting license, waterfowl hunting stamp, pheasant hunting stamp, a wild  
24 turkey hunting stamp, resident annual fishing license, sturgeon spearing license, an

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1 inland waters trout stamp, a Great Lakes trout and salmon stamp and trapping  
2 license.

3 **SECTION 79.** 29.1475 (2m) of the statutes is amended to read:

4 29.1475 **(2m)** AUTHORIZATION; NONRESIDENT HUNTING AND FISHING PRIVILEGES. A  
5 nonresident conservation patron license confers upon the licensee all the combined  
6 privileges conferred by a nonresident small game hunting license, nonresident deer  
7 hunting license, nonresident wild turkey hunting license, ~~nonresident bear hunting~~  
8 ~~license~~, nonresident archer hunting license, waterfowl hunting stamp, pheasant  
9 hunting stamp, a wild turkey hunting stamp, nonresident annual fishing license,  
10 sturgeon spearing license, an inland waters trout stamp and a Great Lakes trout and  
11 salmon stamp.

12 **SECTION 80.** 29.22 (3) of the statutes is amended to read:

13 29.22 **(3)** BACK TAG, DISPLAY. No person may hunt deer or bear unless there is  
14 attached to the center of the person's coat, shirt, jacket or similar outermost garment  
15 where it can clearly be seen the back tag issued to the person with the license  
16 authorizing the hunting of ~~deer~~.

17 **SECTION 81.** 29.245 (3) (b) 3. of the statutes is amended to read:

18 29.245 **(3)** (b) 3. To a person authorized by the department to conduct a game  
19 census or to a person engaged in the observation of bear for educational purposes.

20 **SECTION 82.** 29.245 (5) (b) 1. of the statutes is amended to read:

21 29.245 **(5)** (b) 1. To a peace officer on official business, an employe of the  
22 department on official business or a person authorized by the department to conduct  
23 a game census or to a person engaged in the observation of bear for educational  
24 purposes.

25 **SECTION 83.** 29.99 (11m) (a) of the statutes is amended to read:



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1           29.99 (11m) (a) For shooting, shooting at, killing, taking, catching or  
2           possessing a bear without a valid Class A bear harvest permit license, or for  
3           possessing a bear which does not have a carcass tag attached or possessing a bear  
4           during the closed season, by a fine of not less than \$1,000 nor more than \$2,000 or  
5           by imprisonment for not more than 6 months or both for the first violation, or by a  
6           fine of not more than \$5,000 or imprisonment for not more than one year or both for  
7           any subsequent violation, and, in addition, the court shall revoke all hunting  
8           approvals issued to the person under this chapter and shall prohibit the issuance of  
9           any new hunting approval under this chapter to the person for 3 years.

10           **SECTION 84.** 29.99 (11m) (b) of the statutes is amended to read:

11           29.99 (11m) (b) Except as provided under par. (a), for the violation of any  
12           provision of this chapter or any department rule promulgated under this chapter  
13           relating to bear hunting, to the activities specified in s. 29.1085 (2) (br) 1. to 3. or to  
14           the validation of a bear carcass tag or registration of a bear, by a forfeiture of not more  
15           than \$1,000.

16           **SECTION 85.** 29.99 (11m) (c) of the statutes is created to read:

17           29.99 (11m) (c) Any person who is convicted of hunting bear or engaging in any  
18           of the activities under s. 29.1085 (2) (br) with a dog that is not in compliance with s.  
19           29.1085 (2g) or the licensing requirements under s. 174.053 or 174.07 shall have his  
20           or her Class A or Class B bear hunting license revoked, and no Class A or Class B  
21           bear hunting license may be issued to the person for a period of 3 years after the date  
22           of conviction.

23           **SECTION 86. Nonstatutory provisions.**

24           (1) BEAR HUNTING APPROVALS. The department of natural resources shall treat  
25           bear hunting licenses issued under sections 29.109 and 29.114 of the statutes after

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1 March 31, 1997, and before the effective date of this subsection as Class B bear  
2 licenses issued under section 29.1085 of the statutes, as affected by this act, until the  
3 licenses expire on March 31, 1998. Holders of these licenses shall comply with  
4 section 29.1085 of the statutes, as affected by this act.

**SECTION 87. Initial applicability.**

6 (1) FISH AND GAME LICENSES AND STAMPS.

7 (a) The treatment of section 29.092 (2) (a), (c), (e), (f), (g), (h), (j), (k) and (m),  
8 (3) (a), (b), (c), (h), (i), (j), (k), (L) and (m), (3v) (a) 1. and 2. and (b), (4) (a), (am), (b)  
9 and (bn), (6) (a), (7) (a) 4. and (b) 5. and (13) (a), (b), (c) and (d) of the statutes first  
10 applies to licenses and stamps issued on the effective date of this paragraph.

11 (b) The treatment of section 29.092 (2) (em) and (kd) of the statutes first applies  
12 to licenses issued on the effective date of this paragraph.

13 (2) WILDLIFE DAMAGE SURCHARGE. The treatment of section 29.092 (14) (am) and  
14 (b) of the statutes first applies to conservation patron licenses that are issued on the  
15 effective date of this subsection.

16 (3) BEAR HUNTING APPROVALS. The treatment of section 29.092 (2) (d), (i), (kg)  
17 and (kr) of the statutes first applies to bear hunting approvals issued on the effective  
18 date of this subsection.

19 **SECTION 88. Effective dates.** This act takes effect on April 1, 1997, or on the  
20 day after publication, whichever is later, except as follows:

21 (1) WILD TURKEY LICENSES. The treatment of sections 29.092 (2) (em) and (kd)  
22 of the statutes and SECTION 87 (1) (b) of this act take effect on July 1, 1997, or on the  
23 day after publication, whichever is later.

24 (2) BEAR HUNTING APPROVALS. The treatment of sections 29.01 (8), 29.09 (9m) (a)  
25 8., 29.092 (2) (d), (i), (kg), (kr), (om) and (or), (13) (cm), (13m) (a) and (14) (a), 29.093

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1 (2) (cm), 29.1085 (title), (1), (1b), (2) (title), (a), (am), (b), (bg), (br) and (c), (2g), (2m),  
2 (3) (a) 2. and (b), (3m), (4), (5), (5g) and (5r), 29.109 (title), (1), (2) and (3), 29.114,  
3 29.1475 (2) and (2m), 29.22 (3) and 29.99 (11m) (a), (b) and (c) of the statutes and the  
4 renumbering of section 29.1085 (3) (a) and (c) of the statutes and SECTIONS 86 (1) and  
5 87 (3) of this act take effect on October 15, 1997.

6

**(END)**