

2001 DRAFTING REQUEST

Bill

Received: 10/04/2001

Received By: gibsom

Wanted: As time permits

Identical to LRB:

For: Scott Gunderson (608) 266-3363

By/Representing:

This file may be shown to any legislator: NO

Drafter: gibsom

May Contact:

Addl. Drafters:

Subject: Nat. Res. - fish and game

Extra Copies:

Submit via email: NO

Pre Topic:

No specific pre topic given

Topic:

Transfer of Class A bear hunting licenses to minors

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jackctcd</u>	<u>Required</u>
/1	gibsom 10/25/2001	csicilia 10/29/2001 csicilia 10/30/2001	pgreensl 10/30/2001	_____	lrb_docadmin 10/30/2001		State
/2			kfollet 10/30/2001	_____	lrb_docadmin 10/30/2001		State
/3	gibsom 11/05/2001	csicilia 11/08/2001	jfrantze 11/08/2001	_____	lrb_docadmin 11/08/2001		State
/4	gibsom	csicilia	jfrantze	_____	lrb_docadmin	lrb_docadmin	State

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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				_____		12/03/2001	
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	01/14/2002			_____			

FE Sent For:

L At intro.

<END>

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/4	gibsom	csicilia	jfrantze	<u> </u>	lrb_docadmin	lrb_docadmin	State

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				_____		lrb_docadmin	
				_____		12/03/2001	

15 gjs 4/14/02

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Handwritten notes and signatures:
 4 gys 11/21/01
 Jb 11/27
 Jb 11/27

FE Sent For:

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FE Sent For:

1/3 cjs 11/7/01
 11/8
 [Handwritten signatures and initials]
 <END>
 11/8

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By/Representing:

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Drafter: gibsom

May Contact:

Addl. Drafters:

Subject: Nat. Res. - fish and game

Extra Copies:

Submit via email: NO

Pre Topic:

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Topic:

Transfer of Class A bear hunting licenses to minors


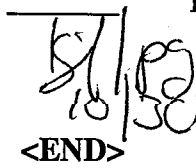
Instructions:

See Attached

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FE Sent For:

<END>

Scott Gunderson



STATE REPRESENTATIVE • 83RD DISTRICT

State Capitol:

P.O. Box 8952
Madison, WI 53708
(608) 266-3363

Toll-Free:
(888) 534-0083

Fax:
(608) 202-3000

E-Mail:
Rep.Gunderson@
legis.state.wi.us

83rd District:

P.O. Box 7
Waterford, WI
53185

(262) 895-6254

MEMO

Date: October 2, 2001
From: State Rep. Scott Gunderson
To: Robin Kite
Re: Drafting Instructions

Robin,

I would like to have legislation drafted that would allow an adult who has achieved sufficient preference points for a bear hunting permit to transfer their bear hunting permit to a minor (someone 17 or under) provided that they accompany the minor that they transfer the permit to.

If you have any questions, please call my office and speak to Mike or myself at 266-3363.

*transfer of license, not notice
of approval*



State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-3958/RMR

MGG:j....

Tues 10/30

gjs

~~PRELIMINARY DRAFT NOT READY FOR INTRODUCTION~~

gen cat

1 AN ACT...; relating to: transfers of Class A bear licenses to minors.

Analysis by the Legislative Reference Bureau

Under current law, the department of natural resources (DNR) issues two types of bear hunting licenses. A Class A bear license allows the license holder to shoot and kill bear. A Class B bear license allows the license holder to assist a Class A license holder in pursuing bear, to bait bear, and to train dogs to pursue bear, but it does not allow the license holder to actually shoot at or kill bear.

Under current law, DNR administers a cumulative preference system for issuing Class A bear licenses if the number of applicants for the license exceeds the number of licenses available. Under the system, an applicant may apply for a license or may apply for only a preference point if he or she is not seeking a license for the upcoming bear hunting season. DNR gives a preference point to each person who applies for a preference point and to each person who applies for a license but who is not selected. The more preference points an applicant has, the higher priority he or she is given in issuing the Class A bear licenses. This bill allows a person who is issued a Class A bear license to transfer the license to a person who is at least 12 years old but under the age of 18. The person may then use the bear license to pursue, bait and hunt bear when he or she is accompanied by the transferor of the license, and the transferor is exempt from having a Class B bear license during this time.

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:

SECTION 1. 29.024 (2) (d) of the statutes is amended to read:

29.024 (2) (d) Except as provided under s. 29.184 (6m) or 29.519 (2) (d) or by rule, no person may transfer his or her approval or permit the use of any approval by any other person.

History: 1997 a. 248 ss. 90, 91, 123 to 134, 161; 1997 a. 249 ss. 1, 2; 1999 a. 9, 32.

SECTION 2. 29.184 (1) of the statutes is amended to read:

(+title)

29.184 (1) DEFINITION. DEFINITIONS. In this section:

(+title)

(a) Notwithstanding s. 29.001 (42), in this section "hunt bear" means to shoot, shoot at, take, catch or kill a bear or pursue, with or without the use of dogs, a bear for the purpose of shooting, shooting at, taking, catching or killing the bear.

History: 1985 a. 270; 1997 a. 1 ss. 57 to 74, 77; 1997 a. 27, 191; 1997 a. 248 ss. 255 to 269; Stats. 1997 s. 29.184; 1997 a. 249 ss. 28 to 32; 1999 a. 9, 32, 186.

SECTION 3. 29.184 (1) (b) of the statutes is created to read:

29.184 (1) (b) "Minor" means a person who is at least 12 years of age but under 18 years of age.

SECTION 4. 29.184 (5) (c) of the statutes is created to read:

29.184 (5) (c) A person who has transferred a Class A bear license under sub. (6m) may engage in the activities authorized under sub. (3) (br) 1. to 3 without holding a Class B bear license when he or she is accompanying, as provided in sub. (6m), the minor to whom the Class A bear license is transferred.

to transfer the license to a minor

SECTION 5. 29.184 (6m) of the statutes is created to read:

29.184 (6m) Upon application by a holder of a Class A bear license the department shall permit the transfer of a Class A bear license to the minor. The minor may use the Class A bear license as authorized under sub. (3) (bg) when he or she is accompanied by the person who transferred the license. For purposes of s. 29.024 (2g), a transfer of a license under this section shall be considered an issuance of a the license to the minor.

(END)

SEC*. CR; 29.184(1)(intro.)
29.184 (1) (intro.) In this section:
SEC*. RA; 29.184(1); 29.184(1)(a)



State of Wisconsin
2001 - 2002 LEGISLATURE

D-N

Today

Sent to typing

RMR
LRB-3958/F 2
MGG:cjs:pg

stay

2001 BILL

leg

1 AN ACT to renumber and amend 29.184 (1); to amend 29.024 (2) (d) and 29.184
2 (1) (title); and to create 29.184 (1) (intro.), 29.184 (1) (b), 29.184 (5) (c) and
3 29.184 (6m) of the statutes; relating to: transfers of Class A bear licenses to
4 minors.

Analysis by the Legislative Reference Bureau

Under current law, the department of natural resources (DNR) issues two types of bear hunting licenses. A Class A bear license allows the license holder to shoot and kill bear. A Class B bear license allows the license holder to assist a Class A license holder in pursuing bear, to bait bear, and to train dogs to pursue bear, but it does not allow the license holder to actually shoot at or kill bear.

Under current law, DNR administers a cumulative preference system for issuing Class A bear licenses if the number of applicants for the license exceeds the number of licenses available. Under the system, an applicant may apply for a license or may apply for only a preference point if he or she is not seeking a license for the upcoming bear hunting season. DNR gives a preference point to each person who applies for a preference point and to each person who applies for a license but who is not selected. The more preference points an applicant has, the higher priority he or she is given in issuing the Class A bear licenses. This bill allows a person who is issued a Class A bear license to transfer the license to a person who is at least 12 years old but under the age of 18. The person may then use the bear license to pursue, bait and hunt bear when he or she is accompanied by the transferor of the license, and the transferor is exempt from having a Class B bear license during this time.

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.** 29.024 (2) (d) of the statutes is amended to read:

2 29.024 (2) (d) Except as provided under s. 29.184 (6m) or 29.519 (2) (d) or by
3 rule, no person may transfer his or her approval or permit the use of any approval
4 by any other person.

5 **SECTION 2.** 29.184 (1) (title) of the statutes is amended to read:

6 29.184 (1) (title) ~~DEFINITION.~~ DEFINITIONS.

7 **SECTION 3.** 29.184 (1) (intro.) of the statutes is created to read:

8 29.184 (1) (intro.) In this section:

9 **SECTION 4.** 29.184 (1) of the statutes is renumbered 29.184 (1) (a) and amended
10 to read:

11 29.184 (1) (a) Notwithstanding s. 29.001 (42), ~~in this section~~ “hunt bear” means
12 to shoot, shoot at, take, catch or kill a bear or pursue, with or without the use of dogs,
13 a bear for the purpose of shooting, shooting at, taking, catching or killing the bear.

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

15 29.184 (1) (b) “Minor” means a person who is at least 12 years of age but under
16 18 years of age.

17 **SECTION 6.** 29.184 (5) (c) of the statutes is created to read:

18 29.184 (5) (c) A person who has transferred a Class A bear license under sub.
19 (6m) may engage in the activities authorized under sub. (3) (br) 1. to 3 without
20 holding a Class B bear license when he or she is accompanying, as provided in sub.
21 (6m), the minor to whom the Class A bear license is transferred.

BILL

1 **SECTION 7.** 29.184 (6m) of the statutes is created to read:

2 29.184 (6m) Upon application by a holder of a Class A bear license to transfer
3 the license to a minor, the department shall transfer the license to the minor. The
4 minor may use the Class A bear license as authorized under sub. (3) (bg) when he or
5 she is accompanied by the person who transferred the license. For purposes of s.
6 29.024 (2g), a transfer of a license under this section shall be considered an issuance
7 of ~~A~~ the license to the minor.

8

(END)

D-N

This bill has been redrafted to correct
~~an error~~ typographical error.

MGB

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

LRB-3958/2dn
MGG:cjs:kjf

October 30, 2001

This bill has been redrafted to correct a typographical error.

Mary Gibson-Glass
Senior Legislative Attorney
Phone: (608) 267-3215

Redraft

15 years to 14

minor must have class B license
transfer it to kill ~~on quinn day~~ ^{STET} can transfer
it to more than one person -
like group deer hunting
for no
consideration



State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-3958/23 RMR

MGG:cjs:kjf

Stamp

soon

2001 BILL

1 **AN ACT** ^{Dear} *to renumber and amend* 29.184 (1); *to amend* 29.024 (2) (d) and 29.184
 2 (1) (title); and *to create* 29.184 (1) (intro.), 29.184 (1) (b), 29.184 (5) (c) and
 3 29.184 (6m) of the statutes; **relating to:** ~~transfers of Class A bear licenses to~~
 4 ~~minors~~ ^{hunting by minors} ^{certain}

Analysis by the Legislative Reference Bureau

Under current law, the department of natural resources (DNR) issues two types of bear hunting licenses. A Class A bear license allows the license holder to shoot and kill bear. A Class B bear license allows the license holder to assist a Class A license holder in pursuing bear, to bait bear, and to train dogs to pursue bear, but it does not allow the license holder to actually shoot at or kill bear.

~~Under current law, DNR administers a cumulative preference system for issuing Class A bear licenses if the number of applicants for the license exceeds the number of licenses available. Under the system, an applicant may apply for a license or may apply for only a preference point if he or she is not seeking a license for the upcoming bear hunting season. DNR gives a preference point to each person who applies for a preference point and to each person who applies for a license but who is not selected. The more preference points an applicant has, the higher priority he or she is given in issuing the Class A bear licenses. This bill allows a person who is issued a Class A bear license to transfer the license to a person who is at least 12 years old but under the age of 18. The person may then use the bear license to pursue, bait and hunt bear when he or she is accompanied by the transferor of the license, and the transferor is exempt from having a Class B bear license during this time.~~

INS
ANL

BILL

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1 **SECTION 1.** 29.024 (2) (d) of the statutes is amended to read:
2 29.024 (2) (d) Except as provided under s. ~~29.184 (6m)~~ ^{(5m)(c)} or 29.519 (2) (d) or by
3 rule, no person may transfer his or her approval or permit the use of any approval
4 by any other person.

5 **SECTION 2.** 29.184 (1) (title) of the statutes is amended to read:

6 29.184 (1) (title) ~~DEFINITION.~~ DEFINITIONS.

7 **SECTION 3.** 29.184 (1) (intro.) of the statutes is created to read:

8 29.184 (1) (intro.) In this section:

9 **SECTION 4.** 29.184 (1) of the statutes is renumbered 29.184 (1) (a) and amended
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11 29.184 (1) (a) Notwithstanding s. 29.001 (42), in this section "hunt bear" means
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16 ~~18~~ ¹⁶ years of age.

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21 (6m), the minor to whom the Class A bear license is transferred.

INS 2-4

BILL

1
2
3
4
5
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8

SECTION 7. 29.184 (6m) of the statutes is created to read:

29.184 (6m) Upon application by a holder of a Class A bear license to transfer the license to a minor, the department shall transfer the license to the minor. The minor may use the Class A bear license as authorized under sub. (3) (bg) when he or she is accompanied by the person who transferred the license. For purposes of s. 29.024 (2g), a transfer of a license under this section shall be considered an issuance of the license to the minor.

(END)

INS-3-7 ✓

INS-3-7

~~SECTION RC; 29.184(5) (title)~~
29.184(5) (title)

2001-2002 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3958/3ins
MGG:ejis:kjf

~~Under current law,~~ DNR administers a cumulative preference system for ^{INS} issuing Class A bear licenses if the number of applicants for the licenses exceeds the ^{ANL} number of licenses available. The more preference points an applicant has, the higher priority he or she is given in the issuances of the licenses. ^{Class A}

This bill allows a person who is at least 12 years old but under the age of 16 and who holds a Class B bear license to actually shoot and kill a bear while the minor is accompanied by an adult who has a Class A bear license and who has an unused bear carcass tag.

SECTION 1. 29.024 (2) (e) of the statutes is renumbered 29.024 (2) (e) 1. and amended to read:

29.024 (2) (e) 1. ~~No Except as provided~~ provided in subds. 2. and 3., no person ^{INS} while hunting, trapping or fishing may use or carry any approval issued to another ²⁻⁴ person, ~~except that a person who accompanies and is assisting a disabled person may carry the disabled person's approval.~~

History: 1997 a. 248 ss. 90, 91, 123 to 134, 161; 1997 a. 249 ss. 1, 2; 1999 a. 9, 32. [^]

SECTION 2. 29.024 (2) (e) 2. of the statutes is created to read:

29.024 (2) (e) 2. A person who accompanies and assists a disabled person may carry the disabled person's approval.

SECTION 3. 29.024 (2) (e) 3. of the statutes is created to read:

29.024 (2) (e) 3. A minor may carry an unused bear carcass tag as authorized ^{(5)(c)} under s. 29.184 ^{(5)(c)}.

SECTION 4. 29.184 ^{(5)(c)} of the statutes is created to read:

^{(5)(c)} 29.184 ^{(5)(c)} A minor who holds a Class B bear license may hunt bear ^{without holding a Class A bear license} if all of ^{INS} the following apply: ³⁻⁷

1. ^(a) The minor is accompanied by a person who holds a Class A bear license.
2. ^(b) The holder of the Class A bear license possesses a current unused bear carcass tag which is authorized for use on the bear being hunted.

INS
3-7
(end)

3.
The minor is carrying the unused tag with the permission of the holder of
the Class A bear license.

Gibson-Glass, Mary

From: Gibson-Glass, Mary
Sent: Tuesday, November 13, 2001 11:07 AM
To: Bruhn, Mike
Subject: Bear hunting by minors LRB 3958

Mike:

I spoke to DNR attorney Mike Lutz and feels that since the tag is not actually being formally transferred this is a unique situation and the concept of "no consideration" should be included.

Therefore, I am redrafting this bill

Mary Gibson-Glass
Senior Legislative Attorney
Legislative Reference Bureau
608 267 3215

RMR
LRB-3958/3
MGG:cjs:jf
↑
Stays

John

2001 BILL

SA ✓

1 **AN ACT to renumber and amend 29.024 (2) (e) and 29.184 (1); to amend 29.024**
2 **(2) (d) and 29.184 (1) (title); and to create 29.024 (2) (e) 2., 29.024 (2) (e) 3.,**
3 **29.184 (1) (intro.), 29.184 (1) (b) and 29.184 (5) (c) of the statutes; relating to:**
4 **bear hunting by certain minors.**

Transferred to the minor

Analysis by the Legislative Reference Bureau

Under current law, the department of natural resources (DNR) issues two types of bear hunting licenses. A Class A bear license allows the license holder to shoot and kill bear. A Class B bear license allows the license holder to assist a Class A license holder in pursuing bear, to bait bear, and to train dogs to pursue bear, but it does not allow the license holder to actually shoot at or kill bear. DNR administers a cumulative preference system for issuing Class A bear licenses if the number of applicants for the licenses exceeds the number of licenses available. The more preference points an applicant has, the higher priority he or she is given in the issuances of the Class A licenses.

This bill allows a person who is at least 12 years old but under the age of 18 and who holds a Class B bear license to actually shoot and kill a bear while the ~~minor~~ is accompanied by an adult who has a Class A bear license and who has an unused bear carcass tag.

18

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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.** 29.024 (2) (d) of the statutes is amended to read:

2 29.024 (2) (d) Except as provided under s. 29.184 (5) (c) or 29.519 (2) (d) or by
3 rule, no person may transfer his or her approval or permit the use of any approval
4 by any other person.

5 **SECTION 2.** 29.024 (2) (e) of the statutes is renumbered 29.024 (2) (e) 1. and
6 amended to read:

7 29.024 (2) (e) 1. ~~No~~ Except as provided in subds. 2. and 3., no person while
8 hunting, trapping or fishing may use or carry any approval issued to another person,
9 ~~except that a person who accompanies and is assisting a disabled person may carry~~
10 ~~the disabled person's approval.~~

11 **SECTION 3.** 29.024 (2) (e) 2. of the statutes is created to read:

12 29.024 (2) (e) 2. A person who accompanies and assists a disabled person may
13 carry the disabled person's approval.

14 **SECTION 4.** 29.024 (2) (e) 3. of the statutes is created to read:

15 29.024 (2) (e) 3. A minor may carry an unused bear carcass tag as authorized
16 under s. 29.184 (5) (c).

17 **SECTION 5.** 29.184 (1) (title) of the statutes is amended to read:

18 29.184 (1) (title) ~~DEFINITION.~~ DEFINITIONS.

19 **SECTION 6.** 29.184 (1) (intro.) of the statutes is created to read:

20 29.184 (1) (intro.) In this section:

BILL

1 **SECTION 7.** 29.184 (1) of the statutes is renumbered 29.184 (1) (a) and amended
2 to read:

3 29.184 (1) (a) Notwithstanding s. 29.001 (42), ~~in this section~~ "hunt bear" means
4 to shoot, shoot at, take, catch or kill a bear or pursue, with or without the use of dogs,
5 a bear for the purpose of shooting, shooting at, taking, catching or killing the bear.

6 **SECTION 8.** 29.184 (1) (b) of the statutes is created to read:

7 29.184 (1) (b) "Minor" means a person who is at least 12 years of age but under
8 ¹⁸~~16~~ years of age.

9 **SECTION 9.** 29.184 (5) (c) of the statutes is created to read:

10 29.184 (5) (c) A minor who holds a Class B bear license may hunt bear without
11 holding a Class A bear license if all of the following apply:

- 12 1. The minor is accompanied by a person who holds a Class A bear license.
- 13 2. The holder of the Class A bear license possesses a current unused bear
14 carcass tag which is authorized for use on the bear being hunted.

15 3. ^{holder transfers to the minor for no consideration, and} The ~~minor is carrying the unused tag with the permission of the holder of the~~
16 ~~Class A bear license.~~ ^{the minor is carrying the unused tag.}

the unused tag

17 A.

(END)



STEPHEN R. MILLER
CHIEF

State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

100 NORTH HAMILTON STREET
5TH FLOOR
MADISON, WI 53701-2037

LEGAL SECTION: (608) 266-3561
LEGAL FAX: (608) 264-6948

November 27, 2001

MEMORANDUM

To: Representative Gunderson

From: Mary Gibson-Glass, Senior Legislative Attorney

Re: LRB-3958/4 Transfer of Class A bear hunting licenses to minors

The attached draft was prepared at your request. Please review it carefully to ensure that it is accurate and satisfies your intent. If it does and you would like it jacketed for introduction, please indicate below for which house you would like the draft jacketed and return this memorandum to our office. If you have any questions about jacketing, please call our program assistants at 266-3561. Please allow one day for jacketing.

JACKET FOR ASSEMBLY JACKET FOR SENATE

If you have any questions concerning the attached draft, or would like to have it redrafted, please contact me at (608) 267-3215 or at the address indicated at the top of this memorandum.

If the last paragraph of the analysis states that a fiscal estimate will be prepared, the LRB will request that it be prepared after the draft is introduced. You may obtain a fiscal estimate on the attached draft before it is introduced by calling our program assistants at 266-3561. Please note that if you have previously requested that a fiscal estimate be prepared on an earlier version of this draft, you will need to call our program assistants in order to obtain a fiscal estimate on this version before it is introduced.

Please call our program assistants at 266-3561 if you have any questions regarding this memorandum.

Kite, Robin

From: Bruhn, Mike
Sent: Wednesday, January 09, 2002 9:20 AM
To: Kite, Robin
Subject: FW: LRB-3958/4

-----Original Message-----

From: Bruhn, Mike
Sent: Wednesday, January 09, 2002 9:19 AM
To: Gibson-Glass, Mary
Subject: LRB-3958/4

Mary,

I am writing in regards to our favorite bill LRB-3958/4, the bear hunter license transfer bill. After dealing with DNR and the Bear Hunters Association more than I ever wanted to on this issue, there are some more changes we need to make to LRB-3958.

1. We now need to remove the "transfer at the tree" or the "transfer of the kill permit" provision. The legislation now needs to state that the individual who receives a bear hunting license may transfer his/her license to a minor (as we have already defined in the bill) as long as they have done it through the department by August 1st. Along those lines, the specific person who transfers his/her license to the minor will no longer have to be present when the kill is made, or when the minor is hunting. Additionally, the minor will be allowed to keep their preference points because we have already issued a license and the transferring licensee has used their points.
2. We need to include a provision which only allows a minor to be the beneficiary of a transferred bear hunting license once. Once they get a license transferred to them, they will be ineligible for a further transfer.
3. If a license holder is from Wisconsin, and he transfers it to a non-Wisconsin resident, the out-of-state license fee must be paid. Also, If a license holder is not from Wisconsin, but he transfers it to a Wisconsin resident, the out-of-state license fee must still be paid.

I hope this is clear. If you have any questions, please feel free to call me at 266-3363. Thank you, and I sincerely hope these are the last changes we have to make to this bill... I had no idea it was going to be this difficult when we started.

Michael Bruhn
Rep. Gunderson's office

*Can talk to
Mike Jenty*

I called Mike in Gunderson's office for clarification on redraft instructions. He stated that they want the bill to provide that in order to transfer a license to a minor, the minor and the license holder must do so through DNR. That is, both minor and license holder must go to a DNR office and have the actual license transferred to the minor (not just the bear carcass tag). Once transferred, the license is in the minor's name and the former license holder has no rights under the license. The transfer must take place no later than the Aug. 1st immediately preceding the September bear hunting season. Also, if the minor has accumulated preference points, the fact that he has received a transferred license has no affect on those preference points. That is, the minor keeps all his preference points.

Mike clarified that the original license holder does not have to accompany the minor but that the current law provisions regarding who must accompany a minor will still apply.

Mike said that they want the draft to provide that a person can be transferred a bear hunting license only once during the time the person is a minor. Also, the minor cannot transfer the license to anyone else.

With regard to the issue of out-of-state fees, Mike suggested that if we have questions we should talk to Mike Lutz at DNR.

Mary:

I got a call from Mike Bruhn in Rep. Gunderson's office on Jan. 9 regarding his e-mail to you about LRB-3958 (transfer of bear hunting licenses to minors). They are very anxious for a redraft. I told Mike that I was reluctant to do the redraft without giving you an opportunity to look at it. So we agreed that I would do the redraft but that I would leave it for you to review on Monday. Attached is my best shot. I know that this is a complicated draft that has some history attached to it. Feel free to make whatever changes may be necessary. If you don't expect to get to this on Monday, please call Mike and give him an update.

I ran the redraft maker and retrieved the draft from hold. I have electronically forwarded the file to your inbox. I have asked Gunderson's office to send the jacket back.

Call me at home if you have any questions.

Robin



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2001 BILL

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is issued a Class A bear license to transfer that license to a person who

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The minor may then use the license to pursue, bait, and hunt bear as authorized by a Class A bear license.

1 **AN ACT to renumber and amend** 29.024 (2) (e) and 29.184 (1); **to amend** 29.024
2 (2) (d) and 29.184 (1) (title); and **to create** 29.024 (2) (e) 2., 29.024 (2) (e) 3.,
3 29.184 (1) (intro.), 29.184 (1) (b) and 29.184 (5) (c) of the statutes; **relating to:**
4 bear hunting by certain minors.

Analysis by the Legislative Reference Bureau

Under current law, the department of natural resources (DNR) issues two types of bear hunting licenses. A Class A bear license allows the license holder to shoot and kill bear. A Class B bear license allows the license holder to assist a Class A license holder in pursuing bear, to bait bear, and to train dogs to pursue bear, but it does not allow the license holder to actually shoot at or kill bear. DNR administers a cumulative preference system for issuing Class A bear licenses if the number of applicants for the licenses exceeds the number of licenses available. The more preference points an applicant has, the higher priority he or she is given in the issuances of the Class A licenses.

This bill allows a person who is at least 12 years old but under the age of 18 ~~and who holds a Class B bear license to actually shoot and kill a bear while the minor is accompanied by an adult who has a Class A bear license and who has transferred to the minor his or her unused bear carcass tag.~~ The bill provides that the minor may be the transferee of a Class A bear license only once during the time he or she is a minor.

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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.** 29.024 (2) (d) of the statutes is amended to read:

2 29.024 (2) (d) Except as provided under s. ~~29.184 (5) (c)~~ ^(6m) or 29.519 (2) (d) or by
3 rule, no person may transfer his or her approval or permit the use of any approval
4 by any other person.

5 **SECTION 2.** 29.024 (2) (e) of the statutes is renumbered 29.024 (2) (e) 1. and
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20 29.184 (1) (intro.) In this section:

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The transfer of a license to minor does not affect the number of preference points that the minor may have previously acquired under the cumulative preference system.

The bill allows both residents and nonresidents to transfer Class A bear licenses and allows both residents and nonresident minors to be the transferees. No fee in addition to the original fee paid the transferor of the license is required except that if a resident transfers a license to a nonresident minor, the resident must pay a fee equal to the difference between the fees for the nonresident and resident license. There is no rebate of the fee if a nonresident transfers a license to a resident minor.

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SECTION 1. 29.184 (6m) of the statutes is created to read:

29.184 (6m) (a) Upon application by a holder of a Class A bear license to transfer the license to a minor, and upon the payment of any fee required under par.

(b), the department shall transfer the license to the minor if the application is made no later than the August 1st immediately preceding the open season for the hunting of bear to which the license applies, and if the minor has not been previously transferred a license under this subsection.

(b) If the holder of a Class A bear license is a resident and the holder applies to transfer the license to a nonresident, the holder shall pay, at the time of application, the difference between the fee charged by the department for the issuance of a Class A license to a resident and the fee charged by the department for the issuance of a Class A license to a nonresident.

(c) Notwithstanding sub. (6) (b), a minor who is transferred a Class A bear license under this subsection shall retain all previously accumulated preference points that he or she has previously accumulated.