



State of Wisconsin
 2001 - 2002 LEGISLATURE
 January 2002 Special Session

RMR
 LRBb2460/s 2
 MGG:hmh:pg

NOON
 D-N

LFB:.....Hotynski – Regulation of elk hunting

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

ASSEMBLY AMENDMENT ,

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO ASSEMBLY BILL 1

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 12, line 3: after that line insert:
 3 “(1) LAND
 4 (hq) Elk hunting fees SEG C -0- -0-”.

5 **2.** Page 14, line 25: after that line insert:

6 “SECTION 36am. 20.370 (1) (hq) of the statutes is created to read:

7 20.370 (1) (hq) *Elk hunting fees.* All moneys received from the sale of elk
 8 hunting licenses under s. 29.182 and from voluntary contributions under s. 29.567
 9 to be used for administering elk hunting licenses, for elk management and research
 10 activities, and for the elk hunter education program under s. 29.595.”.

1 **3.** Page 29, line 17: after that line insert:

2 “**SECTION 84j.** 29.001 (20) of the statutes is created to read:

3 29.001 (20) “Deer” means white-tailed deer and does not include farm-raised
4 deer.

5 **SECTION 84k.** 29.001 (22) of the statutes is created to read:

6 29.001 (22) “Elk” means elk that is present in the wild and that does not have
7 an ear tag or other mark identifying it as being raised on a farm.

8 **SECTION 84m.** 29.001 (36) of the statutes is amended to read:

9 29.001 (36) “Game animals” ~~includes~~ means deer, moose, elk, bear, rabbits,
10 squirrels, fox ~~and~~, raccoon, and any other wild animals specified by the department.

11 **SECTION 84mb.** 29.024 (2) (a) of the statutes is amended to read:

12 29.024 (2) (a) ~~A~~ Except as provided in s. 29.182 (4), a hunting, trapping, or
13 fishing approval may be issued only to and obtained only by a natural person entitled
14 to the approval.

15 **SECTION 84md.** 29.024 (2) (d) of the statutes is amended to read:

16 29.024 (2) (d) Except as provided under s. 29.182 (4) or 29.519 (2) (d) or by rule,
17 no person may transfer his or her approval or permit the use of any approval by any
18 other person.

19 **SECTION 84mf.** 29.047 (1m) of the statutes is amended to read:

20 29.047 (1m) Unless prohibited by the laws of an adjoining state, any person
21 who has lawfully killed a deer or an elk in this state may take the deer or elk or its
22 carcass into the adjoining state and ship the deer or elk or carcass from any point in
23 the adjoining state to any point in this state.

24 **SECTION 84mh.** 29.089 (3) of the statutes is amended to read:

1 29.089 (3) A person may hunt deer, elk, wild turkeys, or small game in a state
2 park, or in a portion of a state park, if the department has authorized by rule the
3 hunting of that type of game in the state park, or in the portion of the state park, and
4 if the person holds the approvals required under this chapter for hunting that type
5 of game.

6 **SECTION 84mj.** 29.161 of the statutes is amended to read:

7 **29.161 Resident small game hunting license.** A resident small game
8 hunting license shall be issued subject to s. 29.024 by the department to any resident
9 applying for this license. The resident small game hunting license does not authorize
10 the hunting of bear, deer, elk, or wild turkey.

11 **SECTION 84mm.** 29.171 (2) of the statutes is amended to read:

12 29.171 (2) A resident archer hunting license authorizes the hunting of all
13 game, except bear, elk, and wild turkey, during the open seasons for hunting that
14 game with bow and arrow established by the department. This license authorizes
15 hunting with a bow and arrow only, unless hunting with a crossbow is authorized by
16 a Class A, Class B, or Class C permit issued under s. 29.193 (2) or a permit issued
17 under sub. (4).

18 **SECTION 84mp.** 29.182 of the statutes is created to read:

19 **29.182 Elk hunting licenses. (1) DEPARTMENT AUTHORITY.** The department
20 may issue elk hunting licenses and may limit the number of elk hunters and elk
21 harvested in any area of the state. The department may establish by rule closed
22 zones where elk hunting is prohibited.

23 **(2) APPLICATION.** A person who applies for an elk hunting license under this
24 section shall pay the processing fee under s. 29.553 at the time of application.

1 (3) AUTHORIZATION. (a) A resident elk hunting license authorizes a resident of
2 this state to hunt elk with a firearm or bow and arrow, or with a crossbow, if the
3 resident has a Class A, Class B, or Class C permit issued under s. 29.193 (2) that
4 authorizes hunting with a crossbow, or if the resident has a crossbow permit issued
5 under s. 29.171 (4) (a).

6 (b) A nonresident elk hunting license authorizes a nonresident of this state to
7 hunt elk with a firearm or with a bow and arrow.

8 (4) ISSUANCE. (a) Except as provided in pars. (c) and (d) and sub. (4m), if the
9 department issues elk hunting licenses, the department shall issue a resident or
10 nonresident elk hunting license to any person who applies for such a license, and who
11 pays the fees required for the license.

12 (b) In issuing resident elk hunting licenses and nonresident elk hunting
13 licenses under this section, the department shall determine the number of licenses
14 it will issue in a given elk hunting season and shall allocate the licenses to residents
15 and nonresidents in the following manner:

16 1. If the total number of licenses to be issued is 100 licenses or less, the licenses
17 shall be allocated for issuance only as resident elk hunting licenses.

18 2. If the number of licenses to be issued is more than 100 licenses, the first 100
19 licenses and ^{95%}~~50%~~ of the amount over 100 shall be allocated for issuance as resident
20 elk hunting licenses and the remaining licenses shall be allocated for issuance as
21 nonresident elk hunting licenses.

22 (c) If the number of applicants for resident elk hunting licenses exceeds the
23 number of resident elk hunting licenses that are available under par. (b), the
24 department shall select ~~at~~^{at} random the residents to be issued the licenses. If the
25 number of applicants for resident elk hunting licenses is less than the number of

1 resident elk hunting licenses available under par. (b), the department shall
2 reallocate the unissued licenses to be issued as nonresident elk hunting licenses
3 under par. (d).

4 (d) If the number of applicants for nonresident elk hunting licenses exceeds the
5 number of nonresident elk hunting licenses that are available under par. (b), the
6 department shall select at random the nonresidents to be issued the licenses. If the
7 number of applicants for nonresident elk hunting licenses is less than the number
8 of nonresident elk hunting licenses available under par. (b), the department shall
9 reallocate the unissued licenses to be issued as resident elk hunting licenses.

10 (e) In addition to any other elk hunting license that the department issues
11 under this subsection, the department shall issue one resident elk hunting license
12 in an elk hunting season to an organization known as the Rocky Mountain Elk
13 Foundation if the organization applies for the license for that season and pays the
14 required fees for the license. The organization may apply for the license only during
15 the first 5 elk hunting seasons for which licenses are issued under this section.

16 (f) The organization known as the Rocky Mountain Elk Foundation shall ^{award} ~~do~~
17 of the following with a license that is issued under par. (e):

18 1. ^{off} Award the license as a prize in a raffle conducted by a subunit of the
19 organization that is licensed to conduct raffles under ch. 563.

20 2. ~~Otherwise use the license as an award or other incentive for raising funds~~
21 ~~for the organization.~~

22 (g) The organization known as the Rocky Mountain Elk Foundation shall
23 transfer the license awarded or ~~used for fund raising~~ under par. (f) only to a person
24 who is qualified to receive a resident elk hunting license and shall transfer to that

1 person the carcass tag and back tag that was issued by the department to the
2 organization under subs. (6) and (7).

3 (h) If the organization known as the Rocky Mountain Elk Foundation fails to
4 transfer the license under par. (g), the license shall become invalid, and the
5 department may issue another resident elk hunting license under this subsection.

6 (i) The organization known as the Rocky Mountain Elk Foundation shall use
7 the proceeds from the raffle or ~~other fund-raising activity~~ under par. (f) in this state
8 to promote elk management, to promote the reintroduction of eastern elk, or to
9 further elk research.

10 **(4m) LIMITATION OF ONE LICENSE.** A person may be issued, or transferred under
11 par. (g), only one resident elk hunting license in his or her lifetime, and the resident
12 elk hunting license shall be valid for only one elk hunting season. The issuance, or
13 transfer under par. (g), of the license to the person is subject to s. 29.024 (2g).

14 **(5) FEES.** Fees received from the issuance of licenses under this section shall
15 be credited to the appropriation account under s. 20.370 (1) (hq).

16 **(6) CARCASS TAG.** The department shall issue an elk carcass tag to each person
17 and organization who is issued an elk hunting license under this section.

18 **(7) BACK TAG.** (a) The department shall issue a back tag to each person and
19 organization who is issued an elk hunting license under this section.

20 (b) No person may hunt elk unless there is attached to the center of the person's
21 coat, shirt, jacket, or similar outermost garment where it can be clearly seen, the
22 back tag issued to the person under par. (a).

23 **SECTION 84n.** 29.204 of the statutes is amended to read:

24 **29.204 Nonresident annual small game hunting license.** A nonresident
25 annual small game hunting license shall be issued subject to s. 29.024 by the

1 department to any nonresident applying for this license. The nonresident annual
2 small game hunting license authorizes the hunting of small game during the
3 appropriate open season but does not authorize the hunting of deer, elk, bear, wild
4 turkey, or fur-bearing animals.

5 **SECTION 84nb.** 29.207 of the statutes is amended to read:

6 **29.207 Nonresident 5-day small game hunting license.** A nonresident
7 5-day small game hunting license shall be issued subject to s. 29.024 by the
8 department to any nonresident applying for this license. The nonresident 5-day
9 small game hunting license authorizes the hunting of small game for which there is
10 an open season during the 5-day period for which it is issued but does not authorize
11 the hunting of deer, elk, bear, wild turkey, or fur-bearing animals.

12 **SECTION 84nd.** 29.213 of the statutes is amended to read:

13 **29.213 Nonresident fur-bearing animal hunting license.** A nonresident
14 fur-bearing animal hunting license shall be issued subject to s. 29.024 by the
15 department to any nonresident applying for this license. The nonresident
16 fur-bearing animal hunting license authorizes the hunting of skunk, raccoon, fox,
17 weasel, opossum, coyote, bobcat and cougar during the appropriate open season but
18 does not authorize the hunting of other fur-bearing animals, other small game, deer,
19 elk, or bear.

20 **SECTION 84nf.** 29.216 (2) of the statutes is amended to read:

21 **29.216 (2) AUTHORIZATION.** The nonresident archer hunting license authorizes
22 the hunting of all game, except bear, elk, wild turkey, and fur-bearing animals,
23 during the open season for the hunting of that game with a bow and arrow. This
24 license authorizes hunting with a bow and arrow only unless hunting with a

1 crossbow is authorized by a Class A, Class B, or Class C permit issued under s.
2 29.193 (2).

3 **SECTION 84nh.** 29.314 (3) (title) of the statutes is amended to read:

4 29.314 (3) (title) SHINING DEER, ELK, OR BEAR WHILE HUNTING OR POSSESSING
5 WEAPONS PROHIBITED.

6 **SECTION 84nj.** 29.314 (3) (a) of the statutes is amended to read:

7 29.314 (3) (a) *Prohibition.* No person may use or possess with intent to use a
8 light for shining deer, elk, or bear while the person is hunting deer, elk, or bear or in
9 possession of a firearm, bow and arrow, or crossbow.

10 **SECTION 84nm.** 29.347 (title) of the statutes is amended to read:

11 **29.347 (title) Possession of deer and elk; heads and skins.**

12 **SECTION 84np.** 29.347 (2) of the statutes is amended to read:

13 29.347 (2) DEER OR ELK CARCASS TAGS. Except as provided under sub. (5) and s.
14 29.324 (3), any person who kills a deer shall immediately attach to the ear or antler
15 of the deer a current validated deer carcass tag which is authorized for use on the
16 type of deer killed. Any person who kills an elk shall immediately attach to the ear
17 or antler of the elk a current validated elk carcass tag. Except as provided under sub.
18 (2m) or s. 29.871 (7), (8), or (14) or 29.89 (6), no person may possess, control, store,
19 or transport a deer carcass unless it is tagged as required under this subsection.
20 Except as provided under sub. (2m), no person may possess, control, store, or
21 transport an elk carcass unless it is tagged as required under this subsection. A
22 person who kills a deer or elk shall register the deer or elk in the manner required
23 by the department. The carcass tag may not be removed before registration. The
24 removal of a carcass tag from a deer or elk before registration renders the deer or elk
25 untagged.

1 **SECTION 84nq.** 29.347 (2m) (a) of the statutes is amended to read:

2 29.347 (2m) (a) A deer carcass tag attached under sub. (2) and a registration
3 tag attached by the department or a car kill tag attached under sub. (5) may be
4 removed from a gutted carcass at the time of butchering, but the person who killed
5 or obtained the deer or elk shall retain all tags until the meat is consumed.

6 **SECTION 84ns.** 29.347 (2m) (b) of the statutes is amended to read:

7 29.347 (2m) (b) Any person who retains a tag under par. (a) may give deer or
8 elk meat to another person. The person who receives the gift of deer or elk meat is
9 not required to possess a tag.

10 **SECTION 84nt.** 29.347 (3) of the statutes is amended to read:

11 29.347 (3) HEADS AND SKINS. The head and skin of any deer or elk lawfully
12 killed, when severed from the rest of the carcass, are not subject to this chapter; but
13 no person shall may have possession or control of the green head or green skin of a
14 deer or elk during the period beginning 30 days after the close of the ~~open deer~~
15 applicable season and the opening of the succeeding applicable season, ~~or.~~ Unless
16 authorized by the department, no person may at any time have possession or control
17 of a deer or elk head in the velvet, or a deer or elk skin in the red, blue, or spotted coat.

18 **SECTION 84nu.** 29.347 (4) of the statutes is amended to read:

19 29.347 (4) ANTLERS REMOVED OR BROKEN. Any deer ~~taken during an open season~~
20 ~~for hunting antlered deer only or for hunting antlerless deer only~~ from which the
21 antlers have been removed, broken, shed, or altered so as to make determination of
22 the legality of the deer impossible is an illegal deer if the deer is taken during an open
23 season for hunting only antlered deer or during an open season for hunting only
24 antlerless deer. Any elk from which the antlers have been removed, broken, shed,
25 or altered so as to make determination of the legality of the elk impossible is an illegal

1 elk if the elk is taken during an open season for hunting only antlered elk or during
2 an open season for hunting antlerless elk.

3 **SECTION 84nv.** 29.347 (6) of the statutes is repealed.

4 **SECTION 84pb.** 29.361 (title) of the statutes is amended to read:

5 **29.361 (title) Transportation of deer or elk.**

6 **SECTION 84pd.** 29.361 (1) of the statutes is amended to read:

7 29.361 (1) No common carrier may receive for transportation or transport or
8 attempt to transport any deer or elk or the carcass of any deer or elk except as
9 provided in this section.

10 **SECTION 84pr.** 29.361 (2) of the statutes is amended to read:

11 29.361 (2) Any person may transport a lawfully taken deer or elk if it is properly
12 tagged and registered, except as otherwise provided by rule during the open season
13 for deer or elk and for 3 days thereafter.

14 **SECTION 84pt.** 29.361 (2m) of the statutes is amended to read:

15 29.361 (2m) Any person may transport an antlerless deer killed under the
16 authority of his or her hunter's choice, bonus, or other deer hunting permit on any
17 highway, as defined s. 340.01 (22), in order to register the deer in the deer
18 management area where the deer deer was killed or in an adjoining management
19 area.

20 **SECTION 84pv.** 29.361 (5) of the statutes is amended to read:

21 29.361 (5) This section does not apply to a person who has a valid taxidermist
22 permit and who is transporting, attempting to transport, or receiving the carcass of
23 a deer or elk in connection with his or her business.

24 **SECTION 84px.** 29.361 (6) of the statutes is repealed.

25 **SECTION 84rb.** 29.539 (1) (a) 1. of the statutes is amended to read:

1 29.539 (1) (a) 1. Deer, elk, bear, squirrel, game bird, game fish, or the carcass
2 of any of these wild animals at any time.

3 **SECTION 84rd.** 29.541 (1) (a) 1. of the statutes is amended to read:

4 29.541 (1) (a) 1. The meat of any deer, elk, bear, squirrel, game bird, or game
5 fish taken from inland waters at any time.

6 **SECTION 84rf.** 29.553 (1) (hm) of the statutes is created to read:

7 29.553 (1) (hm) Elk hunting license.

8 **SECTION 84rh.** 29.563 (2) (a) 5m. of the statutes is created to read:

9 29.563 (2) (a) 5m. Elk: \$39.25.

10 **SECTION 84rj.** 29.563 (2) (b) 3m. of the statutes is created to read:

11 29.563 (2) (b) 3m. Elk: \$199.25.

12 **SECTION 84rm.** 29.563 (12) (a) 5. of the statutes is created to read:

13 29.563 (12) (a) 5. Elk: ^{\$13}~~\$24.25~~.

14 **SECTION 84rp.** 29.563 (14) (a) 3. of the statutes is created to read:

15 29.563 (14) (a) 3. The processing fee for applications for elk hunting licenses:
16 \$2.75.

17 **SECTION 84rr.** 29.563 (14) (c) 3. of the statutes is amended to read:

18 29.563 (14) (c) 3. Each application for a hunter's choice permit, bonus deer
19 hunting permit, elk hunting license, wild turkey hunting license, Canada goose
20 hunting permit, sharp-tailed grouse hunting permit, bobcat hunting and trapping
21 permit, otter trapping permit, fisher trapping permit, or sturgeon fishing permit: 25
22 cents.

23 **SECTION 84rt.** 29.567 of the statutes is created to read:

24 **29.567 Voluntary contributions; elk research.** (1) Any applicant for an
25 elk hunting license under s. 29.182 may, in addition to paying any fee charged for the

1 license, elect to make a voluntary contribution of at least \$1 to be used for elk
2 research.

3 (2) All moneys collected under sub. (1) shall be credited to the appropriation
4 account under s. 20.370 (1) (hq).

5 **SECTION 84sb.** 29.595 of the statutes is created to read:

6 **29.595 Elk hunter education program. (1) ESTABLISHMENT.** The
7 department shall establish and conduct an elk hunter education program.

8 (2) **INSTRUCTION.** The elk hunter education program shall provide a course of
9 instruction that includes all of the following:

10 (a) History and recovery of elk in this state and the eastern United States.

11 (b) Elk census and population estimation methods used in this state.

12 (c) Elk biology and disease prevention.

13 (d) Elk hunting techniques and hunter ethics.

14 (e) Elk hunting zones.

15 (f) Rules promulgated by the department concerning elk hunting.

16 (g) Native American hunting.

17 (3) **CERTIFICATE OF ACCOMPLISHMENT.** (a) The department shall issue a
18 certificate of accomplishment to a person who successfully completes the course of
19 instruction under the elk hunter education program.

20 (b) Except as provided in par. (c), no person may be issued an elk hunting license
21 unless he or she holds a valid certificate of accomplishment issued under this
22 subsection.

23 (c) A person may be issued an elk hunting license if the person holds evidence
24 that demonstrates to the satisfaction of the department that he or she has
25 successfully completed in another state or province an elk hunter education course

1 and if the course is recognized by the department under a reciprocity agreement with
2 that state or province.

3 (4) FEE PROHIBITED. The department may not charge a fee for the course of
4 instruction or the certificate of accomplishment.

5 SECTION 84sd. 29.875 (title) of the statutes is amended to read:

6 29.875 (title) **Disposal of escaped deer or elk.**

7 SECTION 84sf. 29.875 (1) of the statutes is renumbered 29.875 (1r).

8 SECTION 84sg. 29.875 (1g) of the statutes is created to read:

9 29.875 (1g) In this section, “deer” means any species of deer.

10 SECTION 84sj. 29.875 (2) of the statutes is amended to read:

11 29.875 (2) Notwithstanding sub. (1) (1r), the department may dispose of the
12 deer immediately if the department of agriculture, trade and consumer protection
13 determines that the deer poses a risk to public safety or to the health of other
14 domestic or wild animals.

15 SECTION 84sm. 29.889 (1) (f) of the statutes is created to read:

16 29.889 (1) (f) Elk, if the department has promulgated a rule that establishes
17 a season for hunting elk.

18 SECTION 84sp. 29.921 (7) of the statutes is amended to read:

19 29.921 (7) DOGS INJURING WILDLIFE. A warden may kill a dog found running,
20 injuring, causing injury to, or killing, any deer, ~~other than farm-raised deer~~ or elk,
21 or destroying game birds, their eggs, or nests, if immediate action is necessary to
22 protect the deer, elk, or game birds, their nests or eggs, from injury or death.

23 SECTION 84sr. 29.927 (8) of the statutes is amended to read:

24 29.927 (8) Any dog found running deer, ~~except farm-raised deer~~, or elk at any
25 time, or used in violation of this chapter.

1 **SECTION 84st.** 29.934 (1) (e) of the statutes is amended to read:

2 29.934 (1) (e) This subsection does not apply to a deer killed, or so injured that
3 it must be killed, by a collision with a motor vehicle on a highway. ~~For purposes of~~
4 ~~this subsection, “deer” does not include farm-raised deer.”.~~

5 **4.** Page 30, line 3: after that line insert:

6 **“SECTION 86g.** 29.971 (3m) of the statutes is amended to read:

7 29.971 (3m) For unlawfully hunting a moose ~~or an elk~~, by a forfeiture of not
8 less than \$1,000 nor more than \$2,000 and the mandatory revocation of all hunting
9 approvals issued to the person. In addition, no hunting approval may be issued to
10 the person for the time period specified by the court. The time period specified shall
11 be not less than 3 years nor more than 5 years following the date of conviction under
12 this subsection.

13 **SECTION 86r.** 29.971 (11g) of the statutes is created to read:

14 29.971 (11g) (a) For hunting elk without a valid elk hunting license, for
15 possessing an elk that does not have an elk carcass tag attached, for possessing an
16 elk during the closed season, by a fine of not less than \$1,000 nor more than \$15,000
17 or by imprisonment for not more than 6 months or both for the first violation, or by
18 a fine of not more than \$20,000 or imprisonment for not more than one year or both
19 for any subsequent violation. In addition, the court shall revoke all hunting and
20 trapping approvals issued to the person under this chapter and shall prohibit the
21 issuance of any new hunting and trapping approvals under this chapter to the person
22 for 5 years.

23 (b) Except as provided under par. (a), for the violation of any provision of this
24 chapter or rules promulgated under this chapter relating to elk hunting or to the

1 violation of an elk carcass tag or registration of an elk, by a forfeiture of not more than
2 \$5,000.”.

3 **5.** Page 30, line 17: after that line insert:

4 “SECTION 88b. 29.977 (1) (am) of the statutes is created to read:

5 29.977 (1) (am) Any elk, \$2,000.

6 SECTION 88e. 29.977 (1) (b) of the statutes is amended to read:

7 29.977 (1) (b) Any moose, ~~elk~~, fisher, prairie chicken, or sand hill crane,
8 \$262.50.

9 SECTION 88g. 29.977 (1) (m) of the statutes is amended to read:

10 29.977 (1) (m) Any game or fur-bearing animal or bird not mentioned in pars.
11 (b) (am) to (h), \$17.50.

12 SECTION 88m. 29.983 (1) (b) 1m. of the statutes is created to read:

13 29.983 (1) (b) 1m. Any elk, \$2,000.

14 SECTION 88n. 29.983 (1) (b) 2. of the statutes is amended to read:

15 29.983 (1) (b) 2. For any moose, ~~elk~~, fisher, prairie chicken, or sand hill crane,
16 \$262.50.

17 SECTION 88p. 29.983 (1) (b) 13. of the statutes is amended to read:

18 29.983 (1) (b) 13. For any game or fur-bearing animal or bird not mentioned
19 in subs. ~~2- 1m.~~ to 8., \$17.50.”.

20

(END)

D-N

I have removed the schedule entry because the appropriation is not a sum certain appropriation.

MBB

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

LRBb2460/2dn
MGG:hmh:rs

March 13, 2002

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



State of Wisconsin
2001 - 2002 LEGISLATURE
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18 29.047 (1m) Unless prohibited by the laws of an adjoining state, any person
19 who has lawfully killed a deer or an elk in this state may take the deer or elk or its
20 carcass into the adjoining state and ship the deer or elk or carcass from any point in
21 the adjoining state to any point in this state.

22 **SECTION 84mh.** 29.089 (3) of the statutes is amended to read:

23 29.089 (3) A person may hunt deer, elk, wild turkeys, or small game in a state
24 park, or in a portion of a state park, if the department has authorized by rule the
25 hunting of that type of game in the state park, or in the portion of the state park, and

1 if the person holds the approvals required under this chapter for hunting that type
2 of game.

3 **SECTION 84mj.** 29.161 of the statutes is amended to read:

4 **29.161 Resident small game hunting license.** A resident small game
5 hunting license shall be issued subject to s. 29.024 by the department to any resident
6 applying for this license. The resident small game hunting license does not authorize
7 the hunting of bear, deer, elk, or wild turkey.

8 **SECTION 84mm.** 29.171 (2) of the statutes is amended to read:

9 29.171 (2) A resident archer hunting license authorizes the hunting of all
10 game, except bear, elk, and wild turkey, during the open seasons for hunting that
11 game with bow and arrow established by the department. This license authorizes
12 hunting with a bow and arrow only, unless hunting with a crossbow is authorized by
13 a Class A, Class B, or Class C permit issued under s. 29.193 (2) or a permit issued
14 under sub. (4).

15 **SECTION 84mp.** 29.182 of the statutes is created to read:

16 **29.182 Elk hunting licenses.** (1) DEPARTMENT AUTHORITY. The department
17 may issue elk hunting licenses and may limit the number of elk hunters and elk
18 harvested in any area of the state. The department may establish by rule closed
19 zones where elk hunting is prohibited.

20 (2) APPLICATION. A person who applies for an elk hunting license under this
21 section shall pay the processing fee under s. 29.553 at the time of application.

22 (3) AUTHORIZATION. (a) A resident elk hunting license authorizes a resident of
23 this state to hunt elk with a firearm or bow and arrow, or with a crossbow, if the
24 resident has a Class A, Class B, or Class C permit issued under s. 29.193 (2) that

1 authorizes hunting with a crossbow, or if the resident has a crossbow permit issued
2 under s. 29.171 (4) (a).

3 (b) A nonresident elk hunting license authorizes a nonresident of this state to
4 hunt elk with a firearm or with a bow and arrow.

5 (4) ISSUANCE. (a) Except as provided in pars. (c) and (d) and sub. (4m), if the
6 department issues elk hunting licenses, the department shall issue a resident or
7 nonresident elk hunting license to any person who applies for such a license, and who
8 pays the fees required for the license.

9 (b) In issuing resident elk hunting licenses and nonresident elk hunting
10 licenses under this section, the department shall determine the number of licenses
11 it will issue in a given elk hunting season and shall allocate the licenses to residents
12 and nonresidents in the following manner:

13 1. If the total number of licenses to be issued is 100 licenses or less, the licenses
14 shall be allocated for issuance only as resident elk hunting licenses.

15 2. If the number of licenses to be issued is more than 100 licenses, the first 100
16 licenses and 95% of the amount over 100 shall be allocated for issuance as resident
17 elk hunting licenses and the remaining licenses shall be allocated for issuance as
18 nonresident elk hunting licenses.

19 (c) If the number of applicants for resident elk hunting licenses exceeds the
20 number of resident elk hunting licenses that are available under par. (b), the
21 department shall select at random the residents to be issued the licenses. If the
22 number of applicants for resident elk hunting licenses is less than the number of
23 resident elk hunting licenses available under par. (b), the department shall
24 reallocate the unissued licenses to be issued as nonresident elk hunting licenses
25 under par. (d).

1 (d) If the number of applicants for nonresident elk hunting licenses exceeds the
2 number of nonresident elk hunting licenses that are available under par. (b), the
3 department shall select at random the nonresidents to be issued the licenses. If the
4 number of applicants for nonresident elk hunting licenses is less than the number
5 of nonresident elk hunting licenses available under par. (b), the department shall
6 reallocate the unissued licenses to be issued as resident elk hunting licenses.

7 (e) In addition to any other elk hunting license that the department issues
8 under this subsection, the department shall issue one resident elk hunting license
9 in an elk hunting season to an organization known as the Rocky Mountain Elk
10 Foundation if the organization applies for the license for that season and pays the
11 required fees for the license. The organization may apply for the license only during
12 the first 5 elk hunting seasons for which licenses are issued under this section.

13 (f) The organization known as the Rocky Mountain Elk Foundation shall award
14 the license that is issued under par. (e) as a prize in a raffle conducted by a subunit
15 of the organization that is licensed to conduct raffles under ch. 563.

16 (g) The organization known as the Rocky Mountain Elk Foundation shall
17 transfer the license awarded or under par. (f) only to a person who is qualified to
18 receive a resident elk hunting license and shall transfer to that person the carcass
19 tag and back tag that was issued by the department to the organization under subs.
20 (6) and (7).

21 (h) If the organization known as the Rocky Mountain Elk Foundation fails to
22 transfer the license under par. (g), the license shall become invalid, and the
23 department may issue another resident elk hunting license under this subsection.

1 (i) The organization known as the Rocky Mountain Elk Foundation shall use
2 the proceeds from the raffle under par. (f) in this state to promote elk management,
3 to promote the reintroduction of eastern elk, or to further elk research.

4 (4m) LIMITATION OF ONE LICENSE. A person may be issued, or transferred under
5 par. (g), only one resident elk hunting license in his or her lifetime, and the resident
6 elk hunting license shall be valid for only one elk hunting season. The issuance, or
7 transfer under par. (g), of the license to the person is subject to s. 29.024 (2g).

8 (5) FEES. Fees received from the issuance of licenses under this section shall
9 be credited to the appropriation account under s. 20.370 (1) (hq).

10 (6) CARCASS TAG. The department shall issue an elk carcass tag to each person
11 and organization who is issued an elk hunting license under this section.

12 (7) BACK TAG. (a) The department shall issue a back tag to each person and
13 organization who is issued an elk hunting license under this section.

14 (b) No person may hunt elk unless there is attached to the center of the person's
15 coat, shirt, jacket, or similar outermost garment where it can be clearly seen, the
16 back tag issued to the person under par. (a).

17 **SECTION 84n.** 29.204 of the statutes is amended to read:

18 **29.204 Nonresident annual small game hunting license.** A nonresident
19 annual small game hunting license shall be issued subject to s. 29.024 by the
20 department to any nonresident applying for this license. The nonresident annual
21 small game hunting license authorizes the hunting of small game during the
22 appropriate open season but does not authorize the hunting of deer, elk, bear, wild
23 turkey, or fur-bearing animals.

24 **SECTION 84nb.** 29.207 of the statutes is amended to read:

1 **29.207 Nonresident 5-day small game hunting license.** A nonresident
2 5-day small game hunting license shall be issued subject to s. 29.024 by the
3 department to any nonresident applying for this license. The nonresident 5-day
4 small game hunting license authorizes the hunting of small game for which there is
5 an open season during the 5-day period for which it is issued but does not authorize
6 the hunting of deer, elk, bear, wild turkey, or fur-bearing animals.

7 **SECTION 84nd.** 29.213 of the statutes is amended to read:

8 **29.213 Nonresident fur-bearing animal hunting license.** A nonresident
9 fur-bearing animal hunting license shall be issued subject to s. 29.024 by the
10 department to any nonresident applying for this license. The nonresident
11 fur-bearing animal hunting license authorizes the hunting of skunk, raccoon, fox,
12 weasel, opossum, coyote, bobcat and cougar during the appropriate open season but
13 does not authorize the hunting of other fur-bearing animals, other small game, deer,
14 elk, or bear.

15 **SECTION 84nf.** 29.216 (2) of the statutes is amended to read:

16 **29.216 (2) AUTHORIZATION.** The nonresident archer hunting license authorizes
17 the hunting of all game, except bear, elk, wild turkey, and fur-bearing animals,
18 during the open season for the hunting of that game with a bow and arrow. This
19 license authorizes hunting with a bow and arrow only unless hunting with a
20 crossbow is authorized by a Class A, Class B, or Class C permit issued under s.
21 29.193 (2).

22 **SECTION 84nh.** 29.314 (3) (title) of the statutes is amended to read:

23 **29.314 (3) (title) SHINING DEER, ELK, OR BEAR WHILE HUNTING OR POSSESSING**
24 **WEAPONS PROHIBITED.**

25 **SECTION 84nj.** 29.314 (3) (a) of the statutes is amended to read:

1 29.314 (3) (a) *Prohibition.* No person may use or possess with intent to use a
2 light for shining deer, elk, or bear while the person is hunting deer, elk, or bear or in
3 possession of a firearm, bow and arrow, or crossbow.

4 **SECTION 84nm.** 29.347 (title) of the statutes is amended to read:

5 **29.347 (title) Possession of deer and elk; heads and skins.**

6 **SECTION 84np.** 29.347 (2) of the statutes is amended to read:

7 29.347 (2) DEER OR ELK CARCASS TAGS. Except as provided under sub. (5) and s.
8 29.324 (3), any person who kills a deer shall immediately attach to the ear or antler
9 of the deer a current validated deer carcass tag which is authorized for use on the
10 type of deer killed. Any person who kills an elk shall immediately attach to the ear
11 or antler of the elk a current validated elk carcass tag. Except as provided under sub.
12 (2m) or s. 29.871 (7), (8), or (14) or 29.89 (6), no person may possess, control, store,
13 or transport a deer carcass unless it is tagged as required under this subsection.
14 Except as provided under sub. (2m), no person may possess, control, store, or
15 transport an elk carcass unless it is tagged as required under this subsection. A
16 person who kills a deer or elk shall register the deer or elk in the manner required
17 by the department. The carcass tag may not be removed before registration. The
18 removal of a carcass tag from a deer or elk before registration renders the deer or elk
19 untagged.

20 **SECTION 84nq.** 29.347 (2m) (a) of the statutes is amended to read:

21 29.347 (2m) (a) A deer carcass tag attached under sub. (2) and a registration
22 tag attached by the department or a car kill tag attached under sub. (5) may be
23 removed from a gutted carcass at the time of butchering, but the person who killed
24 or obtained the deer or elk shall retain all tags until the meat is consumed.

25 **SECTION 84ns.** 29.347 (2m) (b) of the statutes is amended to read:

1 29.347 (2m) (b) Any person who retains a tag under par. (a) may give deer or
2 elk meat to another person. The person who receives the gift of deer or elk meat is
3 not required to possess a tag.

4 **SECTION 84nt.** 29.347 (3) of the statutes is amended to read:

5 29.347 (3) HEADS AND SKINS. The head and skin of any deer or elk lawfully
6 killed, when severed from the rest of the carcass, are not subject to this chapter; but
7 no person shall may have possession or control of the green head or green skin of a
8 deer or elk during the period beginning 30 days after the close of the open deer
9 applicable season and the opening of the succeeding applicable season, ~~or.~~ Unless
10 authorized by the department, no person may at any time have possession or control
11 of a deer or elk head in the velvet, or a deer or elk skin in the red, blue, or spotted coat.

12 **SECTION 84nu.** 29.347 (4) of the statutes is amended to read:

13 29.347 (4) ANTLERS REMOVED OR BROKEN. Any deer ~~taken during an open season~~
14 ~~for hunting antlered deer only or for hunting antlerless deer only~~ from which the
15 antlers have been removed, broken, shed, or altered so as to make determination of
16 the legality of the deer impossible is an illegal deer if the deer is taken during an open
17 season for hunting only antlered deer or during an open season for hunting only
18 antlerless deer. Any elk from which the antlers have been removed, broken, shed,
19 or altered so as to make determination of the legality of the elk impossible is an illegal
20 elk if the elk is taken during an open season for hunting only antlered elk or during
21 an open season for hunting antlerless elk.

22 **SECTION 84nv.** 29.347 (6) of the statutes is repealed.

23 **SECTION 84pb.** 29.361 (title) of the statutes is amended to read:

24 **29.361 (title) Transportation of deer or elk.**

25 **SECTION 84pd.** 29.361 (1) of the statutes is amended to read:

1 29.361 (1) No common carrier may receive for transportation or transport or
2 attempt to transport any deer or elk or the carcass of any deer or elk except as
3 provided in this section.

4 **SECTION 84pr.** 29.361 (2) of the statutes is amended to read:

5 29.361 (2) Any person may transport a lawfully taken deer or elk if it is properly
6 tagged and registered, except as otherwise provided by rule during the open season
7 for deer or elk and for 3 days thereafter.

8 **SECTION 84pt.** 29.361 (2m) of the statutes is amended to read:

9 29.361 (2m) Any person may transport an antlerless deer killed under the
10 authority of his or her hunter's choice, bonus, or other deer hunting permit on any
11 highway, as defined s. 340.01 (22), in order to register the deer in the deer
12 management area where the deer deer was killed or in an adjoining management
13 area.

14 **SECTION 84pv.** 29.361 (5) of the statutes is amended to read:

15 29.361 (5) This section does not apply to a person who has a valid taxidermist
16 permit and who is transporting, attempting to transport, or receiving the carcass of
17 a deer or elk in connection with his or her business.

18 **SECTION 84px.** 29.361 (6) of the statutes is repealed.

19 **SECTION 84rb.** 29.539 (1) (a) 1. of the statutes is amended to read:

20 29.539 (1) (a) 1. Deer, elk, bear, squirrel, game bird, game fish, or the carcass
21 of any of these wild animals at any time.

22 **SECTION 84rd.** 29.541 (1) (a) 1. of the statutes is amended to read:

23 29.541 (1) (a) 1. The meat of any deer, elk, bear, squirrel, game bird, or game
24 fish taken from inland waters at any time.

25 **SECTION 84rf.** 29.553 (1) (hm) of the statutes is created to read:

1 29.553 (1) (hm) Elk hunting license.

2 **SECTION 84rh.** 29.563 (2) (a) 5m. of the statutes is created to read:

3 29.563 (2) (a) 5m. Elk: \$39.25.

4 **SECTION 84rj.** 29.563 (2) (b) 3m. of the statutes is created to read:

5 29.563 (2) (b) 3m. Elk: \$199.25.

6 **SECTION 84rm.** 29.563 (12) (a) 5. of the statutes is created to read:

7 29.563 (12) (a) 5. Elk: \$13.

8 **SECTION 84rp.** 29.563 (14) (a) 3. of the statutes is created to read:

9 29.563 (14) (a) 3. The processing fee for applications for elk hunting licenses:
10 \$2.75.

11 **SECTION 84rr.** 29.563 (14) (c) 3. of the statutes is amended to read:

12 29.563 (14) (c) 3. Each application for a hunter's choice permit, bonus deer
13 hunting permit, elk hunting license, wild turkey hunting license, Canada goose
14 hunting permit, sharp-tailed grouse hunting permit, bobcat hunting and trapping
15 permit, otter trapping permit, fisher trapping permit, or sturgeon fishing permit: 25
16 cents.

17 **SECTION 84rt.** 29.567 of the statutes is created to read:

18 **29.567 Voluntary contributions; elk research.** (1) Any applicant for an
19 elk hunting license under s. 29.182 may, in addition to paying any fee charged for the
20 license, elect to make a voluntary contribution of at least \$1 to be used for elk
21 research.

22 (2) All moneys collected under sub. (1) shall be credited to the appropriation
23 account under s. 20.370 (1) (hq).

24 **SECTION 84sb.** 29.595 of the statutes is created to read:

1 **29.595 Elk hunter education program. (1) ESTABLISHMENT.** The
2 department shall establish and conduct an elk hunter education program.

3 **(2) INSTRUCTION.** The elk hunter education program shall provide a course of
4 instruction that includes all of the following:

5 (a) History and recovery of elk in this state and the eastern United States.

6 (b) Elk census and population estimation methods used in this state.

7 (c) Elk biology and disease prevention.

8 (d) Elk hunting techniques and hunter ethics.

9 (e) Elk hunting zones.

10 (f) Rules promulgated by the department concerning elk hunting.

11 (g) Native American hunting.

12 **(3) CERTIFICATE OF ACCOMPLISHMENT.** (a) The department shall issue a
13 certificate of accomplishment to a person who successfully completes the course of
14 instruction under the elk hunter education program.

15 (b) Except as provided in par. (c), no person may be issued an elk hunting license
16 unless he or she holds a valid certificate of accomplishment issued under this
17 subsection.

18 (c) A person may be issued an elk hunting license if the person holds evidence
19 that demonstrates to the satisfaction of the department that he or she has
20 successfully completed in another state or province an elk hunter education course
21 and if the course is recognized by the department under a reciprocity agreement with
22 that state or province.

23 **(4) FEE PROHIBITED.** The department may not charge a fee for the course of
24 instruction or the certificate of accomplishment.

25 **SECTION 84sd.** 29.875 (title) of the statutes is amended to read:

1 **29.875 (title) Disposal of escaped deer or elk.**

2 **SECTION 84sf.** 29.875 (1) of the statutes is renumbered 29.875 (1r).

3 **SECTION 84sg.** 29.875 (1g) of the statutes is created to read:

4 29.875 (1g) In this section, “deer” means any species of deer.

5 **SECTION 84sj.** 29.875 (2) of the statutes is amended to read:

6 29.875 (2) Notwithstanding sub. ~~(1)~~ (1r), the department may dispose of the
7 deer immediately if the department of agriculture, trade and consumer protection
8 determines that the deer poses a risk to public safety or to the health of other
9 domestic or wild animals.

10 **SECTION 84sm.** 29.889 (1) (f) of the statutes is created to read:

11 29.889 (1) (f) Elk, if the department has promulgated a rule that establishes
12 a season for hunting elk.

13 **SECTION 84sp.** 29.921 (7) of the statutes is amended to read:

14 29.921 (7) ~~DOGS INJURING WILDLIFE.~~ A warden may kill a dog found running,
15 injuring, causing injury to, or killing, any deer, ~~other than farm-raised deer or elk,~~
16 or destroying game birds, their eggs, or nests, if immediate action is necessary to
17 protect the deer, elk, or game birds, their nests or eggs, from injury or death.

18 **SECTION 84sr.** 29.927 (8) of the statutes is amended to read:

19 29.927 (8) Any dog found running deer, ~~except farm-raised deer, or elk~~ at any
20 time, or used in violation of this chapter.

21 **SECTION 84st.** 29.934 (1) (e) of the statutes is amended to read:

22 29.934 (1) (e) This subsection does not apply to a deer killed, or so injured that
23 it must be killed, by a collision with a motor vehicle on a highway. ~~For purposes of~~
24 ~~this subsection, “deer” does not include farm-raised deer.”~~

1 **3.** Page 30, line 3: after that line insert:

2 “**SECTION 86g.** 29.971 (3m) of the statutes is amended to read:

3 29.971 (**3m**) For unlawfully hunting a moose ~~or an elk~~, by a forfeiture of not
4 less than \$1,000 nor more than \$2,000 and the mandatory revocation of all hunting
5 approvals issued to the person. In addition, no hunting approval may be issued to
6 the person for the time period specified by the court. The time period specified shall
7 be not less than 3 years nor more than 5 years following the date of conviction under
8 this subsection.

9 **SECTION 86r.** 29.971 (11g) of the statutes is created to read:

10 29.971 (**11g**) (a) For hunting elk without a valid elk hunting license, for
11 possessing an elk that does not have an elk carcass tag attached, for possessing an
12 elk during the closed season, by a fine of not less than \$1,000 nor more than \$15,000
13 or by imprisonment for not more than 6 months or both for the first violation, or by
14 a fine of not more than \$20,000 or imprisonment for not more than one year or both
15 for any subsequent violation. In addition, the court shall revoke all hunting and
16 trapping approvals issued to the person under this chapter and shall prohibit the
17 issuance of any new hunting and trapping approvals under this chapter to the person
18 for 5 years.

19 (b) Except as provided under par. (a), for the violation of any provision of this
20 chapter or rules promulgated under this chapter relating to elk hunting or to the
21 violation of an elk carcass tag or registration of an elk, by a forfeiture of not more than
22 \$5,000.”.

23 **4.** Page 30, line 17: after that line insert:

24 “**SECTION 88b.** 29.977 (1) (am) of the statutes is created to read:

1 29.977 (1) (am) Any elk, \$2,000.

2 **SECTION 88e.** 29.977 (1) (b) of the statutes is amended to read:

3 29.977 (1) (b) Any moose, ~~elk~~, fisher, prairie chicken, or sand hill crane,
4 \$262.50.

5 **SECTION 88g.** 29.977 (1) (m) of the statutes is amended to read:

6 29.977 (1) (m) Any game or fur-bearing animal or bird not mentioned in pars.
7 (b) ~~(am)~~ to (h), \$17.50.

8 **SECTION 88m.** 29.983 (1) (b) 1m. of the statutes is created to read:

9 29.983 (1) (b) 1m. Any elk, \$2,000.

10 **SECTION 88n.** 29.983 (1) (b) 2. of the statutes is amended to read:

11 29.983 (1) (b) 2. For any moose, ~~elk~~, fisher, prairie chicken, or sand hill crane,
12 \$262.50.

13 **SECTION 88p.** 29.983 (1) (b) 13. of the statutes is amended to read:

14 29.983 (1) (b) 13. For any game or fur-bearing animal or bird not mentioned
15 in subds. 2- ~~1m.~~ to 8., \$17.50.”

16

(END)