

**2003 DRAFTING REQUEST**

**Bill**

Received: **02/16/2004**

Received By: **mglass**

Wanted: **As time permits**

Identical to LRB:

For: **David Hansen (608) 266-5670**

By/Representing: **John Wagnitz**

This file may be shown to any legislator: **NO**

Drafter: **mglass**

May Contact:

Addl. Drafters:

Subject: **Nat. Res. - fish and game**

Extra Copies:

Submit via email: **NO**

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Turkey hunting licenses for elderly hunters

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**Instructions:**

automatic turkey licenses for resident senior citizens

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?							S&L
/1	mglass 02/19/2004	kgilfoy 03/03/2004	pgreensl 03/03/2004		mbarman 03/03/2004	lnorthro 03/08/2004	

FE Sent For:

<END>

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See Attached

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/?	mglass	1-3/3 Kmg	3/3 P8	3/3 P8			

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<END>



State of Wisconsin  
2003 - 2004 LEGISLATURE

RMR  
LRB-4278<sup>1</sup>  
MGG: King

D-N

(in 2/19/04)

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Friday

Jan. Act.

1 AN ACT *Jan. Act.*; relating to: wild turkey hunting licenses issued to resident senior  
2 citizens.

**Analysis by the Legislative Reference Bureau**

Under current law, no person may hunt wild turkey unless ~~he or she~~ <sup>the person</sup> has a wild turkey hunting license, or other license authorizing the hunting of wild turkey, and a wild turkey hunting stamp attached to, or imprinted on, the license. Under current law, the Department of Natural Resources issues wild turkey hunting licenses to applicants according to a preference system. Under that system, qualified resident landowners receive first preference in obtaining a wild turkey hunting license. An applicant is a qualified resident landowner if the applicant is a state resident and owns at least 50 acres in one parcel in an established wild turkey hunting zone. State residents who have applied for, but who were not issued, a wild turkey hunting license in a previous season (previous resident applicants) receive second preference. All other resident applicants receive third preference. Nonresident landowners meeting similar qualifications as qualified resident landowners receive fourth preference, and all other nonresidents receive fifth, or last preference.

This bill gives first preference to residents who are at least 65 years old (resident senior citizens) under the preference system. As a result, qualified resident landowners receive second preference and all the other preference categories follow the qualified resident landowner preference category in the same order as they do under current law.

The bill exempts resident senior citizens from having to pay the base fee for a resident wild turkey hunting license. The bill does not exempt them from being

issued, and paying for, a wild turkey hunting stamp or from any of the supplemental fees, such as the wildlife damage surcharge and license and stamp issuing fees.

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

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

1           **SECTION 1.** 29.164 (3) (b) 1. of the statutes is renumbered 29.164 (3) (b) 1m. and  
2 amended to read:

3           29.164 (3) (b) 1m. The department shall create a ~~first~~ 2nd preference category  
4 in the issuance of wild turkey hunting licenses to applicants who are qualified  
5 resident landowners. The number of licenses issued under this paragraph for a  
6 season for an established wild turkey hunting zone may not exceed 30% of all licenses  
7 issued for that season for that zone.

History: 1981 c. 262; 1983 a. 27, 192; 1985 a. 332 s. 253; 1987 a. 399; 1989 a. 31, 73; 1991 a. 39, 77, 269; 1995 a. 27; 1997 a. 27, 168; 1997 a. 248 ss. 212 to 230; Stats. 1997 s. 29.164; 1997 a. 249 s. 21; 1999 a. 9, 32; 2001 a. 18; 2003 a. 67.

8           **SECTION 2.** 29.164 (3) (b) 1g. of the statutes is created to read:

9           29.164 (3) (b) ~~1g.~~ <sup>g</sup>1g. The department shall create a first preference category in  
10 the issuance of wild turkey hunting licenses to applicants who are resident senior  
11 citizens.

12           **SECTION 3.** 29.164 (3) (b) 2. of the statutes, as affected by 2003 Wisconsin Act  
13 <sup>✓</sup>67, is amended to read:

14           29.164 (3) (b) 2. For purposes of subd. ~~1.~~ <sup>✓</sup> 1m., a qualified resident landowner  
15 is a resident who owns at least 50 acres in one parcel in an established wild turkey  
16 hunting zone. If more than one individual is the landowner of a single parcel of land,  
17 only one individual may be considered a qualified resident landowner.

History: 1981 c. 262; 1983 a. 27, 192; 1985 a. 332 s. 253; 1987 a. 399; 1989 a. 31, 73; 1991 a. 39, 77, 269; 1995 a. 27; 1997 a. 27, 168; 1997 a. 248 ss. 212 to 230; Stats. 1997 s. 29.164; 1997 a. 249 s. 21; 1999 a. 9, 32; 2001 a. 18; 2003 a. 67.

18           **SECTION 4.** 29.164 (3) (c) (intro.) of the statutes is amended to read:

1           29.164 (3) (c) *Second Third preference.* (intro.) The department shall create  
2           a ~~2nd~~ 3rd preference category in issuing wild turkey hunting licenses to resident  
3           applicants who in a previous season applied for but were not issued wild turkey  
4           hunting licenses:

History: 1981 c. 262; 1983 a. 27, 192; 1985 a. 332 s. 253; 1987 a. 399; 1989 a. 31, 73; 1991 a. 39, 77, 269; 1995 a. 27; 1997 a. 27, 168; 1997 a. 248 ss. 212 to 230; Stats. 1997 s. 29.164; 1997 a. 249 s. 21; 1999 a. 9, 32; 2001 a. 18; 2003 a. 67.

5           **SECTION 5.** 29.164 (3) (cg) of the statutes is amended to read:

6           29.164 (3) (cg) *Third Fourth preference.* The department shall create a ~~3rd~~ 4th  
7           preference category in issuing wild turkey hunting licenses to all other resident  
8           applicants.

History: 1981 c. 262; 1983 a. 27, 192; 1985 a. 332 s. 253; 1987 a. 399; 1989 a. 31, 73; 1991 a. 39, 77, 269; 1995 a. 27; 1997 a. 27, 168; 1997 a. 248 ss. 212 to 230; Stats. 1997 s. 29.164; 1997 a. 249 s. 21; 1999 a. 9, 32; 2001 a. 18; 2003 a. 67.

9           **SECTION 6.** 29.164 (3) (ci) of the statutes is amended to read:

10          29.164 (3) (ci) *Fourth Fifth preference.* The department shall create a ~~4th~~ 5th  
11          preference category in issuing wild turkey hunting licenses to applicants who are  
12          qualified nonresident landowners. For purposes of this paragraph, a qualified  
13          nonresident landowner is a person who is not a resident and who owns at least 50  
14          acres in one parcel in an established wild turkey hunting zone and who agrees to  
15          allow other persons to hunt wild turkeys on that land if those persons first obtain  
16          permission to hunt from the landowner. If more than one individual is the landowner  
17          of a single parcel of land, only one individual may be considered a qualified  
18          nonresident landowner.

History: 1981 c. 262; 1983 a. 27, 192; 1985 a. 332 s. 253; 1987 a. 399; 1989 a. 31, 73; 1991 a. 39, 77, 269; 1995 a. 27; 1997 a. 27, 168; 1997 a. 248 ss. 212 to 230; Stats. 1997 s. 29.164; 1997 a. 249 s. 21; 1999 a. 9, 32; 2001 a. 18; 2003 a. 67.

19          **SECTION 7.** 29.164 (3) (cm) of the statutes is amended to read:

20          29.164 (3) (cm) *Fifth Sixth preference.* The department shall create a ~~5th~~ 6th  
21          preference category in issuing wild turkey hunting licenses to all other nonresident  
22          applicants.

History: 1981 c. 262; 1983 a. 27, 192; 1985 a. 332 s. 253; 1987 a. 399; 1989 a. 31, 73; 1991 a. 39, 77, 269; 1995 a. 27; 1997 a. 27, 168; 1997 a. 248 ss. 212 to 230; Stats. 1997 s. 29.164; 1997 a. 249 s. 21; 1999 a. 9, 32; 2001 a. 18; 2003 a. 67.

1 SECTION 8. 29.164 (3) (cr) 1. of the statutes is amended to read:

2 29.164 (3) (cr) 1. In issuing licenses under the 2nd 3rd preference category  
3 under this subsection, the department shall give, within that preference category, a  
4 preference point to each applicant for each previous corresponding season for which  
5 the person applied but was not issued a wild turkey hunting license. The department  
6 shall create subcategories for each point total and place each applicant in the  
7 applicable subcategory. The department shall rank the subcategories according to  
8 the number of preference points received, giving higher priority to those  
9 subcategories with more points than those with fewer points. Applicants who fail to  
10 apply at least once during any 3 consecutive years shall lose all previously  
11 accumulated preference points.

History: 1981 c. 262; 1983 a. 27, 192; 1985 a. 332 s. 253; 1987 a. 399; 1989 a. 31, 73; 1991 a. 39, 77, 269; 1995 a. 27; 1997 a. 27, 168; 1997 a. 248 ss. 212 to 230; Stats. 1997 s. 29.164; 1997 a. 249 s. 21; 1999 a. 9, 32; 2001 a. 18; 2003 a. 67.

12 SECTION 9. 29.563 (2) (a) 10. of the statutes is created to read:

13 29.563 (2) (a) 10. Wild turkey issued to resident senior citizen, \$0.

14 SECTION 10. 29.563 (13)(a) of the statutes is amended to read:

15 29.563 (13) (a) *as affected by 2003 Wisconsin Act 33* Surcharge generally. The surcharge for approvals listed under  
16 subs. (2) (a) 1., 2. and 4. to ~~9.~~ 10. and (b) 1. to 8. and (4) (a) 1. and 1m. and (b) 1. and  
17 1m. is \$1 and shall be added to the fee specified for these approvals under subs. (2)  
18 and (4).

History: 1997 a. 248; 1999 a. 9, 32, 47, 63, 186; 2001 a. 16, 17, 56, 109; 2003 a. 33.

19 SECTION 11. Initial applicability.

20 (1) This act first applies to applications for wild turkey hunting licenses that  
21 are submitted on the effective date of this subsection for the first wild turkey hunting  
22 season to begin after the effective date of this subsection.

23 (END)

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

LRB-4278/1<sup>1</sup>dn

MGG:.....  
*King*

1. As drafted, the basic wild turkey hunting license issued to resident senior citizens will be free of charge. However, there a number of additional fees that are added to wild turkey hunting licenses: a wildlife damage surcharge, a wild turkey hunting stamp, an issuing fee for both the license and the stamp, and a processing fee for the application. I have done the following regarding these fees:

a. I have not exempted turkey licenses issued to resident senior citizens from the \$1 wildlife damage surcharge since damage by wild turkeys is included under the wildlife damage programs.

b. I have not exempted turkey licenses issued to resident senior citizens from the turkey hunting stamp requirement or from the required fee for the stamp. This stamp costs \$5.25.

c. I have not exempted turkey hunting licenses or stamps issued to resident senior citizens from issuing fees, 75 cents and 25 cents, respectively.

d. I have not exempted the applications submitted by resident senior citizens from the processing fee and issuing fee for such applications (a total of \$3) since applications from resident senior citizens will be processed through the cumulative preference system.

Please let me know if you want any changes in regard to the above.

2. Note the definition of "resident senior citizen" for purposes of ch. 29. See s. 29.001 (72)✓

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



**DRAFTER'S NOTE**  
**FROM THE**  
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LRB-4278/1dn  
MGG:kmg:pg

March 3, 2004

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# State of Wisconsin

## LEGISLATIVE REFERENCE BUREAU

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

STEPHEN R. MILLER  
CHIEF

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

March 3, 2004

### MEMORANDUM

To: Senator Hansen

From: Mary Gibson-Glass, Senior Legislative Attorney

Re: LRB-4278/1 Turkey hunting licenses for elderly hunters

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.