

2003 SENATE BILL 407

January 26, 2004 – Introduced by Senators KEDZIE, ZIEN, S. FITZGERALD, COWLES, ROESSLER, LASSA, SCHULTZ and STEPP, cosponsored by Representatives JOHNSRUD, HUEBSCH, FREESE, KRAWCZYK, OTT, GRONEMUS, ALBERS, HINES, HAHN, VRAKAS, LOTHIAN, J. LEHMAN, PETROWSKI, MOLEPSKE, JESKEWITZ, SUDER, AINSWORTH, MUSSER, OLSEN and PLOUFF. Referred to Committee on Environment and Natural Resources.

1 **AN ACT to repeal** 29.569 (2) (b), 29.569 (2) (c) 1. and 29.569 (2) (c) 3.; **to renumber**
2 29.569 (2) (c) 2.; **to amend** 29.089 (3), 29.177 (1), 29.301 (3), 29.347 (2), 29.569
3 (2) (a) and 29.569 (2) (c) (title); and **to create** 29.063 (3) of the statutes; **relating**
4 **to:** hunting deer in a chronic wasting disease intensive harvest or herd
5 reduction zone without a deer hunting license, the receipt of a deer hunting
6 license during an open season for hunting deer, and granting rule-making
7 authority.

Analysis by the Legislative Reference Bureau

Under current law, a person must have a valid deer hunting license to obtain a permit to hunt deer. In addition, the person is required to wear a back tag while hunting and to attach a deer tag to any deer killed during the deer hunt. This bill allows the Department of Natural Resources (DNR) to exempt deer hunters in chronic wasting disease intensive harvest or herd reduction zones from having a deer hunting license, wearing a back tag, or tagging a deer killed in the hunt. The bill requires DNR to promulgate a rule that establishes eligibility criteria and application procedures for receipt of an exemption from those requirements.

Currently, no deer hunting license, sports license, or conservation patron license may be issued during the open season for the hunting of deer, except to an active member of the U.S. armed forces or to a person who becomes 12 years of age during the open season. This bill repeals that prohibition.

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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.** 29.063 (3) of the statutes is created to read:

2 29.063 (3) The department may exempt deer hunters from obtaining a license
3 under this chapter for the hunting of deer, from displaying a back tag under s. 29.301
4 (3), and from attaching a deer tag under s. 29.347 (2) in an area that the department
5 has designated by rule as a chronic wasting disease intensive harvest zone or herd
6 reduction zone. Deer hunters that are exempted under this subsection shall be at
7 least 12 years of age, except that a person born on or after January 1, 1973, may not
8 hunt deer under this subsection unless he or she complies with s. 29.593. The
9 department shall by rule establish eligibility criteria and application procedures for
10 receipt of an exemption under this subsection, including a method for obtaining a
11 permit to hunt deer without a license under this subsection.

12 **SECTION 2.** 29.089 (3) of the statutes is amended to read:

13 29.089 (3) A person may hunt deer, elk, wild turkeys, or small game in a state
14 park, or in a portion of a state park, if the department has authorized by rule the
15 hunting of that type of game in the state park, or in the portion of the state park, and,
16 except as provided in s. 29.063 (3), if the person holds the approvals required under
17 this chapter for hunting that type of game.

18 **SECTION 3.** 29.177 (1) of the statutes is amended to read:

19 29.177 (1) **ISSUANCE.** The department may issue a hunter's choice deer hunting
20 permit, a deer hunting party permit or other special deer hunting permit to a person
21 with a valid deer hunting license who applies for the permit and to a person who is

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1 exempt from obtaining a deer hunting license under s. 29.063 (3) who applies for a
2 permit.

3 **SECTION 4.** 29.301 (3) of the statutes is amended to read:

4 29.301 (3) BACK TAG, DISPLAY. No Except as provided under s. 29.063 (3), no
5 person may hunt deer unless the back tag issued to the person with the license
6 authorizing deer hunting is attached to the center of the person's coat, shirt, jacket
7 or similar outermost garment where it can clearly be seen.

8 **SECTION 5.** 29.347 (2) of the statutes is amended to read:

9 29.347 (2) DEER OR ELK CARCASS TAGS. Except as provided under sub. (5) and s.
10 ss. 29.063 (3) and 29.324 (3), any person who kills a deer shall immediately attach
11 to the ear or antler of the deer a current validated deer carcass tag which is
12 authorized for use on the type of deer killed. Any person who kills an elk shall
13 immediately attach to the ear or antler of the elk a current validated elk carcass tag.
14 Except as provided under sub. (2m) or s. 29.063 (3) or 29.89 (6), no person may
15 possess, control, store, or transport a deer carcass unless it is tagged as required
16 under this subsection. Except as provided under sub. (2m), no person may possess,
17 control, store, or transport an elk carcass unless it is tagged as required under this
18 subsection. A person who kills a deer or elk shall register the deer or elk in the
19 manner required by the department. The carcass tag may not be removed before
20 registration. The removal of a carcass tag from a deer or elk before registration
21 renders the deer or elk untagged.

22 **SECTION 6.** 29.569 (2) (a) of the statutes is amended to read:

23 29.569 (2) (a) *Archer hunting license; issuance after the beginning of the open*
24 *season for hunting deer.* Except as provided in par. (c) 2., a resident archer hunting
25 license, a nonresident archer hunting license, a resident conservation patron license

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1 or a nonresident conservation patron license issued during the open season for the
2 hunting of deer with a bow and arrow does not authorize hunting until 3 days after
3 it is issued, excluding the date of issuance.

4 **SECTION 7.** 29.569 (2) (b) of the statutes is repealed.

5 **SECTION 8.** 29.569 (2) (c) (title) of the statutes is amended to read:

6 29.569 (2) (c) (title) *Exceptions* Exception.

7 **SECTION 9.** 29.569 (2) (c) 1. of the statutes is repealed.

8 **SECTION 10.** 29.569 (2) (c) 2. of the statutes is renumbered 29.569 (2) (c).

9 **SECTION 11.** 29.569 (2) (c) 3. of the statutes is repealed.

10 (END)