

2005 DRAFTING REQUEST

Bill

Received: 11/17/2004

Received By: rkite

Wanted: As time permits

Identical to LRB:

For: Scott Gunderson (608) 266-3363

By/Representing: Mike Bruhn

This file may be shown to any legislator: NO

Drafter: rkite

May Contact:

Addl. Drafters:

Subject: Nat. Res. - fish and game

Extra Copies:

Submit via email: YES

Requester's email: Rep.Gunderson@legis.state.wi.us

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Hunting by 10 and 11 year olds

Instructions:

See Attached

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>
/?				_____			State
/1	rkite 11/30/2004	lkunkel 12/21/2004	pgreensl 12/21/2004	_____	mbarman 12/21/2004		State
/2	rkite 02/22/2005	lkunkel 02/28/2005	rschluet 03/01/2005	_____	Inorthro 03/01/2005		State
/3	rkite 03/04/2005	lkunkel 03/07/2005	rschluet 03/07/2005	_____	sbasford 03/07/2005	sbasford 03/09/2005	State

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/4	rkite 05/18/2005	lkunkel 05/23/2005	chaugen 05/23/2005	_____	sbasford 05/23/2005	sbasford 05/23/2005	State
/5	rkite 06/07/2005	lkunkel 06/17/2005	rschluet 06/20/2005	_____	lnorthro 06/20/2005	lnorthro 06/20/2005	

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↪ At Intro.

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Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

/4	rkite 05/18/2005	lkunkel 05/23/2005	chaugen 05/23/2005	_____	sbasford 05/23/2005	sbasford 05/23/2005	
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15 lmk 6/15

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1/4/mk 5/23

Ch 5.23
AS 5/23

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1/3 3/1 lmk

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Subject: Nat. Res. - fish and game

Extra Copies:

Submit via email: YES

Requester's email: Rep.Gunderson@legis.state.wi.us

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Hunting by 10 and 11 year olds

Instructions:

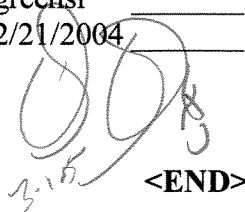
See Attached

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/1	rkite 11/30/2004	lkunkel 12/21/2004	pgreensl 12/21/2004		mbarman 12/21/2004		

FE Sent For:

12/mk2/25


<END>

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By/Representing: **Mike Bruhn**

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May Contact:

Addl. Drafters:

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

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Gunderson@legis.state.wi.us**

Carbon copy (CC:) to:

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Hunting by 10 and 11 year olds ✓

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1?	rkite	1/mk 12/16 1/jld 12/20	12/21 P8	12/21 P8			

FE Sent For:

<END>

Gibson-Glass, Mary

From: Bruhn, Mike
Sent: Tuesday, November 16, 2004 12:11 PM
To: Gibson-Glass, Mary
Subject: drafting

Mary,

Representative Gunderson would like legislation drafted that would allow all 10 and 11-year olds the opportunity to hunt with a parent or adult guardian. These 10 and 11-year old would not need to have taken hunters education, but they would have to meet certain requirements:

- 1) The 10 and 11-year old would have to be within reach (or the statutory equivalent that we use in Wisconsin) of the parent or guardian while hunting. *close contact -*
- 2) The parent or guardian and child may only have or possess one weapon while they are hunting.
- 3) The parent or guardian who is accompanying the child must have attended the hunters education course at some time in their life.

This legislation would have no effect on the current state statutes for 12-year olds attending hunters education.

If you have any questions, please feel free to contact me at 266-3363.

Thanks,

Mike Bruhn
Rep. Gunderson's office

*parent & child must have license
only one weapon between the 2*

Kite, Robin

From: Bruhn, Mike
Sent: Tuesday, November 30, 2004 12:10 PM
To: Kite, Robin
Subject: RE: Hunting by 10 and 11 year olds

1. Yes, the proposal should include archery.
2. Yes, only one bow.
3. Please keep it the same as current law.
4. no.
5. no...we'd like to have a higher threshold than accompanied.

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

From: Kite, Robin
Sent: Saturday, November 27, 2004 12:47 PM
To: Bruhn, Mike
Subject: Hunting by 10 and 11 year olds

Mike:

I am working on your draft that would authorize hunting by 10 and 11 year olds and I have some questions:

1. Is your proposal limited to hunting with a firearm or does it include hunting with a bow and arrow?
2. If the proposal includes hunting with a bow and arrow, must the parent and child jointly have only one bow? I know that you want to provide that jointly they may only have one firearm.
3. I understand that you want the bill to provide that the child is not required to take a hunter education class but I am assuming that the child would not be prohibited from taking the class if they want to. Is this correct?
4. Please take a look at the exception under current law in s. 29.304 (5). Do you want this exception to apply to 10 and 11 year olds?
5. You asked that the bill make clear that a 10 or 11 year old must be "within reach" of a parent or guardian while hunting. The term used elsewhere in s. 29.304 is "accompanied" by a parent or guardian. Is the use of the term "accompanied" consistent with your intent?

Thanks.

Robin

Robin N. Kite, Senior Legislative Attorney
Wisconsin Legislative Reference Bureau
1 East Main St.
Suite 200
Madison, WI 53703
(608) 266-7291



State of Wisconsin
2005 - 2006 LEGISLATURE

LRB-0890/3

RNK:mk

JLD

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

D-Note

GenCat

who are 10 or 11

1

AN ACT ...; relating to: hunting and firearm possession by persons, 10 and 11

2

years of age.

Analysis by the Legislative Reference Bureau

Under current law, no person under 12 years of age may hunt with a firearm or bow and arrow. This bill changes the minimum age for hunting to 10 years of age.

Current law imposes certain restrictions on hunting by persons who are under 16 years of age. Under current law, a person who is at least 12 years old but less than 16 years old may not hunt unless he or she is accompanied by a parent or guardian. Furthermore, a person who is 14 or 15 years old may not hunt unless he or she has received a certificate of accomplishment stating that he or she has successfully completed the course of instruction under the hunter education program issued by this state or another state.

Current law also imposes certain restrictions on firearm possession and control by persons who are under 16 years of age. Those restrictions vary depending on the person's age. If the person is under 12 years old, he or she may only possess or control a firearm if he or she is enrolled in a hunter education course and possesses or controls the firearm in order to carry it to or from the course or in order to participate in the course. If the person is 12 or 13 years old, he or she may possess or control a firearm under those circumstances and may also do so if he or she is accompanied by a parent or guardian. If the person is 14 or 15 years old he or she may possess or control a firearm in all of those circumstances and may also do so if he or she has been issued a certificate of accomplishment stating that he or she has successfully completed the course of instruction under the hunter education program issued by this state or another state.

This bill provides that a person who is 10 or 11 years[✓]old may only hunt if he or she is in close physical contact with a parent or guardian and if the parent or guardian has been issued a certificate of accomplishment stating that the parent or guardian has successfully completed the course of instruction under the hunter education program issued by this state or another state.[✓] The bill specifies that the 10[✓] or 11[✓]-year-old[✓], and the parent or guardian with whom the 10[✓] or 11[✓]-year-old[✓] is hunting, may jointly have only one firearm or one bow in their possession or control while hunting.[✓] Finally, the bill provides that a 10[✓] or 11[✓]-year-old[✓] may possess or control a firearm only if he or she is hunting in close physical contact with a parent or guardian or is enrolled in a hunter education course and possesses or controls the firearm in order to carry it to or from the course or to participate in the course.[✓]

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

10-year-old

11-year-old

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

1 **SECTION 1.** 29.304 (1) (a) of the statutes is amended to read:
 2 29.304 (1) (a) *Prohibition on hunting.* No person under ~~12~~ ¹⁰ years of age may
 3 hunt with a firearm or bow and arrow.

History: 1983 a. 420; 1997 a. 197; 1997 a. 248 s. 431; Stats. 1997 s. 29.304.

4 **SECTION 2.** 29.304 (1) (am) of the statutes is created to read:
 5 29.304 (1) (am) **RESTRICTIONS ON HUNTING BY PERSONS 10 AND 11 YEARS OF AGE.** 1.

NO CS
I

6 No person who is 10 or 11 years of age may hunt unless he or she is in close physical
 7 contact with a parent or guardian and the parent or guardian has been issued a
 8 certificate of accomplishment that states that the parent or guardian has completed
 9 the course of instruction under the hunter education program or has received a
 10 similar certificate issued by another state or province.[✓]

11 2. A person who is 10 or 11 years of age and the parent or guardian with whom
 12 that person hunts under subd. 1. may jointly have only one firearm or only one bow
 13 in their possession or control while hunting.[✓]

14 **SECTION 3.** 29.304 (1) (b) of the statutes is renumbered 29.304 (1) (b) (intro.)
 15 and amended to read:

1 29.304 (1) (b) (intro.) *Restrictions on possession or control of a firearm.* No
 2 person under 12 years of age may have in his or her possession or control any firearm
 3 unless he or she is [✓] ~~is~~ within any of the following applies ← applies
 4 ^{He or she} ~~is~~ 1/Is enrolled in the course of instruction under the hunter education program
 5 and he or she is carrying the firearm in a case and unloaded to or from that class
 6 under the supervision of a parent or guardian or is handling or operating the firearm
 7 during that class under the supervision of an instructor; ^{or} ~~or~~ plain

History: 1983 a. 420; 1997 a. 197; 1997 a. 248 s. 431; Stats. 1997 s. 29.304.

8 **SECTION 4.** 29.304 (1) (b) 2. of the statutes is created to read:

9 29.304 (1) (b) 2. ^{He or she} ~~is~~ 10 or 11 years of age and is hunting with a parent or guardian
 10 as provided under par. (am).

11 **SECTION 5.** 29.304 (1) (c) of the statutes is amended to read:

12 29.304 (1) (c) *Restrictions on obtaining hunting approval.* Except as provided
 13 under par. (d), no person under ~~12~~ 10 years of age may obtain any approval
 14 authorizing hunting.

History: 1983 a. 420; 1997 a. 197; 1997 a. 248 s. 431; Stats. 1997 s. 29.304.

15 **SECTION 6.** 29.304 (1) (d) of the statutes is amended to read:

16 29.304 (1) (d) *Restrictions on validity of certificate of accomplishment.* A person
 17 under 12 years of age may obtain a certificate of accomplishment if he or she complies
 18 with the requirements of s. 29.591 (4) but that certificate is not valid for the hunting
 19 of small game until that person becomes ~~12~~ 10 years of age.

History: 1983 a. 420; 1997 a. 197; 1997 a. 248 s. 431; Stats. 1997 s. 29.304.

20 (END)

d-n

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

LRB-0890/2dn

RNK: [handwritten initials]

[handwritten initials]

(date)

- This draft authorizes hunting and possession of a firearm by 10^{1/2} and 11^{1/2}-year-olds under limited circumstances. You requested that the draft specify that the 10^{1/2}- or 11^{1/2}-year-old may only hunt if he or she is “within reach” of a parent or guardian. I used the phrase “in close physical contact”. This phrase is not defined in the draft. You might want to consider having the draft require the child to be within a specified distance of the parent, for example, within 15 feet. ✓ Please feel free to contact me if you would like to discuss this issue in greater detail. ✓

Robin N. Kite
Legislative Attorney
Phone: (608) 266-7291
E-mail: robin.kite@legis.state.wi.us

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0890/1dn
RNK:lmk&jld:pg

December 21, 2004

This draft authorizes hunting and possession of a firearm by 10- and 11-year-olds under limited circumstances. You requested that the draft specify that the 10- or 11-year-old may only hunt if he or she is "within reach" of a parent or guardian. I used the phrase "in close physical contact". This phrase is not defined in the draft. You might want to consider having the draft require the child to be within a specified distance of the parent, for example, within 15 feet. Please feel free to contact me if you would like to discuss this issue in greater detail.

Robin N. Kite
Legislative Attorney
Phone: (608) 266-7291
E-mail: robin.kite@legis.state.wi.us

Kite, Robin

From: Bruhn, Mike
Sent: Friday, January 14, 2005 11:13 AM
To: Kite, Robin
Subject: FW: 10 and 11 y.o. draft

Robin, I have one note in there in green.

Thanks,

Mike

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

From: Van Haren, Thomas
Sent: Thursday, January 13, 2005 12:32 PM
To: Bruhn, Mike
Subject: RE: 10 and 11 y.o. draft

Hi Mike,

After looking over the draft LRB-0890/1 which lowers the age for hunting from 12 to 10 years of age, I do have a number of suggested changes or additions.

Section 1. 29.304(1)(a) of the statutes is amended to read:

29.304(1) (a) *Prohibition on hunting.* No person under ~~12~~10 years of age may hunt with a firearm or bow and arrow.

Section 3 and 4. In Section 7. of 2003 AB 109, which you mentioned was also being reintroduced this session, the intent was to repeal s. 29.304(1)(b)., as this section creates inconsistencies with the criminal code s.948.60 on possession of firearms by underaged individuals. In stead of trying to amend s. 29.304(1)(b), I would recommend simply repealing s. 29.304(1)(b), as part of this bill. Mike: Robin, this is what we were talking about on the phone, and was one of the things I requested on the phone; however I didn't mention the 948.60.

In addition, to the above suggestions, I also thought of a number of other areas in Chapter 29 and Chapter 169 that also need to be addressed along with this bill. Not addressing these issues will create a number of different standards related to when a person could obtain certain types of hunting licenses (including dog training licenses under ch. 169 which also authorize hunting) and the fee's they would have to pay for certain approvals which are based on age. The following is a list of the pertinent sections of Chs. 29 and 169, along with recommended changes.

29.184 Bear licenses.

(1) Definitions. In this section:

(b) "Minor" means a person who is at least ~~12~~10 years of age but under 18 years of age.

(5) Exemptions.

(a) A person under the age of ~~12~~10 years may engage in the activities authorized under sub. (3) (br) 1. to 3. without holding a Class B bear license.

(6) Issuance.

(b) Cumulative preference system; random selection.

1. The applicant is at least ~~12~~10 years old.

29.304 Restrictions on hunting and use of firearms by persons under 16 years of age.

(5) Exception. Notwithstanding subs. (1) to (3), a person ~~12~~10 years of age or older may possess or control a firearm and may hunt with a firearm or bow and arrow on land under the ownership of the person or the person's family if no license is

required and if the firing of firearms is permitted on that land.

29.563 Fee schedule.

(2) Hunting approvals. The fees for hunting approvals are as follows:

(a) Resident licenses.

4. Small game issued to 42-10 -year-olds to 17-year-olds: \$7.25.

(4) Combination approvals. The fees for combination approvals are as follows:

(a) Resident licenses.

1m. Sports issued to 42-10 -year-olds to 17-year-olds: \$33.25 or a greater amount at the applicant's option.

2m. Conservation patron issued to 42-10 -year-olds to 17-year-olds: \$72.25 or a greater amount at the applicant's option.

(b) Nonresident licenses.

1m. Sports issued to 42-10 -year-olds to 17-year-olds: \$33.25 or a greater amount at the applicant's option.

2m. Conservation patron issued to 42-10 -year-olds to 17-year-olds: \$72.25 or a greater amount at the applicant's option.

29.593 Requirement for certificate of accomplishment to obtain hunting approval.

(1)(a) Except as provided under subs. (2), (2m) and (3), no person born on or after January 1, 1973, may obtain any approval authorizing hunting unless the person is issued a certificate of accomplishment under s. 29.591.

CREATE one more exemption to s. 29.593 to read:

(3m) A person who is 10 or 11 years of age and will be hunting in compliance with the requirements of s. 29.304(1)(am).

Note: once they turn 12, they may no longer obtain an approval authorizing hunting unless they first complete the course and have been issued a certificate of accomplishment under s.29.591. The parent or guardian would still require the certificate under the newly created s. 29.304(1)(am).

169.20 Dog training licenses.

(1) Bird dog training license.

(a) The department shall issue a bird dog training license to any individual who is at least 42-10 years of age who files a proper application and who pays the applicable fee.

(2) Hound dog training license.

(a) The department shall issue a hound dog training license to any individual who is at least 42-10 years of age who files a proper application and who pays the applicable fee.

169.33 Licenses; applications; renewals; terminations.

(2) Eligibility requirements for minors.

(d) An individual who applies for a bird dog training license or a hound dog training license shall be at least 42-10 years of age.

Per Mike -

parent must be licensed hunter
Also - Add SECTION 7 & SECTIONS 11 & 12 from AB 109 2003 -

soon

Rnk
2

2005 - 2006 LEGISLATURE

LRB-08904

RNK:lmk&jld:pg

D-Note

keep

2005 BILL

region. cal

1 **AN ACT to renumber and amend** 29.304 (1) (b); **to amend** 29.304 (1) (a), 29.304

2 (1) (c) and 29.304 (1) (d); and **to create** 29.304 (1) (am) and 29.304 (1) (b) 2. of

3 the statutes; **relating to:** hunting and firearm possession by persons who are

4 ~~10 or 11~~ ^{under 16} years of age. ✓

Analysis by the Legislative Reference Bureau

~~Under current law, no person under 12 years of age may hunt with a firearm or bow and arrow. This bill changes the minimum age for hunting to ten years of age.~~

~~Current law imposes certain restrictions on hunting by persons who are under 16 years of age. Under current law, a person who is at least 12 years old but less than 16 years old may not hunt unless he or she is accompanied by a parent or guardian. Furthermore, a person who is 14 or 15 years old may not hunt unless he or she has received a certificate of accomplishment stating that he or she has successfully completed the course of instruction under the hunter education program issued by this state or another state.~~

~~Current law also imposes certain restrictions on firearm possession and control by persons who are under 16 years of age. Those restrictions vary depending on the person's age. If the person is under 12 years old, he or she may only possess or control a firearm if he or she is enrolled in a hunter education course and possesses or controls the firearm in order to carry it to or from the course or in order to participate in the course. If the person is 12 or 13 years old, he or she may possess or control a firearm under those circumstances and may also do so if he or she is accompanied by a parent or guardian. If the person is 14 or 15 years old he or she may possess or~~

BILL

~~control a firearm in all of those circumstances and may also do so if he or she has been issued a certificate of accomplishment stating that he or she has successfully completed the course of instruction under the hunter education program issued by this state or another state.~~

~~This bill provides that a person who is 10 or 11 years old may only hunt if he or she is in close physical contact with a parent or guardian and if the parent or guardian has been issued a certificate of accomplishment stating that the parent or guardian has successfully completed the course of instruction under the hunter education program issued by this state or another state. The bill specifies that the 10-year-old or 11-year-old, and the parent or guardian with whom the 10-year-old or 11-year-old is hunting, may jointly have only one firearm or one bow in their possession or control while hunting. Finally, the bill provides that a 10-year-old or 11-year-old may possess or control a firearm only if he or she is hunting in close physical contact with a parent or guardian or is enrolled in a hunter education course and possesses or controls the firearm in order to carry it to or from the course or to participate in the course.~~

insert
Analysis

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:

insert
2-1

SECTION 1. 29.304 (1) (a) of the statutes is amended to read:

29.304 (1) (a) *Prohibition on hunting.* No person under ~~12~~ 10 years of age may hunt with a firearm or bow and arrow.

SECTION 2. 29.304 (1) (am) of the statutes is created to read:

29.304 (1) (am) *Restrictions on hunting by persons 10 or 11 years of age.* 1. No person who is 10 or 11 years of age may hunt unless he or she is in close physical contact with a parent or guardian and the parent or guardian has been issued a certificate of accomplishment that states that the parent or guardian has completed the course of instruction under the hunter education program or has received a similar certificate issued by another state or province. ✓

the parent or guardian holds a current hunting approval of the type held by the person who is 10 or 11 years of age,

BILL

1 2. A person who is 10 or 11 years of age and the parent or guardian with whom
2 that person hunts under subd. 1. may jointly have only one firearm or only one bow
3 in their possession or control while hunting.

4 **SECTION 3.** 29.304 (1) (b) of the statutes is renumbered 29.304 (1) (b) (intro.)
5 and amended to read:

6 29.304 (1) (b) (intro.) *Restrictions on possession or control of a firearm.* No
7 person under 12 years of age may have in his or her possession or control any firearm
8 unless he or she is any of the following applies:

9 1. He or she is enrolled in the course of instruction under the hunter education
10 program and he or she is carrying the firearm in a case and unloaded to or from that
11 class under the supervision of ^{his or her} a parent or guardian, or is handling or operating the
12 firearm during that class under the supervision of an instructor. ✓

13 **SECTION 4.** 29.304 (1) (b) 2. of the statutes is created to read:
14 29.304 (1) (b) 2. He or she is 10 or 11 years of age and is hunting with ^{his or her} a parent
15 or guardian as provided under par. (am).

16 **SECTION 5.** 29.304 (1) (c) of the statutes is amended to read:
17 29.304 (1) (c) *Restrictions on obtaining hunting approval.* Except as provided
18 under par. (d), no person under ~~12~~ 10 years of age may obtain any approval
19 authorizing hunting.

20 **SECTION 6.** 29.304 (1) (d) of the statutes is amended to read:
21 29.304 (1) (d) *Restrictions on validity of certificate of accomplishment.* A person
22 under 12 years of age may obtain a certificate of accomplishment if he or she complies
23 with the requirements of s. 29.591 (4) but that certificate is not valid for the hunting
24 of small game until that person becomes ~~12~~ 10 years of age.

25

(END)

INSERT 3-24

(dn)

or by a person at least 18 years of age who is designated by the parent or guardian

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LRB-0890/2ins.
RNK:.....

INSERT ANALYSIS

Under current law, no person under 12 years of age may hunt with a firearm or bow and arrow. ✓ This bill changes the minimum age for hunting to ten years of age, ✓ under certain circumstances. The bill provides that a person who is 10 or 11 years ✓ old may only hunt if he or she is in close physical contact with his or her parent or guardian, ✓ if the parent or guardian holds a current hunting approval of the type held by the 10-year-old or 11-year-old, and if the parent or guardian has been issued a certificate of accomplishment stating that the parent or guardian has successfully completed the course of instruction under the hunter education program issued by this state or another state. ✓ The bill specifies that the 10-year-old or 11-year-old, and the parent or guardian with whom he or she is hunting, may jointly have only one firearm or one bow in their possession or control while hunting. ✓

Current law also imposes certain restrictions on firearm possession and control by persons who are under 16 years of age. Those restrictions vary depending on the person's age. This bill provides that a 10-year-old or 11-year-old may possess or control a firearm only if he or she is hunting in close physical contact with his or her parent or guardian or is enrolled in a hunter education course and possesses or controls the firearm in order to carry it to or from the course or to participate in the course. ✓

Current law requires minors who are under 16 years old to be accompanied by a parent or guardian under certain circumstances when hunting or possessing a firearm. This bill provides that for these minors who are at least 12 years old, the parent or guardian may designate another person who is at least 18 years old to accompany the minor under these circumstances.

INSERT 2-1

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

29.184 (1) (b) "Minor" means a person who is at least 12 10 years of age but under 18 years of age.

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; 2001 a. 55; 2003 a. 59.

SECTION 2. 29.184 (5) (a) of the statutes is amended to read:

29.184 (5) (a) A person under the age of 12 10 years may engage in the activities authorized under sub. (3) (br) 1. to 3. without holding a Class B bear license.

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; 2001 a. 55; 2003 a. 59.

***NOTE: This change would allow 10 and 11 year olds to assist a bear licensee by tracking bear, to bait bear, and to train a dog to track bear, without having a license.

SECTION 3. 29.184 (6) (b) 1. of the statutes is amended to read:

29.184 (6) (b) 1. The applicant is at least ~~12~~ 10 years old.

end of insert 2-1

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; 2001 a. 55; 2003 a. 59.

INSERT 3-24

LPS - This in insert uses inserts from -0890/2ins B

→ INSERT B_A^m

SECTION 4. 29.304 (2) (a) of the statutes is amended to read:

29.304 (2) (a) *Restrictions on hunting.* No person 12 years of age or older but under 14 years of age may hunt unless he or she is accompanied by a his or her parent or guardian or by a person at least 18 years of age who is designated by the parent or guardian.

→ INSERT C_A[✓]
History: 1983 a. 420; 1997 a. 197; 1997 a. 248 s. 431; Stats. 1997 s. 29.304.

SECTION 5. 29.304 (2) (b) 1. of the statutes is amended to read:

29.304 (2) (b) 1. Is ^{He or she is} accompanied by a his or her parent or guardian or by a person at least 18 years of age who is designated by the parent or guardian; or

→ INSERT D_A[✓]
History: 1983 a. 420; 1997 a. 197; 1997 a. 248 s. 431; Stats. 1997 s. 29.304.

SECTION 6. 29.304 (3) (title) of the statutes is amended to read:

29.304 (3) (title) PERSONS 14 ~~TO 16~~ AND 15 YEARS OF AGE.

→ INSERT E_A[✓]
History: 1983 a. 420; 1997 a. 197; 1997 a. 248 s. 431; Stats. 1997 s. 29.304.

SECTION 7. 29.304 (3) (a) 1. of the statutes is amended to read:

29.304 (3) (a) 1. Is ^{He or she is} accompanied by a his or her parent ^{plain} or guardian or by a person at least 18 years of age who is designated by the parent or guardian; or

→ INSERT F_A INSERT G_A[✓]
History: 1983 a. 420; 1997 a. 197; 1997 a. 248 s. 431; Stats. 1997 s. 29.304.

SECTION 8. 29.304 (3) (b) 1. of the statutes is amended to read:

29.304 (3) (b) 1. Is ^{He or she is} accompanied by a his or her parent or guardian or by a person at least 18 years of age who is designated by the parent or guardian; or

→ INSERT H_A INSERT I_A[✓]
History: 1983 a. 420; 1997 a. 197; 1997 a. 248 s. 431; Stats. 1997 s. 29.304.

SECTION 9. 29.304 (5) of the statutes is amended to read:

29.304 (5) EXCEPTION. Notwithstanding subs. (1) to (3), a person 12 10 years of age or older may possess or control a firearm and may hunt with a firearm or bow

and arrow on land under the ownership of the person or the person's family if no license is required and if the firing of firearms is permitted on that land.

History: 1983 a. 420; 1997 a. 197; 1997 a. 248 s. 431; Stats. 1997 s. 29.304.

~~SECTION 10.~~ 29.563 (2) (a) 4. of the statutes is amended to read:

29.563 (2) (a) 4. Small game issued to ~~12-year-olds~~ 10-year-olds to 17-year-olds: \$7.25.

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

~~SECTION 11.~~ 29.563 (4) (a) 1m. of the statutes is amended to read:

29.563 (4) (a) 1m. Sports issued to ~~12-year-olds~~ 10-year-olds to 17-year-olds: \$33.25 or a greater amount at the applicant's option.

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

~~SECTION 12.~~ 29.563 (4) (a) 2m. of the statutes is amended to read:

29.563 (4) (a) 2m. Conservation patron issued to ~~12-year-olds~~ 10-year-olds to 17-year-olds: \$72.25 or a greater amount at the applicant's option.

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

~~SECTION 13.~~ 29.563 (4) (b) 1m. of the statutes is amended to read:

29.563 (4) (b) 1m. Sports issued to ~~12-year-olds~~ 10-year-olds to 17-year-olds: \$33.25 or a greater amount at the applicant's option.

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

~~SECTION 14.~~ 29.563 (4) (b) 2m. of the statutes is amended to read:

29.563 (4) (b) 2m. Conservation patron issued to ~~12-year-olds~~ 10-year-olds to 17-year-olds: \$72.25 or a greater amount at the applicant's option.

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

~~SECTION 15.~~ 29.593 (1) (a) of the statutes is amended to read:

29.593 (1) (a) Except as provided under subs. (1m), (2), (2m) and (3), no person born on or after January 1, 1973, may obtain any approval authorizing hunting unless the person is issued a certificate of accomplishment under s. 29.591.

History: 1983 a. 420; 1991 a. 254; 1997 a. 27, 197; 1997 a. 248 ss. 427 to 430; Stats. 1997 s. 29.593; 1999 a. 32.

~~SECTION 16.~~ 29.593 (1m) of the statutes is created to read:

29.593 (1m) A person who is 10 or 11 years of age may obtain an approval authorizing hunting without having been issued a certificate of accomplishment under s. 29.591 but that approval is valid only when the ~~10~~^{10-year-old} or 11-year-old hunts in compliance with s. 29.304 (1) (am).

SECTION 17. 169.20 (1) (a) of the statutes is amended to read:

169.20 (1) (a) The department shall issue a bird dog training license to any individual who is at least ~~12~~ ¹⁰ years of age who files a proper application and who pays the applicable fee.

History: 2001 a. 56; 2003 a. 239.

****NOTE: This change will allow a 10 year old to obtain a bird dog training license. Such a license authorizes the holder to purchase, posses and hunt live captive wild birds solely for the purposes of training a dog to retrieve and track game.

SECTION 18. 169.20 (2) (a) of the statutes is amended to read:

169.20 (2) (a) The department shall issue a hound dog training license to any individual who is at least ~~12~~ ¹⁰ years of age who files a proper application and who pays the applicable fee.

History: 2001 a. 56; 2003 a. 239.

****NOTE: This change will allow a 10 year old to obtain a bird dog training license. Such a license authorizes the holder to purchase, posses and hunt various wild animals solely for the purpose of teaching hound dogs to track game.

SECTION 19. 169.33 (2) (d) of the statutes is amended to read:

169.33 (2) (d) An individual who applies for a bird dog training license or a hound dog training license shall be at least ~~12~~ ¹⁰ years of age.

History: 2001 a. 56.

****NOTE: See above.

end of insert 3-24

2005-2006 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0890/2insB
RNK:.....

SECTION 1. 29.304 (2) (title) of the statutes is amended to read:

Insert B^m

29.304 (2) (title) PERSONS 12 TO 14 AND [✓]13 YEARS OF AGE.

History: 1983 a. 420; 1997 a. 197; 1997 a. 248 s. 431; Stats. 1997 s. 29.304.

SECTION 2. 29.304 (2) (b) (intro.) of the statutes is amended to read:

29.304 (2) (b) *Restrictions on possession or control of a firearm.* (intro.) No person 12 years of age or older but under 14 years of age may have in his or her possession or control any firearm unless ~~he or she~~ any of the following apply:

Insert C

History: 1983 a. 420; 1997 a. 197; 1997 a. 248 s. 431; Stats. 1997 s. 29.304.

SECTION 3. 29.304 (2) (b) 2. of the statutes is amended to read:

29.304 (2) (b) 2. Is He or she is enrolled in the course of instruction under the hunter education program and is carrying the firearm in a case and unloaded to or from that class or is handling or operating the firearm during that class under the supervision of an instructor.

Insert D

History: 1983 a. 420; 1997 a. 197; 1997 a. 248 s. 431; Stats. 1997 s. 29.304.

SECTION 4. 29.304 (3) (a) (intro.) of the statutes is amended to read:

29.304 (3) (a) *Restrictions on hunting.* (intro.) No person 14 years of age or older but under 16 years of age may hunt unless ~~he or she~~ and of the following apply:

Insert E

History: 1983 a. 420; 1997 a. 197; 1997 a. 248 s. 431; Stats. 1997 s. 29.304.

SECTION 5. 29.304 (3) (a) 2. of the statutes is amended to read:

29.304 (3) (a) 2. Is He or she is issued a certificate of accomplishment that states that he or she successfully completed the course of instruction under the hunter education program or has a similar certificate issued by another state or province. ✓

Insert F

History: 1983 a. 420; 1997 a. 197; 1997 a. 248 s. 431; Stats. 1997 s. 29.304.

SECTION 6. 29.304 (3) (b) (intro.) of the statutes is amended to read:

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B

29.304 (3) (b) *Restrictions on possession or control of a firearm.* (intro.) No person 14 years of age or older but under 16 years of age may have in his or her possession or control any firearm unless ~~he or she~~ any of the following apply:

History: 1983 a. 420; 1997 a. 197; 1997 a. 248 s. 431; Stats. 1997 s. 29.304.

SECTION 7. 29.304 (3) (b) 2. of the statutes is amended to read:

29.304 (3) (b) 2. Is He or she enrolled in the course of instruction under the hunter education program and is carrying the firearm in a case and unloaded to or from that class or is handling or operating the firearm during that class under the supervision of an instructor; ~~or~~.

INSERT
H

History: 1983 a. 420; 1997 a. 197; 1997 a. 248 s. 431; Stats. 1997 s. 29.304.

SECTION 8. 29.304 (3) (b) 3. of the statutes is amended to read:

29.304 (3) (b) 3. Is He or she issued a certificate of accomplishment that states that he or she completed the course of instruction under the hunter education program or has a similar certificate issued by another state or province.

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I

History: 1983 a. 420; 1997 a. 197; 1997 a. 248 s. 431; Stats. 1997 s. 29.304.

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0890/2dn

RNK:.....

Imk

(date)

Please review this draft very closely to ensure that it meets your intent.

Your instructions for this redraft included a request that the draft repeal 29.304 (1) (b), stats. on the basis that this provision in current law is inconsistent with s. 948.60, stats. I have reviewed both of these provisions and believe that they do not conflict. Accordingly, I did not repeal s. 29.304 (1) (b). If I have misunderstood your intent, please let me know and I will prepare a redraft.

This draft also specifies that a parent or guardian may designate a person who is at least 18 years old to accompany certain minors when the minor is hunting or possessing a firearm. I am not sure if the authority to make such a designation was intended to be applied as broadly as I have made it in this draft. Please make sure that the draft reflects your intent in this regard.

Please feel free to contact me if you have any questions concerning this draft.

Robin N. Kite
Legislative Attorney
Phone: (608) 266-7291
E-mail: robin.kite@legis.state.wi.us

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

LRB-0890/2dn
RNK:lmk:rs

March 1, 2005

Please review this draft very closely to ensure that it meets your intent.

Your instructions for this redraft included a request that the draft repeal 29.304 (1) (b), stats., on the basis that this provision in current law is inconsistent with s. 948.60, stats. I have reviewed both of these provisions and believe that they do not conflict. Accordingly, I did not repeal s. 29.304 (1) (b). If I have misunderstood your intent, please let me know and I will prepare a redraft.

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Please feel free to contact me if you have any questions concerning this draft.

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