

## 2005 ASSEMBLY BILL 178

March 10, 2005 – Introduced by Representatives GUNDERSON, KESTELL, AINSWORTH, ALBERS, FRISKE, GRONEMUS, HAHN, HINES, HUNDERTMARK, KREIBICH, F. LASEE, LEHMAN, MCCORMICK, MEYER, MOLEPSKE, MURSAU, MUSSER, NASS, NERISON, OTT, PETROWSKI, PETTIS, PRIDEMORE, STRACHOTA, SUDER, TOWNSEND, VAN ROY, VRUWINK, SEIDEL and GUNDRUM, cosponsored by Senators S. FITZGERALD, LAZICH, BRESKE, COWLES, A. LASEE, LASSA, REYNOLDS, BROWN and HANSEN. Referred to Committee on Natural Resources.

- 1     **AN ACT to create** 29.183 of the statutes; **relating to:** deferral of the use of certain  
2            hunting and trapping approvals by certain members of the armed forces.

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### *Analysis by the Legislative Reference Bureau*

Under current law, certain licenses and permits are issued by the Department of Natural Resources (DNR) based on a random or preference selection system, including otter and fisher trapping permits, bonus deer hunting permits, Canada goose hunting permits, Class A bear licenses, wild turkey hunting licenses, and elk hunting licenses. The preference selective system for a wild turkey hunting license, for example, provides that resident landowners are in the first preference category, residents who applied in a previous season are in the second preference category, all other residents are in the third preference category, qualified nonresident landowners are in the fourth preference category, and all other nonresidents are in the fifth preference category.

This bill allows a person who is selected under one of these random or preference selective systems and who is unable to exercise the privilege to hunt or trap granted by the permit or license because the person is serving on active duty in the U.S. armed forces to ask that the permit or license be deferred. If the person asks for a deferral at least the day prior to the beginning of that hunting or trapping season, DNR shall defer the permit or license. Under the bill, a person whose permit or license is deferred has until the calendar year after the calendar year he or she ceased serving in the armed forces to apply for the permit or license that was deferred. The person may apply earlier if he or she is able to exercise the privilege to fish, hunt, or trap.

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

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

1           **SECTION 1.** 29.183 of the statutes is created to read:

2           **29.183 Deferral of certain approvals. (1)** The department shall defer as  
3 provided in sub. (4), upon request from a person who meets the requirements under  
4 sub. (2) and who submits a request under sub. (3), any of the following approvals that  
5 the department issues to the person under a random or preference selection system:

6           (a) Hunter's choice deer hunting permit.

7           (b) Bonus deer hunting permit.

8           (c) Bobcat hunting or trapping permit.

9           (d) Otter trapping permit.

10          (e) Fisher trapping permit.

11          (f) Canada goose hunting permit.

12          (g) Wild turkey hunting license.

13          (h) Sharp-tailed grouse hunting permit.

14          (i) Class A bear license.

15          (j) Elk hunting license.

16          (k) Sturgeon spearing license.

17          **(2)** A person shall meet all of the following requirements to be eligible for the  
18 deferral of an approval under sub. (1):

19          (a) Be selected under a random or preference selection system for the issuance  
20 of any of the approvals listed in sub. (1).

21          (b) Be serving on active duty in the U.S. armed forces.

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1 (c) Be unable to exercise his or her privilege to fish, hunt, or trap as permitted  
2 by that approval due to his or her service on active duty in the U. S. armed forces.

3 (3) A person who meets the requirements under sub. (2) may request, or have  
4 a request made on his or her behalf, that the department defer the person's approval.

5 (4) If the department receives a request for a deferral of an approval under sub.  
6 (3) and any approval and tags that have already been issued before the day prior to  
7 the beginning of that hunting or trapping season, the department shall defer the  
8 person's approval.

9 (5) The department shall notify the person whose approval was deferred under  
10 sub. (4) that he or she may receive that deferred approval after his or her active duty  
11 ends without applying under the random or preference selection system. A person  
12 whose approval was deferred under sub. (4) may apply for that approval during the  
13 calendar year that the person ceased serving on active duty in the U.S. armed forces,  
14 during the calendar year following the calendar year that the person ceased serving  
15 on active duty in the U.S. armed forces, or earlier if he or she is able to exercise his  
16 or her privilege to fish, hunt, or trap. Upon receipt of the appropriate fees and the  
17 application form prescribed by the department, the department shall issue the  
18 person his or her approval that was deferred.

19 **SECTION 2. Effective date.**

20 (1) This act takes effect on the first day of the 4th month beginning after  
21 publication.

22 (END)