

2007 ASSEMBLY BILL 672

January 10, 2008 – Introduced by Representatives GUNDERSON, SUDER, KREUSER, ALBERS, BALLWEG, BIES, FRISKE, HRAYCHUCK, F. LASEE, LEMAHIEU, LOTHIAN, MASON, MEYER, MOULTON, MURSAU, MUSSER, A. OTT, STRACHOTA, VOS and VRUWINK, cosponsored by Senators VINEHOUT, S. FITZGERALD, KANAVAS and KAPANKE. Referred to Committee on Natural Resources.

1 **AN ACT** *to renumber and amend* 29.304 (5); *to amend* 29.063 (5), 29.184 (1)
2 (b), 29.184 (6) (b) 1., 29.235 (1), 29.304 (1) (b), 29.304 (2) (title), 29.304 (2) (a),
3 29.304 (2) (b) (intro.), 29.304 (2) (b) 1., 29.304 (2) (b) 2., 29.304 (3) (title), 29.304
4 (3) (a) (intro.), 29.304 (3) (a) 1., 29.304 (3) (a) 2., 29.304 (3) (b) (intro.), 29.304
5 (3) (b) 1., 29.304 (3) (b) 2., 29.304 (3) (b) 3., 29.563 (2) (a) 4., 29.563 (2) (a) 5g.,
6 29.563 (2) (a) 8m., 29.563 (2m), 29.563 (4) (a) 1m., 29.563 (4) (a) 2m., 29.563 (4)
7 (b) 1m., 29.563 (4) (b) 2m., 29.593 (1) (a), 29.593 (4) (b), 29.593 (4) (c), 169.20 (1)
8 (a), 169.20 (2) (a) and 169.33 (2) (d); and **to create** 29.304 (4m), 29.304 (5) (b)
9 and 29.592 of the statutes; **relating to:** the minimum age for hunting and
10 possessing a firearm, age specific restrictions for hunting and on possessing a
11 firearm while hunting, requirements for obtaining a hunting certificate of

ASSEMBLY BILL 672

1 accomplishment, establishing a hunting mentorship program, and granting
2 rule-making authority.

Analysis by the Legislative Reference Bureau

This bill makes various changes to the laws relating to restrictions on hunting and firearm possession and establishes a hunting mentorship program.

Accompaniment by parent or guardian

Under current law, a person who is the minimum hunting age but under the age of 16 may hunt or have a firearm in his or her possession or control if the person is accompanied by a parent or guardian and if he or she meets certain other requirements. This bill specifies that such a person may also hunt or have a firearm in his or her possession or control if the person is accompanied by a person who is at least 18 years old and who has been designated by the person's parent or guardian.

Mentorship program

Current law requires, with certain exceptions, that every person who obtains a hunting approval must have a certificate of accomplishment issued by the Department of Natural Resources (DNR) indicating that he or she has successfully completed the hunter education program or bow hunter education program established by DNR. Current law also generally prohibits hunting and firearm possession by any person under the age of 12. For persons who are older than 12 but under the age of 16, current law allows hunting and firearm possession but imposes certain restrictions that vary depending on the person's age.

This bill creates a new exception to the general requirement that a person obtain a certificate of accomplishment in order to obtain a hunting approval. The bill also lowers the minimum hunting age from 12 years of age to ten years of age for persons who hunt under the hunting mentorship program established in this bill. The bill authorizes a person who is at least ten years of age to hunt without obtaining a certificate of accomplishment and to possess or control a firearm while hunting if the person has a valid hunting approval and is hunting with a qualified mentor.

Under the hunting mentorship program, to qualify as a mentor, a person must be 18 years of age or older and be the parent or guardian of the person for whom he or she is serving as a mentor or be authorized by the parent or guardian to serve as the mentor. The bill provides that at all times when serving as a mentor, the mentor must be within arm's reach of the person for whom he or she is serving as a mentor, must have a current valid hunting approval, and must have obtained a certificate of accomplishment or be exempt from the requirement to obtain a certificate of accomplishment. The bill provides that a mentor may take only one person hunting at a time and specifies that a mentor and a person who is hunting with the mentor may jointly have only one firearm, bow, or crossbow while hunting. The bill also requires DNR to issue to each person to whom DNR issues a hunting approval a pamphlet that contains hunter safety information if the person is not required to obtain a certificate of accomplishment and is authorized to hunt with a mentor. The bill authorizes DNR to promulgate rules lowering the minimum age for hunting with

ASSEMBLY BILL 672

a mentor if DNR determines that hunting by persons younger than ten years of age does not present a safety risk. The bill provides that DNR may make this determination only after considering existing studies and data on the safety risk of hunting and firearm possession by persons who are under ten years of age.

Target practice

The bill also creates a new exception to the restrictions that apply to firearm possession by persons who are under a specified age. The bill provides that those age restrictions do not apply to a person who uses a firearm in target practice if the person is accompanied by his or her parent or guardian or by a person who is at least 18 years of age who is designated by the parent or guardian.

Proof of compliance

Under current law, an applicant for a hunting approval may show compliance with the hunter education requirement by presenting his or her certificate of accomplishment when submitting an application for a hunting approval. Alternatively, the person may prove compliance by presenting an approval authorizing hunting that was issued to him or her within 365 days before submitting the application or that was issued to him or her for a hunting season that ended within 365 days before submitting the application. This bill requires that when presenting a previously issued hunting approval as proof of compliance, the approval must contain the applicant's hunter education certificate number.

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 (5) of the statutes is amended to read:
- 2 29.063 (5) The department may exempt deer hunters from obtaining a license
- 3 under this chapter for the hunting of deer in an area that the department has
- 4 designated by rule as a chronic wasting disease control zone. Deer hunters that are
- 5 exempted under this subsection shall be at least ~~12~~ 10 years of age, or the age
- 6 specified by the department by rule under s. 29.592 (6), whichever age is lower.
- 7 except that a person born on or after January 1, 1973, may not hunt deer under this
- 8 subsection unless he or she complies with ss. 29.304 and 29.593. The department
- 9 shall by rule establish eligibility criteria and application procedures for receipt of an

ASSEMBLY BILL 672**SECTION 1**

1 exemption under this subsection, including a method for obtaining a permit to hunt
2 deer without a license under this subsection.

3 **SECTION 2.** 29.184 (1) (b) of the statutes is amended to read:

4 29.184 (1) (b) “Minor” means a person who is at least ~~12~~ 10 years of age, or the
5 age specified by the department by rule under s. 29.592 (6), whichever age is lower,
6 but under 18 years of age.

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

8 29.184 (6) (b) 1. The applicant is at least ~~12~~ 10 years old, or the age specified
9 by the department by rule under s. 29.592 (6), whichever age is lower.

10 **SECTION 4.** 29.235 (1) of the statutes is amended to read:

11 29.235 (1) ISSUANCE. A resident conservation patron license shall be issued
12 subject to ss. 29.024 and 54.25 (2) (c) 1. d. by the department to any resident ~~12~~ 10
13 years old or older, or the age specified by the department by rule under s. 29.592 (6),
14 whichever age is lower, and who applies for the license. A nonresident conservation
15 patron license shall be issued subject to s. 29.024 by the department to any person
16 ~~12~~ 10 years old or older, or the age specified by the department by rule under s. 29.592
17 (6), whichever age is lower, who is not a resident, and who applies for the license.

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

19 29.304 (1) (b) *Restrictions on possession or control of a firearm.* No person
20 under 12 years of age may have in his or her possession or control any firearm unless
21 he or she is enrolled in the course of instruction under the hunter education program
22 and he or she is carrying the firearm in a case and unloaded to or from that class
23 under the supervision of ~~a~~ his or her parent or guardian, or by a person at least 18
24 years of age who is designated by the parent or guardian, or is handling or operating
25 the firearm during that class under the supervision of an instructor.

ASSEMBLY BILL 672

1 **SECTION 6.** 29.304 (2) (title) of the statutes is amended to read:

2 29.304 **(2)** (title) PERSONS 12 ~~TO 14~~ AND 13 YEARS OF AGE.

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

4 29.304 **(2)** (a) *Restrictions on hunting.* No person 12 years of age or older but
5 under 14 years of age may hunt unless he or she is accompanied by ~~a~~ his or her
6 parent or guardian, or by a person at least 18 years of age who is designated by the
7 parent or guardian.

8 **SECTION 8.** 29.304 (2) (b) (intro.) of the statutes is amended to read:

9 29.304 **(2)** (b) *Restrictions on possession or control of a firearm.* (intro.) No
10 person 12 years of age or older but under 14 years of age may have in his or her
11 possession or control any firearm unless ~~he or she~~ any of the following apply:

12 **SECTION 9.** 29.304 (2) (b) 1. of the statutes is amended to read:

13 29.304 **(2)** (b) 1. ~~Is He or she is~~ accompanied by ~~a~~ his or her parent or guardian
14 or by a person at least 18 years of age who is designated by the parent or guardian;
15 or,

16 **SECTION 10.** 29.304 (2) (b) 2. of the statutes is amended to read:

17 29.304 **(2)** (b) 2. ~~Is He or she is~~ enrolled in the course of instruction under the
18 hunter education program and is carrying the firearm in a case and unloaded to or
19 from that class or is handling or operating the firearm during that class under the
20 supervision of an instructor.

21 **SECTION 11.** 29.304 (3) (title) of the statutes is amended to read:

22 29.304 **(3)** (title) PERSONS 14 ~~TO 16~~ AND 15 YEARS OF AGE.

23 **SECTION 12.** 29.304 (3) (a) (intro.) of the statutes is amended to read:

24 29.304 **(3)** (a) *Restrictions on hunting.* (intro.) No person 14 years of age or
25 older but under 16 years of age may hunt unless ~~he or she~~ any of the following apply:

ASSEMBLY BILL 672

1 **SECTION 13.** 29.304 (3) (a) 1. of the statutes is amended to read:

2 29.304 (3) (a) 1. Is He or she is accompanied by a his or her parent or guardian
3 or by a person at least 18 years of age who is designated by the parent or guardian;
4 or.

5 **SECTION 14.** 29.304 (3) (a) 2. of the statutes is amended to read:

6 29.304 (3) (a) 2. Is He or she is issued a certificate of accomplishment that states
7 that he or she successfully completed the course of instruction under the hunter
8 education program or has a similar certificate, license, or other evidence satisfactory
9 to the department indicating that he or she has successfully completed in another
10 state, country, or province a hunter education course recognized by the department.

11 **SECTION 15.** 29.304 (3) (b) (intro.) of the statutes is amended to read:

12 29.304 (3) (b) *Restrictions on possession or control of a firearm.* (intro.) No
13 person 14 years of age or older but under 16 years of age may have in his or her
14 possession or control any firearm unless ~~he or she~~ any of the following apply:

15 **SECTION 16.** 29.304 (3) (b) 1. of the statutes is amended to read:

16 29.304 (3) (b) 1. Is He or she is accompanied by a his or her parent or guardian
17 or by a person at least 18 years of age who is designated by the parent or guardian;
18 or.

19 **SECTION 17.** 29.304 (3) (b) 2. of the statutes is amended to read:

20 29.304 (3) (b) 2. Is He or she is enrolled in the course of instruction under the
21 hunter education program and is carrying the firearm in a case and unloaded to or
22 from that class or is handling or operating the firearm during that class under the
23 supervision of an instructor; ~~or.~~

24 **SECTION 18.** 29.304 (3) (b) 3. of the statutes is amended to read:

ASSEMBLY BILL 672

1 29.304 (3) (b) 3. ~~Is He or she is~~ issued a certificate of accomplishment that states
2 that he or she successfully completed the course of instruction under the hunter
3 education program or has a similar certificate, license, or other evidence satisfactory
4 to the department indicating that he or she has successfully completed in another
5 state, country, or province a hunter education course recognized by the department.

6 **SECTION 19.** 29.304 (4m) of the statutes is created to read:

7 29.304 (4m) HUNTING MENTORSHIP PROGRAM. The prohibition specified in sub.
8 (1) (a) and the restrictions specified in subs. (1) (b) to (d), (2), and (3) do not apply to
9 a person who is hunting with a mentor and who complies with the requirements
10 specified under s. 29.592.

11 **SECTION 20.** 29.304 (5) of the statutes is renumbered 29.304 (5) (a) and
12 amended to read:

13 29.304 (5) EXCEPTION. (a) Notwithstanding subs. (1) to (3), a person 12 years
14 of age or older may possess or control a firearm and may hunt with a firearm ~~or~~, bow
15 and arrow, or crossbow on land under the ownership of the person or the person's
16 family if no license is required and if the firing of firearms is permitted on that land.

17 **SECTION 21.** 29.304 (5) (b) of the statutes is created to read:

18 29.304 (5) (b) The restrictions on the possession and control of a firearm under
19 sub. (1) do not apply to a person using a firearm in target practice if he or she is
20 accompanied by his or her parent or guardian or by a person at least 18 years of age
21 who is designated by the parent or guardian.

22 **SECTION 22.** 29.563 (2) (a) 4. of the statutes is amended to read:

23 29.563 (2) (a) 4. Small game issued to ~~12-year-olds to 17-year-olds~~ persons
24 who are younger than 18 years of age: \$6.25.

25 **SECTION 23.** 29.563 (2) (a) 5g. of the statutes is amended to read:

ASSEMBLY BILL 672

1 29.563 (2) (a) 5g. Deer issued to ~~12-year-olds to 17-year-olds~~ persons who are
2 younger than 18 years of age: \$17.25.

3 **SECTION 24.** 29.563 (2) (a) 8m. of the statutes is amended to read:

4 29.563 (2) (a) 8m. Archer issued to ~~12-year-olds to 17-year-olds~~ persons who
5 are younger than 18 years of age: \$17.25.

6 **SECTION 25.** 29.563 (2m) of the statutes is amended to read:

7 29.563 (2m) HUNTING APPROVALS FOR CERTAIN NONRESIDENTS. The fees for
8 hunting approvals for a ~~12 to 17 year-old person who is younger than 18 years of age,~~
9 who is not a resident, and who exhibits proof that his or her parent is a resident shall
10 be the same as the fees for hunting approvals for residents under sub. (2) (a) and (c).

11 **SECTION 26.** 29.563 (4) (a) 1m. of the statutes is amended to read:

12 29.563 (4) (a) 1m. Sports issued to ~~12-year-olds to 17-year-olds~~ persons who
13 are younger than 18 years of age: \$32.25 or a greater amount at the applicant's
14 option.

15 **SECTION 27.** 29.563 (4) (a) 2m. of the statutes is amended to read:

16 29.563 (4) (a) 2m. Conservation patron issued to ~~12-year-olds to 17-year-olds~~
17 persons who are younger than 18 years of age: \$70.25 or a greater amount at the
18 applicant's option.

19 **SECTION 28.** 29.563 (4) (b) 1m. of the statutes is amended to read:

20 29.563 (4) (b) 1m. Sports issued to ~~12-year-olds to 17-year-olds~~ persons who
21 are younger than 18 years of age: \$33.25 or a greater amount at the applicant's
22 option.

23 **SECTION 29.** 29.563 (4) (b) 2m. of the statutes is amended to read:

ASSEMBLY BILL 672

1 29.563 (4) (b) 2m. Conservation patron issued to ~~12-year-olds to 17-year-olds~~
2 persons who are younger than 18 years of age: \$72.25 or a greater amount at the
3 applicant's option.

4 **SECTION 30.** 29.592 of the statutes is created to read:

5 **29.592 Hunting mentorship program. (1)** A person who is at least 10 years
6 of age, or the age specified by the department by rule under sub. (6), whichever age
7 is lower, may hunt in this state without obtaining a certificate of accomplishment
8 under s. 29.591 and may, while hunting, possess or control a firearm if all of the
9 following apply:

10 (a) At all times when hunting, the person is within arm's reach of a mentor who
11 meets the qualifications under sub. (2).

12 (b) The person holds a hunting approval.

13 **(2)** No person may serve as a qualified mentor for a hunter unless the person
14 meets all of the following requirements:

15 (a) The person is 18 years of age or older.

16 (b) The person is the parent or guardian of the person for whom he or she is
17 serving as a mentor or is authorized by the parent or guardian to serve as a mentor.
18 This requirement does not apply to a person serving as a mentor for a person who
19 is 18 years of age or older.

20 (c) At all times when serving as a mentor, the person is within arm's reach of
21 the person for whom he or she is serving as a mentor.

22 (d) The person has been issued a certificate of accomplishment under s. 29.591,
23 or under s. 29.595 if the person is serving as a mentor for hunting elk, unless the
24 person was born before January 1, 1973, and is not required to obtain a certificate
25 of accomplishment.

ASSEMBLY BILL 672

1 (e) The person holds a current valid hunting approval.

2 (3) A person who is authorized to hunt with a mentor under this section and
3 a mentor under this section with whom that person hunts may jointly have only one
4 firearm, only one bow, or, if hunting with a crossbow is authorized under s. 29.171
5 (4) or 29.193 (2), only one crossbow in their possession or control while hunting.

6 (4) A mentor under this section may take only one person hunting at a time for
7 whom he or she is serving as a mentor.

8 (5) The department shall issue to each person to whom the department issues
9 a hunting approval a pamphlet, developed by the department, that contains hunter
10 safety information if the person is not required to obtain a certificate of
11 accomplishment under s. 29.591 and is authorized to hunt with a mentor under this
12 section.

13 (6) The department may promulgate rules lowering the minimum age specified
14 in sub. (1) for purposes of this section if the department determines that hunting by
15 persons younger than 10 years of age does not present a safety risk. The department
16 may make this determination only after considering existing studies and data on the
17 safety risk of hunting and firearm possession by persons who are under 10 years of
18 age.

19 **SECTION 31.** 29.593 (1) (a) of the statutes is amended to read:

20 29.593 (1) (a) Except as provided under subs. (2), (2m) and (3), and s. 29.592
21 (1), no person born on or after January 1, 1973, may obtain any approval authorizing
22 hunting unless the person is issued a certificate of accomplishment under s. 29.591.

23 **SECTION 32.** 29.593 (4) (b) of the statutes is amended to read:

ASSEMBLY BILL 672

1 29.593 (4) (b) An approval authorizing hunting that was issued to him or her
2 under this chapter within 365 days before submitting the application, if the approval
3 contains his or her hunter education certificate number.

4 **SECTION 33.** 29.593 (4) (c) of the statutes is amended to read:

5 29.593 (4) (c) An approval authorizing hunting that was issued to him or her
6 under this chapter for a hunting season that ended within 365 days before
7 submitting the application, if the approval contains his or her hunter education
8 certificate number.

9 **SECTION 34.** 169.20 (1) (a) of the statutes is amended to read:

10 169.20 (1) (a) The department shall issue a bird dog training license to any
11 individual who is at least 12 years of age, or the age specified by the department by
12 rule under s. 29.592 (6), whichever age is lower, and who files a proper application
13 and who pays the applicable fee.

14 **SECTION 35.** 169.20 (2) (a) of the statutes is amended to read:

15 169.20 (2) (a) The department shall issue a hound dog training license to any
16 individual who is at least 12 years of age, or the age specified by the department by
17 rule under s. 29.592 (6), whichever age is lower, and who pays the applicable fee.

18 **SECTION 36.** 169.33 (2) (d) of the statutes is amended to read:

19 169.33 (2) (d) An individual who applies for a bird dog training license or a
20 hound dog training license shall be at least 12 years of age, or the age specified by
21 the department by rule under s. 29.592 (6), whichever age is lower.

22 **SECTION 37. Nonstatutory provisions.**

23 (1) The department of natural resources shall prepare a report on the effect of
24 this act on the recruitment of new hunters. By July 1, 2010, the department of

ASSEMBLY BILL 672

1 natural resources shall submit the report to the legislature in the manner provided
2 under section 13.172 (2) of the statutes.

3 (END)