

2007 SENATE BILL 472

February 12, 2008 – Introduced by Senators WIRCH, DECKER, LEHMAN and BRESKE.
Referred to Committee on Environment and Natural Resources.

1 **AN ACT** *to renumber* 29.304 (5); *to amend* 29.184 (1) (b), 29.184 (6) (b) 1., 29.235
2 (1), 29.563 (2) (a) 4., 29.563 (2) (a) 5g., 29.563 (2) (a) 8m., 29.563 (2m), 29.563
3 (4) (a) 1m., 29.563 (4) (a) 2m., 29.563 (4) (b) 1m., 29.563 (4) (b) 2m., 29.593 (1)
4 (a), 169.20 (1) (a), 169.20 (2) (a) and 169.33 (2) (d); *to repeal and recreate*
5 29.304 (5) (title); and *to create* 29.304 (4m), 29.304 (5) (b) and 29.592 of the
6 statutes; **relating to:** age-specific restrictions on hunting and possessing a
7 firearm; requirements for obtaining a hunting certificate of accomplishment;
8 establishing a hunting mentorship program; and granting rule-making
9 authority.

Analysis by the Legislative Reference Bureau

Current law generally prohibits hunting and firearm possession by any person under the age of 12. Current law allows persons who are at least 12 years old but under the age of 16 to hunt and possess a firearm but imposes certain restrictions that vary depending on the person's age. Current law also 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.

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This bill establishes a hunting mentorship program that creates an exception to the general requirement that a person obtain a certificate of accomplishment to obtain a hunting approval. The bill authorizes a person who is at least 12 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. The bill also authorizes DNR to promulgate rules lowering the minimum age at which a person may hunt with a qualifying mentor.

Under the hunting mentorship program established in the bill, 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. 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.

This bill creates a target practice 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.

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

2 29.184 (1) (b) "Minor" means a person who is at least 12 years of age, or the age
3 specified by the department by rule under s. 29.592 (5), whichever age is lower, but
4 under 18 years of age.

5 **SECTION 2.** 29.184 (6) (b) 1. of the statutes is amended to read:

6 29.184 (6) (b) 1. The applicant is at least 12 years old, or the age specified by
7 the department by rule under s. 29.592 (5), whichever age is lower.

8 **SECTION 3.** 29.235 (1) of the statutes is amended to read:

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1 29.235 (1) ISSUANCE. A resident conservation patron license shall be issued
2 subject to ss. 29.024 and 54.25 (2) (c) 1. d. by the department to any resident 12 years
3 old or older, or the age specified by the department by rule under s. 29.592 (5),
4 whichever age is lower, and who applies for the license. A nonresident conservation
5 patron license shall be issued subject to s. 29.024 by the department to any person
6 12 years old or older, or the age specified by the department by rule under s. 29.592
7 (5), whichever age is lower, who is not a resident, and who applies for the license.

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

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

13 **SECTION 5.** 29.304 (5) (title) of the statutes is repealed and recreated to read:

14 29.304 (5) (title) EXCEPTIONS.

15 **SECTION 6.** 29.304 (5) of the statutes is renumbered 29.304 (5) (a).

16 **SECTION 7.** 29.304 (5) (b) of the statutes is created to read:

17 29.304 (5) (b) The restrictions on the possession or control of a firearm under
18 sub. (1) do not apply to a person using a firearm in target practice if he or she is
19 accompanied by his or her parent or guardian or by a person at least 18 years of age
20 who is designated by the parent or guardian.

21 **SECTION 8.** 29.563 (2) (a) 4. of the statutes is amended to read:

22 29.563 (2) (a) 4. Small game issued to ~~12-year-olds to 17-year-olds~~ persons
23 who are younger than 18 years of age: \$6.25.

24 **SECTION 9.** 29.563 (2) (a) 5g. of the statutes is amended to read:

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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 10.** 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 11.** 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 12.** 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 13.** 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 14.** 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 15.** 29.563 (4) (b) 2m. of the statutes is amended to read:

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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 16.** 29.592 of the statutes is created to read:

5 **29.592 Hunting mentorship program. (1)** A person who is at least 12 years
6 of age, or the age specified by the department by rule under sub. (5), 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.

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

2 **(3)** A mentor under this section may take only one person, for whom he or she
3 is serving as a mentor, hunting at a time.

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

9 **(5)** The department may promulgate rules lowering the minimum age specified
10 in sub. (1) for purposes of this section.

11 **SECTION 17.** 29.593 (1) (a) of the statutes is amended to read:

12 29.593 **(1)** (a) Except as provided under subs. (2), (2m) and (3) and s. 29.592 (1),
13 no person born on or after January 1, 1973, may obtain any approval authorizing
14 hunting unless the person is issued a certificate of accomplishment under s. 29.591.

15 **SECTION 18.** 169.20 (1) (a) of the statutes is amended to read:

16 169.20 **(1)** (a) The department shall issue a bird dog training license to any
17 individual who is at least 12 years of age, or the age specified by the department by
18 rule under s. 29.592 (5), whichever age is lower, and who files a proper application
19 and who pays the applicable fee.

20 **SECTION 19.** 169.20 (2) (a) of the statutes is amended to read:

21 169.20 **(2)** (a) The department shall issue a hound dog training license to any
22 individual who is at least 12 years of age, or the age specified by the department by
23 rule under s. 29.592 (5), whichever age is lower, and who pays the applicable fee.

24 **SECTION 20.** 169.33 (2) (d) of the statutes is amended to read:

