

2007 DRAFTING REQUEST

Bill

Received: **01/31/2007**

Received By: **mglass**

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: **mglass**

May Contact:

Addl. Drafters:

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

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Gunderson@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Resident hunting and fishing licenses for one-time residents in the military

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>
/?				_____			S&L
/1	mglass 02/27/2007	wjackson 03/10/2007	pgreensl 03/13/2007	_____	lparisi 03/13/2007		S&L
/2	mglass 03/22/2007	wjackson 03/28/2007	rschluet 03/28/2007	_____	cduerst 03/28/2007	sbasford 03/29/2007	

FE Sent For: **12 AT INTRO.**

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1/2 WJ 3/28

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/?	mglass	1 WLj 3/10	3/13 P8	3/13 P8/SAH			
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FE Sent For:

<END>

C. madison.wi.us 10

-1755

Gibson-Glass, Mary

From: Bruhn, Mike
Sent: Wednesday, January 31, 2007 11:44 AM
To: Gibson-Glass, Mary
Subject: FW: Deer Hunting 2006

Mary,

Rep. Gunderson would like to get legislation drafted that would allow active duty military personnel, who were residents of Wisconsin immediately prior to enlisting in the military, and had to relocate because of their military service to purchase a hunting or fishing license at the resident price. I have included an email that illustrates the problem. If you have any questions or concerns, please feel free to contact me at 266-3363.

Thank you,

Michael Bruhn
 Rep. Gunderson's office

From: Joe Romas [mailto:jmromas@gmail.com]
Sent: Monday, November 13, 2006 9:33 PM
To: Gunderson; Rep.Gunderson
Subject: Deer Hunting 2006

Dear Representative Gunderson

My name is Joe Romas and I am an Ensign in the US Navy. Unfortunately, this undertaking has lead me to become a Florida resident and to currently reside in Texas. I was born and raised in Milwaukee, Wisconsin and deer hunted with my father, in Wisconsin, from the time I was 13 until 23 years old. I have the opportunity to go back to Wisconsin for Thanksgiving this year (luckily) and would like to hunt with my father again. The problem is and the reason I am emailing you is because I feel that I cannot afford the out of state resident fee of \$160 this year. I am writing this to ask you to please consider allowing me to obtain a license at the in-state resident fee. I would not even bother asking, however my duties with the military do not allow me to be a Wisconsin resident anymore. Also, I am asking that you lobby for military personnel to be authorized to pay their "home state's" resident fee to obtain licenses in the future. I already tried contacting the DNR and asked them. They told me that, "A law is a law." Thank you for your time and considerations.

ENS Joseph M. Romas USN

262-352-7775
jmromas@gmail.com

Parents address:
 S70W16751 Hedgewood Dr.
 Muskego, WI 53150

unconstitutional
 needs D-N

01/31/2007



State of Wisconsin
2007 - 2008 LEGISLATURE

RMR
LRB-1755/1
MGG: /:....
Wlj

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Lps: Please check for extra spaces.

on edit
2/23/07
D-N

the Department of Natural Resources (DNR)

- 1 **AN ACT** ^(Gen) ...; **relating to:** issuing hunting and fishing approvals to members of the
- 2 U.S. armed forces who are former residents of this state.

Analysis by the Legislative Reference Bureau

Under current law, DNR must consider a person who is not a resident of this state but who is in the military and stationed in this state as a resident for the purpose of issuing him or her a hunting, fishing, or trapping approval. This includes stamps and permits as well as licenses. Under the fee schedule for fish and game approvals, with limited exceptions, a resident pays less for the same or equivalent approval as does a nonresident.

Under this bill, DNR must consider a person who is currently not a resident of this state but who was a resident of this state at the time he or she entered the military to be a resident for the purpose of issuing him or her a hunting or fishing approval. The bill also treats a former resident who is on furlough or leave in the state like a current resident on furlough or leave for purposes of being able to hunt a deer of either sex during the open season for hunting deer with firearms.

For further information see the **state and local** 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:

- 3 **SECTION 1.** 29.173 (2) (b) of the statutes is renumbered 29.173 (2) (b) (intro.)
- 4 and amended to read:

(intro.)

1 29.173 (2) (b) A qualified service member holding a current resident deer
 2 hunting license may hunt deer of either sex with a firearm during any season open
 3 to hunting of deer with firearms that is established by the department. In this
 4 paragraph, "qualified service member" means For purposes of this paragraph, a
 5 qualified service member is a member of the armed forces who exhibits proof that he
 6 or she is a resident, is in active service with the armed forces outside this state and
 7 is on furlough or leave. proof of one of the following:

History: 1973 c. 90 s. 538; 1979 c. 34; 1983 a. 27; 1985 a. 270; 1993 a. 258; 1997 a. 27; 1997 a. 248 ss. 236 to 239; Stats. 1997 s. 29.173; 2005 a. 387.

8 **SECTION 2.** 29.173 (2) (b) 1. of the statutes is created to read:
 9 29.173 (2) (b) 1. That he or she is a resident who is on furlough or leave.
 10 **SECTION 3.** 29.173. (2) (b) 2. of the statutes is created to read:
 11 29.173 (2) (b) 2. That he or she was a resident at the time he or she entered
 12 active service and that he or she is on furlough or leave.

13 **SECTION 4.** 29.194 (1) (title) of the statutes is amended to read:
 14 29.194 (1) (title) ~~CERTAIN RESIDENT~~ RESIDENT ~~LICENSES MAY BE ISSUED TO FOR~~
 15 ~~STUDENTS AND MEMBERS OF THE ARMED FORCES.~~

→ SEC. # RN; 29.194 (1)(a); 29.194 (1)

History: 1997 a. 248 ss. 158 to 160, 411; 2005 a. 243, 283; s. 13.93 (2) (c).

16 **SECTION 5.** 29.194 (1) (b) of the statutes is renumbered 29.194 (1m) (a) and
 17 amended to read:
 18 29.194 (1m) (a) *Hunting and fishing approvals.* The department shall treat a
 19 qualified member of the armed forces who is not a resident of this state as a resident
 20 for purposes of determining the member's eligibility for and cost of obtaining a
 21 hunting, trapping, or fishing approval under this subchapter. A For purposes of this
 22 paragraph, a qualified member of the armed forces is a person who exhibits proof that
 23 he or she is in active service in the U.S. armed forces or in forces incorporated in the
 24 U.S. armed forces and that proof of one of the following:

strike extra spaces

1 1. That he or she is stationed in this state.

NOTE: NOTE: Sub. (1) is shown as affected by 2 acts of the 2005 Wisconsin legislature and as merged by the revisor under s. 13.93 (2) (c). NOTE:

History: 1997 a. 248 ss. 158 to 160, 411; 2005 a. 243, 283; s. 13.93 (2) (c).

2 **SECTION 6.** 29.194 (1m) (title) of the statutes is created to read:

3 29.194 (1m) (title) RESIDENT APPROVALS FOR NONRESIDENTS.

4 **SECTION 7.** 29.194 (1m) (a) 2. of the statutes is created to read:

5 29.194 (1m) (a) 2. That he or she was a resident at the time he or she entered
6 active service.

7 **SECTION 8.** 29.194 (1m) (b) of the statutes is created to read:

8 29.194 (1m) (b) *Trapping approvals.* The department shall treat a qualified
9 member of the armed forces who is not a resident of this state as a resident for
10 purposes of determining the member's eligibility for and cost of obtaining a trapping
11 approval under this subchapter. For purposes of this paragraph, a qualified member
12 of the armed forces is a person who exhibits proof that he or she is in active service
13 in the U.S. armed forces or in forces incorporated in the U.S. armed forces and that
14 he or she is stationed in this state.

15 **SECTION 9.** 29.569 (2) (c) of the statutes is amended to read:

Please fix corp.

renumbered 29.569 (2)(c) (intro.) and

16 29.569 (2) (c) ~~Exception~~ ^(intro.) A resident archer hunting license or a resident
17 conservation patron license issued during the open season for hunting deer with a
18 bow and arrow authorizes hunting beginning on the date of issuance if issued to a
19 person who is a member of the U.S. armed forces who exhibits proof that he or she
20 is in active service with the armed forces and that he or she is stationed proof on one
21 of the following:

22 1. That he or she is stationed in this state ~~or is a.~~

23 2. That he or she is a resident who is on furlough or leave.

History: 1997 a. 248 ss. 170, 171, 173, 176, 177, 178, 180, 182, 187; 2001 a. 77, 109; 2003 a. 313.

24 **SECTION 10.** 29.569 (2) (c) 3. of the statutes is created to read:

1 29.569 (2) (c) 3. That he or she was a resident at the time he or she entered
2 active service and that he or she is on furlough or leave.

3 SECTION 11. 29.569 (3) (bm) 1. of the statutes is renumbered 29.569 (3) (bm) 1.
4 (intro.) and amended to read:

5 29.569 (3) (bm) 1. ^(intro.) A person who is a member of the U.S. armed forces and who
6 exhibits proof that he or she is a resident, is in active service with the armed forces
7 outside this state, [↓] and is on furlough or leave. and proof of one of the following:

History: 1997 a. 248 ss. 170, 171, 173, 176, 177, 178, 180, 182, 187; 2001 a. 77, 109; 2003 a. 313.

8 SECTION 12. 29.569 (3) (bm) 1. a. [✓] of the statutes is created to read:

9 29.569 (3) (bm) 1. a. That he or she is resident who is on furlough or leave.

10 SECTION 13. 29.569 (3) (bm) 1. b. [✓] of the statutes is created to read:

11 29.569 (3) (bm) 1. b. ^{That he or she} Was a resident at the time he or she entered active service
12 and that he or she is on furlough or leave.

13 SECTION 14. Effective date.

14 (1) This act takes effect on the first day of the ^{7th} ~~seventh~~ month beginning after
15 publication.

16 (END)

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

LRB-1755/7dn

MGG:.....

Wlj

Lps: Please
check for
extra spaces.

- * Please review this bill carefully to ^{ensure} insure that it is not too broad in scope. As drafted, a member of the military who is no longer a resident will be treated as a resident for all hunting and fishing approvals. This includes approvals subject the preference systems. I did not require members of the military to be on furlough or leave for purposes of being treated as a resident in applying for approvals since approvals may be applied for on line.

I created a delayed effective date to give DNR time to implement the provisions created in this bill. OK?

Mary Gibson-Glass
Senior Legislative Attorney
Phone: (608) 267-3215

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1755/1dn
MGG:wlj:pg

March 13, 2007

Please review this bill carefully to ensure that it is not too broad in scope. As drafted, a member of the military who is no longer a resident will be treated as a resident for all hunting and fishing approvals. This includes approvals subject the preference systems. I did not require members of the military to be on furlough or leave for purposes of being treated as a resident in applying for approvals because I assume they would be able to apply online. However, requirements to show proof of eligiblity may result in applications being made only in person. Please let me know if you want any changes.

I created a delayed effective date to give DNR time to implement the provisions created in this bill. OK?

Mary Gibson-Glass
Senior Legislative Attorney
Phone: (608) 267-3215



State of Wisconsin
2007 - 2008 LEGISLATURE

LRB-1755/1 2
MGG:wlj:pg
↑
stays

SOON

3/22/07

TODAY

only one change

2007 BILL

Regen

1 **AN ACT** to renumber 29.194 (1) (a); to renumber and amend 29.173 (2) (b),
2 29.194 (1) (b), 29.569 (2) (c) and 29.569 (3) (bm) 1.; to amend 29.194 (1) (title);
3 and to create 29.173 (2) (b) 1., 29.173 (2) (b) 2., 29.194 (1m) (title), 29.194 (1m)
4 (a) 2., 29.194 (1m) (b), 29.569 (2) (c) 3., 29.569 (3) (bm) 1. a. and 29.569 (3) (bm)
5 1. b. of the statutes; **relating to:** issuing hunting and fishing approvals to
6 members of the U.S. armed forces who are former residents of this state.

Analysis by the Legislative Reference Bureau

Under current law, Department of Natural Resources (DNR) must consider a person who is not a resident of this state but who is in the military and stationed in this state a resident for the purpose of issuing him or her a hunting, fishing, or trapping approval. This includes stamps and permits as well as licenses. Under the fee schedule for fish and game approvals, with limited exceptions, a resident pays less for the same or equivalent approval as does a nonresident.

Under this bill, DNR must consider a person who is currently not a resident of this state but who was a resident of this state at the time he or she entered the military a resident for the purpose of issuing him or her hunting or fishing approval. The bill also treats a former resident who is on furlough or leave in the state like a current resident on furlough or leave for purposes of being able to hunt deer of either sex during the open season for hunting deer with firearms.

BILL

For further information see the *state and local* 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:

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2 and amended to read:

3 29.173 (2) (b) (intro.) A qualified service member holding a current resident
4 deer hunting license may hunt deer of either sex with a firearm during any season
5 open to hunting of deer with firearms that is established by the department. ~~In this~~
6 ~~paragraph, "qualified service member" means~~ For purposes of this paragraph, a
7 qualified service member is a member of the armed forces who exhibits proof that he
8 or she is a resident, is in active service with the armed forces outside this state and
9 ~~is on furlough or leave.~~ proof of one of the following:

10 **SECTION 2.** 29.173 (2) (b) 1. of the statutes is created to read:

11 29.173 (2) (b) 1. That he or she is a resident who is on furlough or leave.

12 **SECTION 3.** 29.173 (2) (b) 2. of the statutes is created to read:

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15 **SECTION 4.** 29.194 (1) (title) of the statutes is amended to read:

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18 **SECTION 5.** 29.194 (1) (a) of the statutes is renumbered 29.194 (1).

19 **SECTION 6.** 29.194 (1) (b) of the statutes is renumbered 29.194 (1m) (a) and
20 amended to read:

BILL

1 29.194 (1m) (a) *Hunting and fishing approvals*. The department shall treat
2 a qualified member of the armed forces who is not a resident of this state as a resident
3 for purposes of determining the member's eligibility for and cost of obtaining a
4 hunting, ~~trapping~~, or fishing approval under this subchapter. ~~A~~ For purposes of this
5 paragraph, a qualified member of the armed forces is a person who exhibits proof that
6 he or she is in active service in the U.S. armed forces or in forces incorporated in the
7 U.S. armed forces and ~~that~~ proof of one of the following:

8 1. That he or she is stationed in this state.

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BILL

1 bow and arrow authorizes hunting beginning on the date of issuance if issued to a
2 person who is a member of the U.S. armed forces who exhibits proof that he or she
3 is in active service with the armed forces and ~~that he or she is stationed~~ proof of one
4 of the following:

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6 2. That he or she is a resident who is on furlough or leave.

7 **SECTION 11.** 29.569 (2) (c) 3. of the statutes is created to read:

8 29.569 (2) (c) 3. That he or she was a resident at the time he or she entered
9 active service and that he or she is on furlough or leave.

10 **SECTION 12.** 29.569 (3) (bm) 1. of the statutes is renumbered 29.569 (3) (bm)
11 1. (intro.) and amended to read:

12 29.569 (3) (bm) 1. (intro.) A person who is a member of the U.S. armed forces
13 and who exhibits proof that he or she is a resident, is in active service with the armed
14 forces outside this state, ~~and is on furlough or leave.~~ and proof of one of the following:

15 **SECTION 13.** 29.569 (3) (bm) 1. a. of the statutes is created to read:

16 29.569 (3) (bm) 1. a. That he or she is resident who is on furlough or leave.

17 **SECTION 14.** 29.569 (3) (bm) 1. b. of the statutes is created to read:

18 29.569 (3) (bm) 1. b. That he or she was a resident at the time he or she entered
19 active service and that he or she is on furlough or leave.

20 **SECTION 15. Effective date.**

21 (1) This act takes effect on the first day of the ^{3rd} ~~7th~~ month beginning after
22 publication.

23 (END)

Basford, Sarah

From: Bruhn, Mike
Sent: Thursday, March 29, 2007 1:41 PM
To: LRB.Legal
Subject: Draft Review: LRB 07-1755/2 Topic: Resident hunting and fishing licenses for one-time residents in the military

Please Jacket LRB 07-1755/2 for the ASSEMBLY.