

## 2007 DRAFTING REQUEST

### Bill

Received: **01/29/2007**

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:

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### Pre Topic:

No specific pre topic given

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### Topic:

Transfer of certain hunting approvals to minors

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### Instructions:

See Attached

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### 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 02/20/2007	wjackson 03/08/2007	nnatzke 03/08/2007	_____	sbasford 03/08/2007	cduerst 03/08/2007	

FE Sent For:

<END>

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1?	mglass	/1 wj 3/8	nwn 3/8	nwn/rs 3/8			

FE Sent For:

<END>

## Gibson-Glass, Mary

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**From:** Bruhn, Mike  
**Sent:** Monday, January 29, 2007 4:37 PM  
**To:** Gibson-Glass, Mary  
**Subject:** Drafting Request

Mary,

Rep. Gunderson would like to get legislation drafted that would allow a hunter to transfer any *license* that is issued under the random or preference selection system (ex: otter and fisher trapping permits, bonus deer hunting permits, Canada goose hunting permits, wild turkey hunting licenses, and elk hunting licenses) to a minor. The bill should mirror the '03/'04 Legislative Session Assembly Bill 384, which did this, but only for Class A Bear licenses. You can also use last Session's AB 384 as a template (this bill allowed preference points to be transferred from someone who has passed away to a minor).

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

Thanks,

Michael Bruhn  
Rep. Gunderson's office



State of Wisconsin  
2007 - 2008 LEGISLATURE

RUR  
LRB-1719/1  
MGG:.....  
WJ

D-N

in edit 2/20

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1

<sup>Gen</sup> AN ACT <sup>the</sup> relating to: transfer of certain fish and game licenses and permits to

2

minors.

*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 selection 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.

Under current law, a person may transfer a Class A bear license to a minor. This bill expands this provision to allow a person who has been issued ~~under a random or preference selection system~~ to transfer the approval to a minor who is eligible to use the approval and who has not previously been transferred that type of approval.

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

issues certain licenses and permits

based on a random or preference selection system

the license an approval

a license or permit

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

*LRS: Please check extra spaces.*

1 SECTION 1. 29.024 (2) (d) of the statutes is amended to read:

2 29.024 (2) (d) Except as provided under s. ~~29.179~~, 29.180, 29.182 (4), ~~29.184~~  
3 (~~6m~~), or 29.519 (2) (d) or by rule, no person may transfer his or her approval or permit  
4 the use of any approval by any other person.

History: 1997 a. 248 ss. 90, 91, 123 to 134, 161; 1997 a. 249 ss. 1, 2; 1999 a. 9, 32; 2001 a. 17, 56, 105, 107, 109; 2003 a. 59, 249; 2005 a. 88, 387.

5 SECTION 2. 29.179 (title) and ~~(1)~~ of the statutes are created to read:

*(title)*

6 **29.179 Transfer of approvals to minors. (1) DEFINITIONS.** In this section:

7 (a) "Approval" means any of the following that the department issues to a  
8 resident or a nonresident under a random or preference selection system:

9 1. A hunter's choice deer hunting permit. ✓

10 2. A bonus deer hunting permit. ✓

11 3. A bobcat hunting and trapping permit. ✓

12 4. An otter trapping permit. ✓

13 5. A fisher trapping permit. ✓

14 6. A Canada goose hunting permit. ✓

15 7. A wild turkey hunting license. ✓

16 8. A sharp-tailed grouse hunting permit. ✓

17 9. A Class A bear license. ✓

18 10. An elk hunting license. ✓

19 11. A sturgeon spearing license. ✓

20 (b) "Minor" means a person who is *under* 18 years of age.

21 SECTION 3. 29.179 (3) (title) of the statutes is created to read:

22 29.179 (3) (title) PAYMENT OF FEE. *De*

23 SECTION 4. 29.179 (4) (title) of the statutes is created to read:

24 29.179 (4) (title) RETENTION OF PREFERENCE POINTS. *De*

1 SECTION 5. 29.179 (5) of the statutes is created to read:

2 29.179 (5) APPLICABILITY. This section does not apply to transfers of approvals  
3 to minors ~~that~~ that are subject to s. 29.180 (3).<sup>✓</sup>

4 SECTION 6. 29.180 (title) of the statutes is amended to read:

5 29.180 (title) **Transfers of approvals upon death.**

6 History: 2005 a. 88.

7 SECTION 7. 29.184 (1) (intro.) and (a) <sup>of</sup> of the statutes are consolidated,  
8 renumbered 29.184 (1) and amended to read:

9 29.184 (1) DEFINITIONS. ~~DEFINITIONS~~ <sup>plain</sup> (intro.) In this section: <sup>No ff</sup>

10 (a) ~~Notwithstanding, notwithstanding~~ s. 29.001 (42), "hunt bear" means to  
11 shoot, shoot at, take, catch, or kill a bear or pursue, with or without the use of dogs,  
12 a bear for the purpose of shooting, shooting at, taking, catching, or killing the bear.

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; 2005 a. 25, 387.

13 SECTION 8. 29.184 (1) (b) of the statutes is repealed.

14 <sup>Please fix Comp.</sup> SECTION 9. 29.184 (6m) (title) <sup>repealed</sup> of the statutes is renumbered 29.179 (2) (title)  
15 and amended to read:

16 29.179 (2) (title) **TRANSFER APPLICATION.**

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; 2005 a. 25, 387.

17 SECTION 10. 29.184 (6m) (a) of the statutes is renumbered 29.179 (2) and  
18 amended to read:

19 29.179 (2) Upon application by a holder of a ~~Class A bear license~~ an approval  
20 to transfer the license approval to a minor, and upon the payment of any fee required  
21 under ~~par. (b) sub. (3)~~ <sup>✓</sup> sub. (3), the department shall transfer the license approval to the  
22 minor if the application is made no later than the August 1st immediately preceding  
the applicable open season ~~for the hunting of bear to which the license applies~~ and

1 if the minor has not been previously transferred <sup>↓</sup> a ~~license~~ that type of approval under  
2 this ~~subsection~~ section and if the minor is otherwise eligible to use the approval.

3 SECTION 11. 29.184 (6m) (b) <sup>↓</sup> of the statutes is renumbered 29.179 (3) (a) and  
4 amended to read:

5 29.179 (3) (a) If the holder of a ~~Class A bear license~~ an approval is a resident  
6 and the holder applies to transfer the license approval to a nonresident and if there  
7 is a fee for the issuance of the approval, the holder shall pay, at the time of  
8 application, the any difference between the fee for a ~~Class A license~~ for issuing the  
9 approval to a resident and the fee for a ~~Class A license~~ the approval to a nonresident.

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; 2005 a. 25, 387.

10 SECTION 12. 29.184 (6m) (c) <sup>↓</sup> of the statutes is renumbered 29.179 (3) (b) and  
11 amended to read:

12 29.179 (3) (b) A holder of a ~~Class A bear license~~ an approval being transferred  
13 under this section may not receive any consideration for the transfer of the license  
14 approval.

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; 2005 a. 25, 387.

15 SECTION 13. 29.184 (6m) (d) <sup>↓</sup> of the statutes is renumbered 29.179 (4) and  
16 amended to read:

17 29.179 (4) Notwithstanding sub. <sup>ss.</sup> ~~29.164 (3) (cr), 29.177 (5) (b), 29.184 (6) (b),~~ <sup>✓</sup>  
18 29.192 (4) a minor who is transferred a ~~Class A bear license~~ an approval under this  
19 subsection section shall retain all preference points that he or she has previously  
20 accumulated for that type of approval.

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; 2005 a. 25, 387.

21 (END)

D-N ✓

Do you want a delayed effective date? Oh son, please  
let me know  
MGG



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

LRB-1719/1dn  
MGG:wj:nwn

March 8, 2007

Do you want a delayed effective date?

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

**Duerst, Christina**

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**From:** Bruhn, Mike  
**Sent:** Thursday, March 08, 2007 2:27 PM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB 07-1719/1 Topic: Transfer of certain hunting approvals to minors

Please Jacket LRB 07-1719/1 for the ASSEMBLY.