

## 2009 DRAFTING REQUEST

### Bill

Received: **02/13/2009**

Received By: **rkite**

Wanted: **As time permits**

Identical to LRB:

For: **Ann Hraychuck (608) 267-2365**

By/Representing: **Stephanie Hilton**

This file may be shown to any legislator: **NO**

Drafter: **rkite**

May Contact:

Addl. Drafters:

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

Extra Copies:

Submit via email: **YES**

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

Carbon copy (CC:) to:

---

### Pre Topic:

No specific pre topic given

---

### Topic:

Create hunting mentorship program

---

### 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>
/?	rkite 02/13/2009	bkraft 02/16/2009		_____			State
/1			phenry 02/17/2009	_____	sbasford 02/17/2009		State
/2	rkite 02/18/2009	bkraft 02/18/2009	jfrantze 02/20/2009	_____	sbasford 02/20/2009		State
/3	rkite	bkraft	rschluet	_____	cduerst	mbarman	

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
	03/06/2009	03/06/2009	03/09/2009	_____	03/09/2009	04/09/2009	

FE Sent For: "1/3" @ Intro. 4/21/09

<END>

**2009 DRAFTING REQUEST**

**Bill**

Received: **02/13/2009**

Received By: **rkite**

Wanted: **As time permits**

Identical to LRB:

For: **Ann Hraychuck (608) 267-2365**

By/Representing: **Stephanie Hilton**

This file may be shown to any legislator: **NO**

Drafter: **rkite**

May Contact:

Addl. Drafters:

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

Extra Copies:

Submit via email: **YES**

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

Carbon copy (CC:) to:

---

**Pre Topic:**

No specific pre topic given

---

**Topic:**

Create hunting mentorship program

---

**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>
/?	rkite 02/13/2009	bkraft 02/16/2009		_____			State
/1			phenry 02/17/2009	_____	sbasford 02/17/2009		State
/2	rkite 02/18/2009	bkraft 02/18/2009	jfrantze 02/20/2009	_____	sbasford 02/20/2009		State
/3	rkite	bkraft	rschluet	_____	cduerst		

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
	03/06/2009	03/06/2009	03/09/2009	_____	03/09/2009		

FE Sent For:

<END>

## 2009 DRAFTING REQUEST

### Bill

Received: 02/13/2009

Received By: rkite

Wanted: As time permits

Identical to LRB:

For: Ann Hraychuck (608) 267-2365

By/Representing: Stephanie Hilton

This file may be shown to any legislator: NO

Drafter: rkite

May Contact:

Addl. Drafters:

Subject: Nat. Res. - fish and game

Extra Copies:

Submit via email: YES

Requester's email: Rep.Hraychuck@legis.wisconsin.gov

Carbon copy (CC:) to:

---

### Pre Topic:

No specific pre topic given

---

### Topic:

Create hunting mentorship program

---

### 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>
/?	rkite 02/13/2009	bkraft 02/16/2009		_____			State
/1			phenry 02/17/2009	_____	sbasford 02/17/2009		State
/2	rkite 02/18/2009	bkraft 02/18/2009	jfrantze 02/20/2009	_____	sbasford 02/20/2009		

13 bjk 3/6

369

FE Sent For:

**<END>**

**2009 DRAFTING REQUEST**

**Bill**

Received: **02/13/2009**

Received By: **rkite**

Wanted: **As time permits**

Identical to LRB:

For: **Ann Hraychuck (608) 267-2365**

By/Representing: **Stephanie Hilton**

This file may be shown to any legislator: **NO**

Drafter: **rkite**

May Contact:

Addl. Drafters:

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

Extra Copies:

Submit via email: **YES**

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

Carbon copy (CC:) to:

---

**Pre Topic:**

No specific pre topic given

---

**Topic:**

Create hunting mentorship program

---

**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>
/?	rkite 02/13/2009	bkraft 02/16/2009		_____			State
/1		1/2 bjk 2/18	phenry 02/17/2009	_____	sbasford 02/17/2009		

FE Sent For:

md  
2/18  
J/ra  
2/20  
<END>

**2009 DRAFTING REQUEST**

**Bill**

Received: 02/13/2009

Received By: rkite

Wanted: As time permits

Identical to LRB:

For: Ann Hraychuck (608) 267-2365

By/Representing: Stephanie Hilton

This file may be shown to any legislator: NO

Drafter: rkite

May Contact:

Addl. Drafters:

Subject: Nat. Res. - fish and game

Extra Copies:

Submit via email: YES

Requester's email: Rep.Hraychuck@legis.wisconsin.gov

Carbon copy (CC:) to:

---

**Pre Topic:**

No specific pre topic given

---

**Topic:**

Create hunting mentorship program

---

**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>
--------------	----------------	-----------------	--------------	----------------	------------------	-----------------	-----------------

/?	rkite						
----	-------	--	--	--	--	--	--

1/bjk 2/16  
ph  
ph/js  
<END>

FE Sent For:



## Kite, Robin

---

**From:** Hilton, Stephanie  
**Sent:** Thursday, February 12, 2009 4:52 PM  
**To:** Kite, Robin  
**Cc:** Hilton, Stephanie  
**Subject:** FW: Mentored Hunting

**Attachments:** Gunderson youth mentor hunting bill 0109.pdf; 09-00901.pdf

Hi Robin,  
Rep. Hraychuck would like to have the attached bill re-drafted with two changes.



Gunderson youth  
mentor hunting...

1. Eliminate the options of bow and crossbow. A mentor and the person who is hunting with the mentor may jointly have one firearm.
2. Eliminate the provision that gives the DNR the authority to promulgate rules to lower the minimum age for hunting with a mentor.

Let me know if you have any questions.  
Thanks,  
Stephanie

Stephanie Hilton  
Legislative Assistant  
Office of Rep. Ann Hraychuck  
608-267-2365 or 1-888-529-0028  
Room 6 North State Capitol

---

**From:** Bruhn, Mike  
**Sent:** Thursday, January 15, 2009 1:02 PM  
**To:** Rep.Hraychuck  
**Subject:** Mentored Hunting

Rep. Hraychuck,

Gundy wanted me to forward the draft of the mentored hunting legislation to you for your review. Please review the language, and let us know if you have any questions or concerns.

Sincerely,

Michael Bruhn  
Rep. Gunderson's office



09-00901.pdf (48  
KB)

RM not run

2/20/1

LRB-009070

RNK:bjk:rs

L stay

2009 BILL

In 2/13

D-Note

SA ✓  
x-ref -

regen cat.

1 AN ACT *to renumber and amend* 29.304 (5); *to amend* 29.063 (5), 29.184 (6)

2 (b) 1., 29.235 (1), 29.304 (1) (b), 29.304 (2) (title), 29.304 (2) (a), 29.304 (2) (b)

3 (intro.), 29.304 (2) (b) 1., 29.304 (2) (b) 2., 29.304 (3) (title), 29.304 (3) (a) (intro.),

4 29.304 (3) (a) 1., 29.304 (3) (a) 2., 29.304 (3) (b) (intro.), 29.304 (3) (b) 1., 29.304

5 (3) (b) 2., 29.304 (3) (b) 3., 29.563 (2) (a) 4., 29.563 (2) (a) 5g., 29.563 (2) (a) 8m.,

6 29.563 (2m), 29.563 (4) (a) 1m., 29.563 (4) (a) 2m., 29.563 (4) (b) 1m., 29.563 (4)

7 (b) 2m., 29.593 (1) (a), 29.593 (4) (b), 29.593 (4) (c), 169.20 (1) (a), 169.20 (2) (a)

8 and 169.33 (2) (d); and *to create* 29.304 (4m), 29.304 (5) (b) and 29.592 of the

9 statutes; **relating to:** the minimum age for hunting and possessing a firearm,

10 age specific restrictions on hunting and on possessing a firearm while hunting,

11 requirements for obtaining a hunting certificate of accomplishment,

**BILL**

1            establishing a hunting mentorship program, and granting rule-making  
2            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 authorizes DNR to promulgate rules lowering the minimum age for hunting with 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

**BILL**

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 general 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 (5), 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. A deer hunter who  
9           is exempted under this subsection and who is under 12 years of age is subject to the  
10          restrictions specified under s. 29.592. The department shall by rule establish

## BILL

1 eligibility criteria and application procedures for receipt of an exemption under this  
2 subsection, including a method for obtaining a permit to hunt deer without a license  
3 under this subsection.

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

5 29.184 (6) (b) 1. The applicant is at least 12 10 years old, or the age specified  
6 by the department by rule under s. 29.592 (5), whichever age is lower. If the applicant  
7 is under 12 years of age, the applicant is subject to the restrictions specified under  
8 s. 29.592.

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

10 29.235 (1) ISSUANCE. A resident conservation patron license shall be issued  
11 subject to ss. 29.024 and 54.25 (2) (c) 1. d. by the department to any resident 12 10  
12 years old or older, or the age specified by the department by rule under s. 29.592 (5),  
13 whichever age is lower, and who applies for the license. A nonresident conservation  
14 patron license shall be issued subject to s. 29.024 by the department to any person  
15 12 10 years old or older, or the age specified by the department by rule under s. 29.592  
16 (5), whichever age is lower, who is not a resident, and who applies for the license.  
17 A conservation patron license issued to a person who is under 12 years of age is  
18 subject to the restrictions specified under s. 29.592.

19 SECTION 4. 29.304 (1) (b) of the statutes is amended to read:

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

**BILL**

1 years of age who is designated by the parent or guardian, or is handling or operating  
2 the firearm during that class under the supervision of an instructor.

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

4 29.304 (2) (title) PERSONS 12 TO 14 AND 13 YEARS OF AGE.

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

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

10 **SECTION 7.** 29.304 (2) (b) (intro.) of the statutes is amended to read:

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

14 **SECTION 8.** 29.304 (2) (b) 1. of the statutes is amended to read:

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

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

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

23 **SECTION 10.** 29.304 (3) (title) of the statutes is amended to read:

24 29.304 (3) (title) PERSONS 14 TO 16 AND 15 YEARS OF AGE.

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

**BILL****SECTION 11**

1           29.304 (3) (a) *Restrictions on hunting.* (intro.) No person 14 years of age or  
2 older but under 16 years of age may hunt unless ~~he or she~~ any of the following apply:

3           **SECTION 12.** 29.304 (3) (a) 1. of the statutes is amended to read:

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

6           **SECTION 13.** 29.304 (3) (a) 2. of the statutes is amended to read:

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

12           **SECTION 14.** 29.304 (3) (b) (intro.) of the statutes is amended to read:

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

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

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

19           **SECTION 16.** 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 17.** 29.304 (3) (b) 3. of the statutes is amended to read:

**BILL**

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 18.** 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 19.** 29.304 (5) of the statutes is renumbered 29.304 (5) (a) and  
12 amended to read:

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

17           **SECTION 20.** 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 21.** 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 22.** 29.563 (2) (a) 5g. of the statutes is amended to read:



**BILL**

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 23.** 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 24.** 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 25.** 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 26.** 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 27.** 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 28.** 29.563 (4) (b) 2m. of the statutes is amended to read:

## BILL

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 29.** 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. (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, if serving as a mentor for hunting elk, under s. 29.595 unless the person was born  
24 before January 1, 1973, and is not required to obtain a certificate of accomplishment.

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

## BILL

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

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

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

13 (6) <sup>(5) B</sup> The requirements under subs. (1) (b) and (2) (e) do not apply to a person who  
14 is authorized to hunt without a hunting approval under s. 29.337 (1), 95.55 (5), or  
15 169.19 (5).

16 SECTION 30. 29.593 (1) (a) of the statutes is amended to read:

17 29.593 (1) (a) Except as provided under subs. (2), (2m) and (3), and s. 29.592  
18 (1), no person born on or after January 1, 1973, may obtain any approval authorizing  
19 hunting unless the person is issued a certificate of accomplishment under s. 29.591.

20 SECTION 31. 29.593 (4) (b) of the statutes is amended to read:

21 29.593 (4) (b) An approval authorizing hunting that was issued to him or her  
22 under this chapter within 365 days before submitting the application, if the approval  
23 contains his or her hunter education certificate number.

24 SECTION 32. 29.593 (4) (c) of the statutes is amended to read:

**BILL**

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

5           **SECTION 33.** 169.20 (1) (a) of the statutes is amended to read:

6           169.20 (1) (a) The department shall issue a bird dog training license to any  
7 individual who is at least ~~12~~ 10 years of age, or the age specified by the department  
8 by rule under s. 29.592 (5), whichever age is lower, and who files a proper application  
9 and who pays the applicable fee. If the department issues a bird dog training license  
10 to an individual who is under 12 years of age, the individual is subject to the  
11 restrictions specified under s. 29.592.

12           **SECTION 34.** 169.20 (2) (a) of the statutes is amended to read:

13           169.20 (2) (a) The department shall issue a hound dog training license to any  
14 individual who is at least ~~12~~ 10 years of age, or the age specified by the department  
15 by rule under s. 29.592 (5), whichever age is lower, and who files a proper application  
16 and who pays the applicable fee. If the department issues a hound dog training  
17 license to an individual who is under 12 years of age, the individual is subject to the  
18 restrictions specified under s. 29.592.

19           **SECTION 35.** 169.33 (2) (d) of the statutes is amended to read:

20           169.33 (2) (d) An individual who applies for a bird dog training license or a  
21 hound dog training license shall be at least ~~12~~ 10 years of age, or the age specified  
22 by the department by rule under s. 29.592 (5), whichever age is lower. If the applicant  
23 is under 12 years of age, the applicant is subject to the restrictions specified under  
24 s. 29.592.

25           **SECTION 36. Nonstatutory provisions.**

**BILL****SECTION 36**

1 (1) The department of natural resources shall prepare a report on the effect of  
2 this act on the recruitment of new hunters. By July 1, 2012, the department of  
3 natural resources shall submit the report to the legislature in the manner provided  
4 under section 13.172 (2) of the statutes.

**SECTION 37. Effective date.**

5  
6 (1) This act takes effect on the first day of the 3rd month beginning after  
7 publication.

8 (END)

D-note

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

LRB-2120/1dn

RNK:.....

Ljk

Date

As requested, this draft creates a hunting mentorship program and is based on 2009 LRB-0090. This draft does not allow hunting with a bow or a crossbow under the mentorship program in accordance with your instructions. Please note that the draft does amend s. 29.304 (5) (a) by authorizing a person 12 years of age or older to hunt with a crossbow on land owned by that person's family. This amendment is not related to the mentorship program. Please review that provision in the draft to ensure that the amendment is consistent with your intent.

Please feel free to contact me if you have any questions with regard to this draft.

Robin N. Kite  
Legislative Attorney  
Phone: (608) 266-7291  
E-mail: [robin.kite@legis.wisconsin.gov](mailto:robin.kite@legis.wisconsin.gov)

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

LRB-2120/1dn  
RNK:bjk:ph

February 17, 2009

As requested, this draft creates a hunting mentorship program and is based on 2009 LRB-0090. This draft does not allow hunting with a bow or a crossbow under the mentorship program in accordance with your instructions. Please note that the draft does amend s. 29.304 (5) (a) by authorizing a person 12 years of age or older to hunt with a crossbow on land owned by that person's family. This amendment is not related to the mentorship program. Please review that provision in the draft to ensure that the amendment is consistent with your intent.

Please feel free to contact me if you have any questions with regard to this draft.

Robin N. Kite  
Legislative Attorney  
Phone: (608) 266-7291  
E-mail: [robin.kite@legis.wisconsin.gov](mailto:robin.kite@legis.wisconsin.gov)

## Kite, Robin

---

**From:** Hilton, Stephanie  
**Sent:** Tuesday, February 17, 2009 6:50 PM  
**To:** Kite, Robin  
**Cc:** Hilton, Stephanie  
**Subject:** LRB - 2120/1

Hi Robin,  
Rep. Hraychuck would like to add back in bow and crossbows as weapon options.  
Thanks,  
Stephanie

Stephanie Hilton  
Legislative Assistant  
Office of Rep. Ann Hraychuck  
608-267-2365 or 1-888-529-0028  
Room 6 North State Capitol





(Soon)  
State of Wisconsin  
2009 - 2010 LEGISLATURE

RM min  
2  
LRB-2120/0

RNK:bjk:ph

Lstay

## 2009 BILL

SA-

regen.

1        **AN ACT** *to renumber and amend* 29.304 (5); *to amend* 29.063 (5), 29.184 (6)

2            (b) 1., 29.235 (1), 29.304 (1) (b), 29.304 (2) (title), 29.304 (2) (a), 29.304 (2) (b)

3            (intro.), 29.304 (2) (b) 1., 29.304 (2) (b) 2., 29.304 (3) (title), 29.304 (3) (a) (intro.),

4            29.304 (3) (a) 1., 29.304 (3) (a) 2., 29.304 (3) (b) (intro.), 29.304 (3) (b) 1., 29.304

5            (3) (b) 2., 29.304 (3) (b) 3., 29.563 (2) (a) 4., 29.563 (2) (a) 5g., 29.563 (2) (a) 8m.,

6            29.563 (2m), 29.563 (4) (a) 1m., 29.563 (4) (a) 2m., 29.563 (4) (b) 1m., 29.563 (4)

7            (b) 2m., 29.593 (1) (a), 29.593 (4) (b), 29.593 (4) (c), 169.20 (1) (a), 169.20 (2) (a)

8            and 169.33 (2) (d); and **to create** 29.304 (4m), 29.304 (5) (b) and 29.592 of the

9            statutes; **relating to:** the minimum age for hunting and possessing a firearm,

10           age specific restrictions on hunting and on possessing a firearm while hunting,

11           requirements for obtaining a hunting certificate of accomplishment,

for

**BILL**

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

***Target practice***

*↑ bow or crossbow*

The bill also creates a new exception to the general restrictions that apply to firearm possession by persons who are under a specified age. The bill provides that

(\*)

**BILL**

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, except that a  
6 person born on or after January 1, 1973, may not hunt deer under this subsection  
7 unless he or she complies with ss. 29.304 and 29.593. A deer hunter who is exempted  
8 under this subsection and who is under 12 years of age is subject to the restrictions  
9 specified under s. 29.592. The department shall by rule establish eligibility criteria  
10 and application procedures for receipt of an exemption under this subsection,  
11 including a method for obtaining a permit to hunt deer without a license under this  
12 subsection.

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

**BILL**

1           29.184 (6) (b) 1. The applicant is at least ~~12~~ 10 years old. If the applicant is  
2           under 12 years of age, the applicant is subject to the restrictions specified under s.  
3           29.592.

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

5           29.235 (1) ISSUANCE. A resident conservation patron license shall be issued  
6           subject to ss. 29.024 and 54.25 (2) (c) 1. d. by the department to any resident ~~12~~ 10  
7           years old or older who applies for the license. A nonresident conservation patron  
8           license shall be issued subject to s. 29.024 by the department to any person ~~12~~ 10  
9           years old or older who is not a resident, and who applies for the license. A  
10          conservation patron license issued to a person who is under 12 years of age is subject  
11          to the restrictions specified under s. 29.592.

12          **SECTION 4.** 29.304 (1) (b) of the statutes is amended to read:

13          29.304 (1) (b) *Restrictions on possession or control of a firearm.* No person  
14          under 12 years of age may have in his or her possession or control any firearm unless  
15          he or she is enrolled in the course of instruction under the hunter education program  
16          and he or she is carrying the firearm in a case and unloaded to or from that class  
17          under the supervision of ~~a~~ his or her parent or guardian, or by a person at least 18  
18          years of age who is designated by the parent or guardian, or is handling or operating  
19          the firearm during that class under the supervision of an instructor.

20          **SECTION 5.** 29.304 (2) (title) of the statutes is amended to read:

21          29.304 (2) (title) PERSONS ~~12 TO 14~~ AND 13 YEARS OF AGE.

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

23          29.304 (2) (a) *Restrictions on hunting.* No person 12 years of age or older but  
24          under 14 years of age may hunt unless he or she is accompanied by ~~a~~ his or her

**BILL**

1 parent or guardian, or by a person at least 18 years of age who is designated by the  
2 parent or guardian.

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

4 29.304 (2) (b) *Restrictions on possession or control of a firearm.* (intro.) No  
5 person 12 years of age or older but under 14 years of age may have in his or her  
6 possession or control any firearm unless ~~he or she~~ any of the following apply:

7 **SECTION 8.** 29.304 (2) (b) 1. of the statutes is amended to read:

8 29.304 (2) (b) 1. ~~Is He or she is accompanied by a~~ his or her parent or guardian  
9 or by a person at least 18 years of age who is designated by the parent or guardian;  
10 ~~or.~~

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

12 29.304 (2) (b) 2. ~~Is He or she is~~ enrolled in the course of instruction under the  
13 hunter education program and is carrying the firearm in a case and unloaded to or  
14 from that class or is handling or operating the firearm during that class under the  
15 supervision of an instructor.

16 **SECTION 10.** 29.304 (3) (title) of the statutes is amended to read:

17 29.304 (3) (title) PERSONS 14 ~~TO 16~~ AND 15 YEARS OF AGE.

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

19 29.304 (3) (a) *Restrictions on hunting.* (intro.) No person 14 years of age or  
20 older but under 16 years of age may hunt unless ~~he or she~~ any of the following apply:

21 **SECTION 12.** 29.304 (3) (a) 1. of the statutes is amended to read:

22 29.304 (3) (a) 1. ~~Is He or she is~~ accompanied by a his or her parent or guardian;  
23 or by a person at least 18 years of age who is designated by the parent or guardian.

24 **SECTION 13.** 29.304 (3) (a) 2. of the statutes is amended to read:

**BILL**

1           29.304 (3) (a) 2. ~~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 14.** 29.304 (3) (b) (intro.) of the statutes is amended to read:

7           29.304 (3) (b) *Restrictions on possession or control of a firearm.* (intro.) No  
8 person 14 years of age or older but under 16 years of age may have in his or her  
9 possession or control any firearm unless ~~he or she~~ any of the following apply:

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

11           29.304 (3) (b) 1. ~~Is He or she is~~ accompanied by ~~a~~ his or her parent or guardian;  
12 or by a person at least 18 years of age who is designated by the parent or guardian.

13           **SECTION 16.** 29.304 (3) (b) 2. of the statutes is amended to read:

14           29.304 (3) (b) 2. ~~Is He or she is~~ enrolled in the course of instruction under the  
15 hunter education program and is carrying the firearm in a case and unloaded to or  
16 from that class or is handling or operating the firearm during that class under the  
17 supervision of an instructor; ~~or.~~

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

19           29.304 (3) (b) 3. ~~Is He or she is~~ issued a certificate of accomplishment that states  
20 that he or she successfully completed the course of instruction under the hunter  
21 education program or has a similar certificate, license, or other evidence satisfactory  
22 to the department indicating that he or she has successfully completed in another  
23 state, country, or province a hunter education course recognized by the department.

24           **SECTION 18.** 29.304 (4m) of the statutes is created to read:

**BILL**

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

5           **SECTION 19.** 29.304 (5) of the statutes is renumbered 29.304 (5) (a) and  
6 amended to read:

7           29.304 (5) (a) Notwithstanding subs. (1) to (3), a person 12 years of age or older  
8 may possess or control a firearm and may hunt with a firearm ~~or~~, bow and arrow, or  
9 crossbow on land under the ownership of the person or the person's family if no  
10 license is required and if the firing of firearms is permitted on that land.

11           **SECTION 20.** 29.304 (5) (b) of the statutes is created to read:

12           29.304 (5) (b) The restrictions on the possession and control of a firearm under  
13 sub. (1) do not apply to a person using a firearm in target practice if he or she is  
14 accompanied by his or her parent or guardian or by a person at least 18 years of age  
15 who is designated by the parent or guardian.

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

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

19           **SECTION 22.** 29.563 (2) (a) 5g. of the statutes is amended to read:

20           29.563 (2) (a) 5g. Deer issued to ~~12-year-olds to 17-year-olds~~ persons who are  
21 younger than 18 years of age: \$17.25.

22           **SECTION 23.** 29.563 (2) (a) 8m. of the statutes is amended to read:

23           29.563 (2) (a) 8m. Archer issued to ~~12-year-olds to 17-year-olds~~ persons who  
24 are younger than 18 years of age: \$17.25.

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

**BILL****SECTION 24**

1           29.563 (2m) HUNTING APPROVALS FOR CERTAIN NONRESIDENTS. The fees for  
2 hunting approvals for a 12 to 17 year-old person who is younger than 18 years of age,  
3 who is not a resident, and who exhibits proof that his or her parent is a resident shall  
4 be the same as the fees for hunting approvals for residents under sub. (2) (a) and (c).

5           **SECTION 25.** 29.563 (4) (a) 1m. of the statutes is amended to read:

6           29.563 (4) (a) 1m. Sports issued to 12-year-olds to 17-year-olds persons who  
7 are younger than 18 years of age: \$32.25 or a greater amount at the applicant's  
8 option.

9           **SECTION 26.** 29.563 (4) (a) 2m. of the statutes is amended to read:

10           29.563 (4) (a) 2m. Conservation patron issued to 12-year-olds to 17-year-olds  
11 persons who are younger than 18 years of age: \$70.25 or a greater amount at the  
12 applicant's option.

13           **SECTION 27.** 29.563 (4) (b) 1m. of the statutes is amended to read:

14           29.563 (4) (b) 1m. Sports issued to 12-year-olds to 17-year-olds persons who  
15 are younger than 18 years of age: \$33.25 or a greater amount at the applicant's  
16 option.

17           **SECTION 28.** 29.563 (4) (b) 2m. of the statutes is amended to read:

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

21           **SECTION 29.** 29.592 of the statutes is created to read:

22           **29.592 Hunting mentorship program.** (1) A person who is at least 10 years  
23 of age may hunt in this state without obtaining a certificate of accomplishment under  
24 s. 29.591 and may, while hunting, possess or control a firearm if all of the following  
25 apply:



**BILL**

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

3 (b) The person holds a hunting approval.

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

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

7 (b) The person is the parent or guardian of the person for whom he or she is  
8 serving as a mentor or is authorized by the parent or guardian to serve as a mentor.

9 This requirement does not apply to a person serving as a mentor for a person who  
10 is 18 years of age or older.

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

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

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

17 (3) A person who is authorized to hunt with a mentor under this section and  
18 a mentor under this section with whom that person hunts may jointly have only one

19 firearm while hunting.

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

22 (5) The requirements under subs. (1) (b) and (2) (e) do not apply to a person who  
23 is authorized to hunt without a hunting approval under s. 29.337 (1), 95.55 (5), or  
24 169.19 (5).

25 **SECTION 30.** 29.593 (1) (a) of the statutes is amended to read:

*↑ only one bow or if hunting with a crossbow is authorized under  
s. 29.171(4) or 29.173(2) ↑ only one crossbow in their  
possession or control while hunting e*

**BILL**

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

4           **SECTION 31.** 29.593 (4) (b) of the statutes is amended to read:

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

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

9           29.593 (4) (c) An approval authorizing hunting that was issued to him or her  
10          under this chapter for a hunting season that ended within 365 days before  
11          submitting the application, if the approval contains his or her hunter education  
12          certificate number.

13          **SECTION 33.** 169.20 (1) (a) of the statutes is amended to read:

14          169.20 (1) (a) The department shall issue a bird dog training license to any  
15          individual who is at least ~~12~~ 10 years of age who files a proper application and ~~who~~  
16          pays the applicable fee. If the department issues a bird dog training license to an  
17          individual who is under 12 years of age, the individual is subject to the restrictions  
18          specified under s. 29.592.

19          **SECTION 34.** 169.20 (2) (a) of the statutes is amended to read:

20          169.20 (2) (a) The department shall issue a hound dog training license to any  
21          individual who is at least ~~12~~ 10 years of age who files a proper application and ~~who~~  
22          pays the applicable fee. If the department issues a hound dog training license to an  
23          individual who is under 12 years of age, the individual is subject to the restrictions  
24          specified under s. 29.592.

25          **SECTION 35.** 169.33 (2) (d) of the statutes is amended to read:



3/5/09

Meeting w/:

Rep. Nraychuck + aide, Stephanie  
 Sen. Holperin + aide Liz  
 Bob Welch (lobbyist)  
 Jolene Churchill

discussed redraft of mentor bills 1558 + 2100

Do not include:

1. Provision in 2100 that requires inclusion of hunter ed. cert. number as proof of compliance
2. Take out reference to "bow" in 2100 w/ regard to having only one bow between hunter + mentor
3. Take out report requirement in 2100 in non-stat.
4. Take out delayed effective date in 2100
5. Take out DNR's authority to lower hunting age (in 1558)
6. Take out pamphlet requirement (in 1558)

Also-

keep in change in 2102 allowing crossbow to be used on owner's land (29.304(5)(a))

Take out parts of draft that fix the language in 29.304 in current law to conform to proper drafting style

Keep in provision in 2100 that allows designation of someone 18+ older to hunt w/ youth

STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

Redraft all those changes as a redraft  
to LRB 2100

Also, talk to Larry Koropacki - he raised  
issue about whether to refer to the number  
~~of~~ bows that the punter + mentor  
may have



called Larry - he agrees that the draft  
need not mention bows w/ regard to  
whether each person may have a bow



(John)  
**State of Wisconsin**  
**2009 - 2010 LEGISLATURE**

3e  
LRB-2120/2  
RNK:bjk:md

L stays

## 2009 BILL

In 3/6

D-Note

SA Insert

reger cat.

1     **AN ACT to renumber and amend** 29.304 (5); **to amend** 29.063 (5), 29.184 (6)

2           (b) 1., 29.235 (1), 29.304 (1) (b), 29.304 (2) (title), 29.304 (2) (a), 29.304 (2) (b)

3           (intro.), 29.304 (2) (b) 1., 29.304 (2) (b) 2., 29.304 (3) (title), 29.304 (3) (a) (intro.),

4           29.304 (3) (a) 1., 29.304 (3) (a) 2., 29.304 (3) (b) (intro.), 29.304 (3) (b) 1., 29.304

5           (3) (b) 2., 29.304 (3) (b) 3., 29.563 (2) (a) 4., 29.563 (2) (a) 5g., 29.563 (2) (a) 8m.,

6           29.563 (2m), 29.563 (4) (a) 1m., 29.563 (4) (a) 2m., 29.563 (4) (b) 1m., 29.563 (4)

7           (b) 2m., 29.593 (1) (a), 29.593 (4) (b), 29.593 (4) (c), 169.20 (1) (a), 169.20 (2) (a)

8           and 169.33 (2) (d); and **to create** 29.304 (4m), 29.304 (5) (b) and 29.592 of the

9           statutes; **relating to:** the minimum age for hunting and for possessing a

10          firearm, age specific restrictions on hunting and on possessing a firearm while

11          hunting, requirements for obtaining a hunting certificate of accomplishment,

**BILL**

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

an individual

***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.

at least

years old

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. 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.

~~Target practice~~ other provisions

The bill also creates a new exception to the general restrictions that apply to firearm possession by persons who are under a specified age. The bill provides that

insert Analysis

**BILL**

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, except that a  
6 person born on or after January 1, 1973, may not hunt deer under this subsection  
7 unless he or she complies with ss. 29.304 and 29.593. A deer hunter who is exempted  
8 under this subsection and who is under 12 years of age is subject to the restrictions  
9 specified under s. 29.592. The department shall by rule establish eligibility criteria  
10 and application procedures for receipt of an exemption under this subsection,  
11 including a method for obtaining a permit to hunt deer without a license under this  
12 subsection.

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



**BILL**

plain

1 29.184 (6) (b) 1. The applicant is at least ~~12~~ 10 years old. If the applicant is  
2 under 12 years of age, the applicant is subject to the restrictions specified under s.  
3 29.592.

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

5 29.235 (1) ISSUANCE. A resident conservation patron license shall be issued  
6 subject to ss. 29.024 and 54.25 (2) (c) 1. d. by the department to any resident 12 10  
7 years old or older who applies for the license. A nonresident conservation patron  
8 license shall be issued subject to s. 29.024 by the department to any person 12 10  
9 years old or older who is not a resident, and who applies for the license. A  
10 conservation patron license issued to a person who is under 12 years of age is subject  
11 to the restrictions specified under s. 29.592.

12 **SECTION 4.** 29.304 (1) (b) of the statutes is amended to read:

13 29.304 (1) (b) *Restrictions on possession or control of a firearm.* No person  
14 under 12 years of age may have in his or her possession or control any firearm unless  
15 he or she is enrolled in the course of instruction under the hunter education program  
16 and he or she is carrying the firearm in a case and unloaded to or from that class  
17 under the supervision of ~~a~~ his or her parent or guardian, or by a person at least 18  
18 years of age who is designated by the parent or guardian, or is handling or operating  
19 the firearm during that class under the supervision of an instructor.

20 **SECTION 5.** 29.304 (2) (title) of the statutes is amended to read:  
21 29.304 (2) (title) ~~PERSONS 12 TO 14 AND 13 YEARS OF AGE.~~

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

23 29.304 (2) (a) *Restrictions on hunting.* No person 12 years of age or older but  
24 under 14 years of age may hunt unless he or she is accompanied by ~~a~~ his or her

**BILL**

1 parent or guardian, or by a person at least 18 years of age who is designated by the  
2 parent or guardian.

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

4 29.304 (2) (b) *Restrictions on possession or control of a firearm.* (intro.) No  
5 person 12 years of age or older but under 14 years of age may have in his or her  
6 possession or control any firearm unless ~~he or she~~ any of the following apply:

7 **SECTION 8.** 29.304 (2) (b) 1. of the statutes is amended to read:

8 29.304 (2) (b) 1. ~~Is He or she is~~ <sup>stet plain</sup> accompanied by a his or her parent or guardian  
9 or by a person at least 18 years of age who is designated by the parent or guardian; <sup>stet</sup>

10 ~~or~~ <sup>stet plain</sup> or by a person at least 18 years of age who is designated by the parent or guardian; <sup>plain</sup>

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

12 29.304 (2) (b) 2. ~~Is He or she is~~ enrolled in the course of instruction under the  
13 hunter education program and is carrying the firearm in a case and unloaded to or  
14 from that class or is handling or operating the firearm during that class under the  
15 supervision of an instructor.

16 **SECTION 10.** 29.304 (3) (title) of the statutes is amended to read:

17 29.304 (3) (title) ~~PERSONS 14 TO 16 AND 15 YEARS OF AGE.~~

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

19 29.304 (3) (a) *Restrictions on hunting.* (intro.) No person 14 years of age or  
20 older but under 16 years of age may hunt unless ~~he or she~~ any of the following apply:

21 **SECTION 12.** 29.304 (3) (a) 1. of the statutes is amended to read:

22 29.304 (3) (a) 1. ~~Is He or she is~~ <sup>plain stet</sup> accompanied by a his or her parent or guardian;  
23 or by a person at least 18 years of age who is designated by the parent or guardian. <sup>plain</sup>

24 **SECTION 13.** 29.304 (3) (a) 2. of the statutes is amended to read:

plain  
semicolon

**BILL**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

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

**SECTION 14.** 29.304 (3) (b) (intro.) of the statutes is amended to read:

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

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

29.304 (3) (b) 1. <sup>plain</sup> ~~Is He or she is~~ <sup>stat</sup> accompanied by ~~a~~ his or her parent or guardian, or by a person at least 18 years of age who is designated by the parent or guardian.

← plain semicolon

**SECTION 16.** 29.304 (3) (b) 2. of the statutes is amended to read:

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

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

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

**SECTION 18.** 29.304 (4m) of the statutes is created to read:

**BILL**

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

5           **SECTION 19.** 29.304 (5) of the statutes is renumbered 29.304 (5) (a) and  
6 amended to read:

7           29.304 (5) (a) Notwithstanding subs. (1) to (3), a person 12 years of age or older  
8 may possess or control a firearm and may hunt with a firearm or, bow and arrow, or  
9 crossbow on land under the ownership of the person or the person's family if no  
10 license is required and if the firing of firearms is permitted on that land.

11           **SECTION 20.** 29.304 (5) (b) of the statutes is created to read:

12           29.304 (5) (b) The restrictions on the possession and control of a firearm under  
13 sub. (1) do not apply to a person using a firearm in target practice if he or she is  
14 accompanied by his or her parent or guardian or by a person at least 18 years of age  
15 who is designated by the parent or guardian.

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

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

19           **SECTION 22.** 29.563 (2) (a) 5g. of the statutes is amended to read:

20           29.563 (2) (a) 5g. Deer issued to ~~12-year-olds to 17-year-olds~~ persons who are  
21 ~~younger than~~ <sup>under</sup> 18 years of age: \$17.25.

22           **SECTION 23.** 29.563 (2) (a) 8m. of the statutes is amended to read:

23           29.563 (2) (a) 8m. Archer issued to ~~12-year-olds to 17-year-olds~~ persons who  
24 are ~~younger than~~ <sup>under</sup> 18 years of age: \$17.25.

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

add to Anal?

**BILL**

1           29.563 (2m) HUNTING APPROVALS FOR CERTAIN NONRESIDENTS. The fees for  
2 hunting approvals for a ~~12 to 17 year-old person who is younger than~~ <sup>under</sup> 18 years of age,  
3 who is not a resident, and who exhibits proof that his or her parent is a resident shall  
4 be the same as the fees for hunting approvals for residents under sub. (2) (a) and (c).

5           SECTION 25. 29.563 (4) (a) 1m. of the statutes is amended to read:

6           29.563 (4) (a) 1m. Sports issued to ~~12-year-olds to 17-year-olds persons who~~  
7 are ~~younger than~~ <sup>under</sup> 18 years of age: \$32.25 or a greater amount at the applicant's  
8 option.

9           SECTION 26. 29.563 (4) (a) 2m. of the statutes is amended to read:

10           29.563 (4) (a) 2m. Conservation patron issued to ~~12-year-olds to 17-year-olds~~  
11 persons who are ~~younger than~~ <sup>under</sup> 18 years of age: \$70.25 or a greater amount at the  
12 applicant's option.

13           SECTION 27. 29.563 (4) (b) 1m. of the statutes is amended to read:

14           29.563 (4) (b) 1m. Sports issued to ~~12-year-olds to 17-year-olds persons who~~  
15 are ~~younger than~~ <sup>under</sup> 18 years of age: \$33.25 or a greater amount at the applicant's  
16 option.

17           SECTION 28. 29.563 (4) (b) 2m. of the statutes is amended to read:

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

21           SECTION 29. 29.592 of the statutes is created to read:

22           **29.592 Hunting mentorship program. (1)** A person who is at least 10 years  
23 of age may hunt in this state without obtaining a certificate of accomplishment under  
24 s. 29.591 and may, while hunting, possess or control a firearm if all of the following  
25 apply:

**BILL**

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

3 (b) The person holds a hunting approval.

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

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

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

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

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

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

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

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

23 (5) The requirements under subs. (1) (b) and (2) (e) do not apply to a person who  
24 is authorized to hunt without a hunting approval under s. 29.337 (1), 95.55 (5), or  
25 169.19 (5).

## BILL

1           **SECTION 30.** 29.593 (1) (a) of the statutes is amended to read:

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

5           **SECTION 31.** 29.593 (4) (b) of the statutes is amended to read:

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

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

10          29.593 (4) (c) An approval authorizing hunting that was issued to him or her  
11          under this chapter for a hunting season that ended within 365 days before  
12          submitting the application, if the approval contains his or her hunter education  
13          certificate number.

14          **SECTION 33.** 169.20 (1) (a) of the statutes is amended to read:

15          169.20 (1) (a) The department shall issue a bird dog training license to any  
16          individual who is at least ~~12~~ 10 years of age who files a proper application and ~~who~~  
17          pays the applicable fee. If the department issues a bird dog training license to an  
18          individual who is under 12 years of age, the individual is subject to the restrictions  
19          specified under s. 29.592.

20          **SECTION 34.** 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~~ 10 years of age who files a proper application and ~~who~~  
23          pays the applicable fee. If the department issues a hound dog training license to an  
24          individual who is under 12 years of age, the individual is subject to the restrictions  
25          specified under s. 29.592.

**BILL**

1                **SECTION 35.** 169.33 (2) (d) of the statutes is amended to read:

2                169.33 (2) (d) An individual who applies for a bird dog training license or a  
3                hound dog training license shall be at least ~~12~~ 10 years of age. <sup>plain</sup> If the applicant is  
4                under 12 years of age, the applicant is subject to the restrictions specified under s.  
5                29.592.

**SECTION 36. Nonstatutory provisions.**

6                (1) The department of natural resources shall prepare a report on the effect of  
7                this act on the recruitment of new hunters. By July 1, 2012, the department of  
8                natural resources shall submit the report to the legislature in the manner provided  
9                under section 13.172 (2) of the statutes.  
10                ~~under section 13.172 (2) of the statutes.~~

**SECTION 37. Effective date.**

11                (1) This act takes effect on the first day of the 3rd month beginning after  
12                publication.  
13                ~~publication.~~

14                (END)

D-note



**2009-2010 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-2120/3ins.  
RNK:.....

**INSERT ANALYSIS**

Under current law, a person who is 12 years of age or older may possess or control a firearm and may hunt with a firearm or bow and arrow on that person's land or on land owned by his or her family if no license is required and if the firing of firearms is permitted on that land. This ~~draft~~ allows such a person also to hunt with a crossbow on that land.

bill

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

LRB-2120/3dn

RNK:.....

Lbjk

Date

This draft is based on redraft instructions I received at our recent meeting in your office. Please review this redraft very closely to ensure that it meets your intent. Feel free to contact me if you have any questions with regard to this redraft.

Robin N. Kite  
Legislative Attorney  
Phone: (608) 266-7291  
E-mail: [robin.kite@legis.wisconsin.gov](mailto:robin.kite@legis.wisconsin.gov)

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

LRB-2120/3dn  
RNK:bjk:rs

March 6, 2009

This draft is based on redraft instructions I received at our recent meeting in your office. Please review this redraft very closely to ensure that it meets your intent. Feel free to contact me if you have any questions with regard to this redraft.

Robin N. Kite  
Legislative Attorney  
Phone: (608) 266-7291  
E-mail: [robin.kite@legis.wisconsin.gov](mailto:robin.kite@legis.wisconsin.gov)

**Barman, Mike**

---

**From:** Rep.Hraychuck  
**Sent:** Wednesday, April 08, 2009 5:15 PM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB 09-2120/3 Topic: Create hunting mentorship program

Please Jacket LRB 09-2120/3 for the ASSEMBLY.

Rep. Hraychuck  
6 North