



**JIM DOYLE**  
**GOVERNOR**  
**STATE OF WISCONSIN**

---

May 19, 2010

TO THE HONORABLE MEMBERS OF THE ASSEMBLY:

I am vetoing 2009 Wisconsin Assembly Bill 371 in its entirety. This bill would make several changes to the hunting of bear including allowing a Class B license holder to shoot and kill a bear that was already shot and wounded by a Class A license holder in the same hunting party, requiring the Department of Natural Resources (DNR) to allow the training of dogs during an open bear hunting season that allows hunting with a dog, allowing a person under the age of sixteen to engage in permitted activities of a Class B license without holding that license, establishing a weekend in August for those without a license to engage in permitted activities of a Class B license and requiring DNR to establish Labor Day and the day after Labor Day as days to allow bear hunting without the use of dogs (this provision sunsets December 31, 2012).

These changes to bear hunting were introduced and passed against the stated wishes of a majority of citizens who participated in the 2010 Conservation Congress Spring Hearings. Several of the provisions included in AB 371 were put to citizens for a vote and every issue, except the youth Class B activities, were opposed by a majority of participants. I value the role that the Conservation Congress plays in this state and object to legislation that bypasses that process.

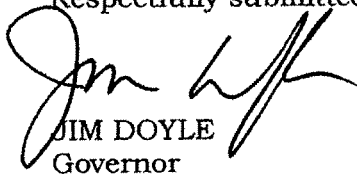
The provisions that allow a Class B license holder to shoot and kill a bear that was already shot and wounded by a Class A license holder in their hunting party were vaguely designed and will be hard to enforce. The bill does not contain a definition of "same hunting party" and while the bill requires the Class A license holder to authorize a Class B license holder to shoot, the bill does not require the Class A license holder to be physically present. Group hunting for deer requires each member to be in visual or voice contact without the aid of an electronic amplifying device (except a hearing aid). It will be difficult for wardens to ascertain who made the first shot and whether the Class A license holder authorized the shooting in advance, or only after the fact.

Allowing dog training during the open season for hunting bear with the use of dogs may also increase conflicts in the woods between hunters who use dogs and those who hunt with bait. Hunters may already train dogs for two months during the summer and allowing this additional time is unfair to hunters who have waited years to finally obtain a hunting license and spent hours over bait piles or hunting with other methods, and have their time and effort disturbed by packs of dogs.

Requiring the DNR to establish a bear hunting season without the use of dogs on Labor Day and the day after Labor Day also sets up the potential for dangerous interactions between bear hunters and the thousands of people who enjoy the extended weekend in the state's parks, forests and trails. This interaction would also be disruptive to the hunters, who need peaceful surroundings for a successful harvest and not bikers, hikers and campers disturbing their bait areas. While attempting to give additional time to bear hunters who hunt without the use of dogs may be an admirable goal, Labor Day weekend is not the time to do so.

I would normally support the provisions in the bill to encourage new hunters to try activities related to bear hunting; however, I cannot support the other provisions at this time. Citizens have spoken, via the spring hearings, and opposed many of these measures. Conflicts in the woods must be avoided whenever possible and this bill would set up potential conflicts between hunters, landowners and outdoor enthusiasts.

Respectfully submitted,



JIM DOYLE  
Governor

# State of Wisconsin



2009 Assembly Bill 371

Date of enactment:  
Date of publication\*:

## 2009 WISCONSIN ACT

**AN ACT** to renumber and amend 29.184 (8); to amend 29.184 (3) (br) (intro.), 29.184 (4), 29.184 (5) (a), 29.184 (5) (b), 29.971 (11m) (a) and 29.971 (11m) (b); and to create 29.184 (3) (br) 1m., 29.184 (3) (br) 4., 29.184 (3m), 29.184 (4m), 29.184 (5) (c) and 29.184 (8) (b) of the statutes; relating to: privileges under a Class A or Class B bear hunting license and bear carcass tag requirements.

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

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

29.184 (3) (br) *Authorization; Class B bear license.* (intro.) A Class B bear license authorizes a resident or nonresident holder of the license to do only the following:

**SECTION 2.** 29.184 (3) (br) 1m. of the statutes is created to read:

29.184 (3) (br) 1m. Pursue a bear, provided that the licensee does not shoot, shoot at, capture, take, or kill the bear, unless authorized as provided under subd. 4.

**SECTION 3.** 29.184 (3) (br) 4. of the statutes is created to read:

29.184 (3) (br) 4. Shoot to kill a bear that was shot and wounded but not killed by a Class A bear license holder in the same hunting party if all of the following apply:

a. The Class B bear license holder is at least 16 years old.

b. The Class B bear license holder has been issued a certificate of accomplishment under s. 29.591 or was born before January 1, 1973.

c. The Class A bear license holder possesses a carcass tag that is authorized for use on the bear.

d. The Class A bear license holder authorizes the Class B bear license holder to shoot and kill the bear.

**SECTION 4.** 29.184 (3m) of the statutes is created to read:

29.184 (3m) **OPEN SEASON REQUIREMENTS; SPECIFIED SEASONS.** If the department establishes an open season in 2011 or 2012 that includes a period during which a Class A bear license holder is allowed to hunt bear with the use of a dog, the department shall allow a Class B bear license holder to engage in the activities specified in sub. (3) (br) 3. during that period.

**SECTION 5.** 29.184 (4) of the statutes is amended to read:

29.184 (4) **USE OF DOGS.** While a person is using a dog to hunt bear or to engage in any of the activities specified in sub. (3) (br) 1. to ~~3.~~ 4., the person shall keep on his or her person any tag required for the dog under s. 95.21 (2) (f), 174.053 (2), or 174.07 (1) (e).

**SECTION 5m.** 29.184 (4m) of the statutes is created to read:

29.184 (4m) **EXTENDED SEASON.** (a) In this subsection, "regular bear hunting season" means the 35-day combined bear harvest season established by the department by rule.

(b) In addition to the regular bear hunting season, the department shall establish Labor Day and the day follow-

\* Section 991.11, WISCONSIN STATUTES 2007-08: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

ing Labor Day as days on which the department shall allow bear hunting. The department shall allow bear hunting on the days specified under this paragraph only by persons hunting bear without the use of a dog.

(c) The department shall allow bear hunting as provided under par. (b) in all bear management zones that are established by the department.

(d) This subsection does not apply after December 31, 2012.

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

29.184 (5) (a) A person under the age of ~~12~~ 16 years may engage in the activities authorized under sub. (3) (br) 1. to 3. without holding a Class B bear license.

**SECTION 7.** 29.184 (5) (b) of the statutes is amended to read:

29.184 (5) (b) If a disabled person holds either a Class A or a Class B bear license, a person who accompanies and assists the disabled person may engage in the activities authorized under sub. (3) (br) 1. to ~~3.~~ 4. without holding a Class B bear license.

**SECTION 8.** 29.184 (5) (c) of the statutes is created to read:

29.184 (5) (c) Any person may engage in the activities authorized under sub. (3) (br) 1. to 3. during the 3rd Saturday in August and the immediately following Sunday without holding a Class B bear license.

**SECTION 9.** 29.184 (8) of the statutes is renumbered 29.184 (8) (a) and amended to read:

29.184 (8) (a) The department shall issue a bear carcass tag to each person who is issued a Class A bear license. A person who kills a bear, or for whom a bear is killed under sub. (3) (br) 4., shall immediately validate and attach the carcass tag to the bear. The carcass tag

shall be attached and validated according to rules promulgated by the department.

**SECTION 10.** 29.184 (8) (b) of the statutes is created to read:

29.184 (8) (b) A person who kills a bear under sub. (3) (br) 4. shall ensure that the person for whom the bear is killed attaches a current validated bear carcass tag in the manner provided under par. (a).

**SECTION 13.** 29.971 (11m) (a) of the statutes is amended to read:

29.971 (11m) (a) For shooting, shooting at, killing, taking, catching, or possessing a bear without a valid Class A bear license, or for possessing a bear which does not have a carcass tag attached or possessing a bear during the closed season, by a fine of not less than \$1,000 nor more than \$2,000 or by imprisonment for not more than 6 months or both for the first violation, or by a fine of not more than \$10,000 or imprisonment for not more than 9 months or both for any subsequent violation, and, in addition, the court shall revoke all hunting approvals issued to the person under this chapter and shall prohibit the issuance of any new hunting approval under this chapter to the person for 3 years. This paragraph does not apply to a Class B bear license holder who shoots at or kills a bear as authorized under s. 29.184 (3) (br) 4.

**SECTION 14.** 29.971 (11m) (b) of the statutes is amended to read:

29.971 (11m) (b) Except as provided under par. (a), for the violation of any provision of this chapter ~~or any~~ relating to bear hunting, to the activities specified in s. 29.184 (3) (br) 1. to ~~3.~~ 4., or to the validation of a bear carcass tag or registration of a bear, by a forfeiture of not more than \$1,000.