

## State of Misconsin 2009 - 2010 LEGISLATURE

## ASSEMBLY SUBSTITUTE AMENDMENT 1, TO 2009 ASSEMBLY BILL 371

November 2, 2009 – Offered by Representative Hraychuck.

1	AN ACT <i>to renumber and amend</i> 29.184 (8); <i>to amend</i> 29.184 (3) (br) (intro.),
2	29.184 (4), 29.184 (5) (a), 29.184 (5) (b), 29.184 (9) (a), 29.184 (9) (b), 29.971
3	(11m) (a) and 29.971 (11m) (b); and <i>to create</i> 29.184 (3) (br) 1m., 29.184 (3) (br)
4	4., 29.184 (3m), 29.184 (5) (c) and 29.184 (8) (b) of the statutes; <b>relating to:</b>
5	privileges under a Class A or Class B bear hunting license, and bear carcass tag
3	and back 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:
- 8 29.184 **(3)** (br) Authorization; Class B bear license. (intro.) A Class B bear
- 9 license authorizes a resident or nonresident holder of the license to do only the
- 10 following:
- **SECTION 2.** 29.184 (3) (br) 1m. of the statutes is created to read:

1	29.184 (3) (br) 1m. Pursue a bear, provided that the licensee does not shoot,
2	shoot at, capture, take, or kill the bear, unless authorized as provided under subd.
3	4.
4	<b>SECTION 3.</b> 29.184 (3) (br) 4. of the statutes is created to read:
5	29.184 (3) (br) 4. Shoot to kill a bear that was shot and wounded but not killed
6	by a Class A bear license holder in the same hunting party if all of the following apply:
7	a. The Class B bear license holder is at least 16 years old.
8	b. The Class B bear license holder has been issued a certificate of
9	accomplishment under s. 29.591 or was born before January 1, 1973.
10	c. The Class A bear license holder possesses a carcass tag that is authorized for
11	use on the bear.
12	d. The Class A bear license holder authorizes the Class B bear license holder
13	to shoot and kill the bear.
14	<b>SECTION 4.</b> 29.184 (3m) of the statutes is created to read:
15	29.184 (3m) Open season requirements. If the department establishes an open
16	season that includes a period during which a Class A bear license holder is allowed
17	to hunt bear with the use of a dog, the department shall allow a Class B bear license
18	holder to engage in the activities specified in sub. (3) (br) 3. during that period.
19	<b>SECTION 5.</b> 29.184 (4) of the statutes is amended to read:
20	29.184 (4) Use of dogs. While a person is using a dog to hunt bear or to engage
21	in any of the activities specified in sub. (3) (br) 1. to $\frac{3}{2}$ , the person shall keep on
22	his or her person any tag required for the dog under s. 95.21 (2) (f), 174.053 (2), or
23	174.07 (1) (e).
24	<b>SECTION 6.</b> 29.184 (5) (a) of the statutes is amended to read:

1	$29.184$ (5) (a) A person under the age of $12 \underline{16}$ years may engage in the activities
2	authorized under sub. (3) (br) 1. to 3. without holding a Class B bear license.
3	<b>SECTION 7.</b> 29.184 (5) (b) of the statutes is amended to read:
4	29.184 (5) (b) If a disabled person holds either a Class A or a Class B bear
5	license, a person who accompanies and assists the disabled person may engage in the
6	activities authorized under sub. (3) (br) 1. to $\frac{3}{2}$ . without holding a Class B bear
7	license.
8	<b>SECTION 8.</b> 29.184 (5) (c) of the statutes is created to read:
9	29.184 (5) (c) Any person may engage in the activities authorized under sub.
10	(3) (br) 1. to 3. during the 3rd Saturday in August and the immediately following
11	Sunday without holding a Class B bear license.
12	<b>SECTION 9.</b> 29.184 (8) of the statutes is renumbered 29.184 (8) (a) and amended
13	to read:
14	29.184 (8) (a) The department shall issue a bear carcass tag to each person who
15	is issued a Class A bear license. A person who kills a bear, or for whom a bear is killed
16	under sub. (3) (br) 4., shall immediately validate and attach the carcass tag to the
17	bear. The carcass tag shall be attached and validated according to rules promulgated
18	by the department.
19	<b>SECTION 10.</b> 29.184 (8) (b) of the statutes is created to read:
20	29.184 (8) (b) A person who kills a bear under sub. (3) (br) 4. shall ensure that
21	the person for whom the bear is killed attaches a current validated bear carcass tag
22	in the manner provided under par. (a).
23	SECTION 11. 29.184 (9) (a) of the statutes is amended to read:
24	29.184 (9) (a) The department shall issue a back tag to each person who is
25	issued a Class A bear license <del>or a Class B bear license</del> .

**SECTION 12.** 29.184 (9) (b) of the statutes is amended to read:

29.184 **(9)** (b) No person may hunt bear or engage in the activity specified in sub. (3) (br) 1. or 3. as authorized under a Class A bear license unless there is attached to the center of the person's coat, shirt, jacket, or similar outermost garment where it can clearly be seen the back tag issued to the person 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.