Bill

Received: 06/01/2009	Received By: rkite
(CCC) CG. OG/G1/2007	110001100 = j. 1111100

Wanted: As time permits

Identical to LRB:

For: Amy Sue Vruwink (608) 266-8366 By/Representing: Jon Mielke

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.Vruwink@legis.wisconsin.gov

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Hunting by persons who are terminally ill

Instructions:

See attached

n	raf	tino	His	tory:	
v	ı aı	unz	TIID	LUI Y .	

Vers.	<u>Drafted</u>	Reviewed	Typed	Proofed	Submitted	<u>Jacketed</u>	Required
/?							State
/1	rkite 06/03/2009	wjackson 06/08/2009	phenry 06/08/2009	9	sbasford 06/08/2009		State
/2	rkite 09/17/2009	wjackson 09/24/2009	rschluet 09/25/2009)	cduerst 09/25/2009	mbarman 11/05/2009	

FE Sent For:

Bill

Received: 06/01/2009 Received By: rkite Wanted: As time permits Identical to LRB: For: Amy Sue Vruwink (608) 266-8366 By/Representing: Jon Mielke 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.Vruwink@legis.wisconsin.gov Carbon copy (CC:) to: **Pre Topic:** No specific pre topic given **Topic:** Hunting by persons who are terminally ill **Instructions:** See attached **Drafting History:** Vers. Drafted Reviewed <u>Typed</u> **Proofed** Submitted Jacketed Required /? State /1 rkite wjackson phenry sbasford State 06/03/2009 06/08/2009 06/08/2009 06/08/2009 /2 rkite wjackson rschluet cduerst 09/25/2009 ____

09/25/2009

FE Sent For:

09/17/2009

09/24/2009

Bill

Received:	06/01/2009				Received By: rki	ite				
Wanted: A	As time permi	ts			Identical to LRB:			Identical to LRB:		
For: Amy	Sue Vruwink	x (608) 266-836	56		By/Representing	: Jon Mielke				
This file r	may be shown	to any legislatoi	:: NO		Drafter: rkite					
May Cont	tact:				Addl. Drafters:					
Subject:	Nat. Res	s fish and gar	ne		Extra Copies:					
Submit vi	ia email: YES									
Requester	r's email:	Rep.Vruwii	nk@legis.w	visconsin.gov	y					
Carbon co	opy (CC:) to:									
Pre Topi	ic:									
No specif	fic pre topic gi	ven								
Topic:										
Hunting b	by persons who	are terminally	ill							
Instructi	ions:									
See attacl	hed									
Drafting	History:									
Vers.	<u>Drafted</u>	Reviewed	Typed	Proofed	Submitted	<u>Jacketed</u>	Required			
/?							State			
/1	rkite 06/03/2009	wjackson 06/08/2009	phenry 06/08/200	09	sbasford 06/08/2009					
FE Sent l	For:	/2 Wij 9/24		SEND>						

Bill

Receive	ed: 06/01/200 9	•			Received By: rk	xite		
Wanted	l: As time per	mits			Identical to LRB:			
For: An	ny Sue Vruwi	nk (608) 266-	8366		By/Representing: Jon Mielke			
This file	e may be show	n to any legisla	ator: NO		Drafter: rkite			
Мау Со	ontact:				Addl. Drafters:			
Subject	: Nat. F	Res fish and ş	game		Extra Copies:			
Submit	via email: YE	S						
Request	ter's email:	Rep.Vru	wink@legis.v	visconsin.gov	,			
Carbon	copy (CC:) to	:						
Pre To	pic:							
No spec	cific pre topic	given						
Topic:			***************************************			***************************************		
Hunting	g by persons w	ho are terminal	ly ill					
Instruc	etions:	e d'outressession de la constitución de la constitu		, , , , , , , , , , , , , , , , , , , ,				
See atta	ched							
Draftin	ng History:							
Vers.	<u>Drafted</u>	Reviewed	Typed	Proofed	Submitted	<u>Jacketed</u>	Required	
/?	rkite		6/8/1	Ph				

FE Sent For:

Kite, Robin

From:

Mielke, Jon

Sent:

Monday, June 01, 2009 2:44 PM

To:

Kite, Robin

Subject:

Email from LRB Website

Attachments:

Handicapped Hunting 6-1-09.doc



Handicapped funting 6-1-09.doc..

Hi Robin,

Rep. Vruwink would like to get this drafted. The memo should explain what she wants, if you have any questions please call me at 266-8366

Thanks,

Jon Mielke

Memorandum

To: Amy Sue

CC: Christian, Jon

From: Eric

Date: 06/01/2009

Re: Handicapped Hunting for the Terminally Ill

Under current law, handicapped hunting licenses are issued based on level of disability. Under 29.193, the DNR must issue a Class A permit to a person who is permanently disabled, a Class B permit to a person who has a temporary disability, and a Class C permit to a person who is visually handicapped.

The Class A permit allows the handicapped individual hunt from a stationary motor vehicle.

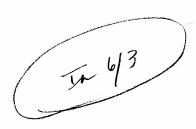
Currently, there is no language regarding terminal illness in the statute. If the person was permanently disabled as a result of the illness, then they would qualify for the Class A permit. However, if they are at a different level of disability or not disabled at all, then it seems that they would not be able to hunt from a stationary motor vehicle.

If we decide to pursue the issue further, new legislation would be required to allow the terminally ill to hunt from a stationary vehicle regardless of disability.



State of Misconsin 2009 - 2010 LEGISLATURE

PRELIMINARY DRAFT NOT READY FOR INTRODUCTION



AN ACT ...; relating to: hunting permits issued to persons who are terminally ill.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Natural Resources (DNR) is authorized to issue Class A hunting permits to an applicant who is permanently disabled. A Class A permit extends certain hunting privileges to a holder of a hunting license that are otherwise not granted under the license. Among those privileges is the privilege to use a crossbow while hunting or to hunt from a stationary vehicle. This bill requires DNR, in addition to issuing Class A permits to persons who are permanently disabled, to issue Class A permits to applicants who are terminally ill. The bill also requires DNR to define the term "terminally ill" by rule.

FE-S

2

3

4

5

6

7

1

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

SECTION 1. 29.053 (3) of the statutes is amended to read:

29.053 (3) The department may modify any requirement of this chapter or rules promulgated under it, establish special seasons, authorize the use of special equipment or take any other action in order to provide additional hunting and fishing opportunities for persons who are physically disabled, terminally ill, or visually handicapped and may limit the number of persons involved.

History: 1997 a. 248 ss. 112, 384, 388 to 392; 1999 a. 32.

1

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

SECTION 2

SECTION 2.	29 184	(5) (b)	of the	etatutes i	s amended	to read.
SECTION 4.	49. LO4 !	(4)/(1)) OL LIE	Statutes 1	s amenueu	to reau.

2 29.184 (5) (b) If a disabled or terminally ill person holds either a Class A or a Class B bear license, a person who accompanies and assists the disabled or 3 terminally ill person may engage in the activities authorized under sub. (3) (br) 1. 4 to 3. without holding a Class B bear license. 5

History: 1985 a. 270; 1997 a. 1 ss. 57 to 74, 77; 1997 a. 27, 191; 1997 a. 248 ss. 255 to 269; Stats. 1997 s. 29.184; 1997 a. 249 ss. 28 to 32; 1999 a. 9, 32, 186; 2001 a. 55; 2003 a. 59; 2005 a. 25, 387; 2007 a. 65, 66. 6

SECTION 3. 29.193 (2) (b) 2. of the statutes is amended to read:

29.193 (2) (b) 2. An applicant shall submit an application on a form prepared and furnished by the department, which shall include a written statement or report prepared and signed by a licensed physician or licensed chiropractor, prepared no more than 6 months preceding the application and verifying that the applicant is physically disabled or terminally ill.

History: 1997 a. 248 ss. 135 to 142, 323, 410; 1997 a. 249 ss. 3 to 13; 1997 a. 322 ss. 2, 3; 1999 a. 9, 32; 2001 a. 17. **Section 4.** 29.193 (2) (b) 3. of the statutes is amended to read:

29.193 (2) (b) 3. As part of the application for a Class A or Class B permit under this subsection, the applicant shall authorize the department by written release to examine all medical records regarding the applicant's physical disability or terminal illness.

History: 1997 a. 248 ss. 135 to 142, 323, 410; 1997 a. 249 ss. 3 to 13; 1997 a. 322 ss. 2, 3; 1999 a. 9, 32; 2001 a. 17. **SECTION 5.** 29.193 (2) (c) 1. (intro.) of the statutes is amended to read:

29.193 (2) (c) 1. (intro.) The department shall issue a Class A permit under this subsection to an applicant who is terminally ill, as defined by the department by rule, or who is permanently disabled, as determined by the department, in any of the following ways:

History: 1997 a. 248 ss. 135 to 142, 323, 410; 1997 a. 249 ss. 3 to 13; 1997 a. 322 ss. 2, 3; 1999 a. 9, 32; 2001 a. 17.

Kite, Robin

From:

Plata, Christian

Sent:

Wednesday, September 16, 2009 11:14 AM

To:

Subject:

Kite, Robin FW: Terminal hunting bill follow-up

9/16/09 Redrapt mitructions per Christian:

----Original Message----

From: Konopacki, Larry

Sent: Wednesday, September 16, 2009 10:47 AM

To: Maloney, Eric Cc: Plata, Christian

Subject: RE: Terminal hunting bill follow-up

Hi Eric, based on my discussions with Christian about Amy Sue's intent, it appears that she wants to require DNR to issue a disabled hunting permit to a person if the person presents the requisite documentation from his or her health care professional, instead of having the DNR evaluate the person's health situation.

Therefore, I suggested that you ask the drafter to revise the bill to reflect that intent, using the existing statutory provisions that govern the issuance of disabled placards and license plates as a model. I would also suggest that this be accomplished through changes within the "Class B" hunting permit provisions instead of "Class A" because the former already includes permitting of people with mobility or ambulation that is restricted due to illness.

Thanks,

Larry

Larry A. Konopacki Wisconsin Legislative Council (608) 267-0683 larry.konopacki@legis.wisconsin.gov

----Original Message----

From: Maloney, Eric

Sent: Tuesday, September 15, 2009 3:15 PM

To: Konopacki, Larry

Subject: Terminal hunting bill follow-up

Hey Larry,

I just gave your office a buzz, but maybe this will be easier. Plata lost the recommendations you gave him regarding the terminal hunting bill and Amy Sue's intent for the bill. If you could shoot that over here, Plata and I would both be very grateful.

Thanks much,

Eric Maloney Legislative Intern Office of State Representative Amy Sue Vruwink emaloney@legis.wi.gov Office: (608) 266-8366

STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

0/11/20
9/16/09
Per Larry Konopaeki -
Provide that DNR heust issue a Class &
remet to a terminal elleres that
restricts mobiles + ambulation
Acoustic more and a superior
THE ment gut the permet upon Stalement
DNR ment gevel the permit upon stalement usued by a physician DNP cannot examine medical records or
DNP cannot examine medical records or
Otherwise investigate the ellacts

Kite, Robin

From:

Konopacki, Larry

Sent:

Wednesday, September 16, 2009 3:58 PM

To:

Kite, Robin

Subject:

Disabled hunting bill

Hi Robin,

An example of the model that I was referring to is s. 343.51. Of the health care professionals listed in sub. (1), a licensed physician is an obvious person who should be allowed to make this determination, although I cannot speak to whether it would be appropriate to add any of the other listed professionals. Maybe this would be best addressed with a drafters note?

Thanks!

Larry

Larry A. Konopacki Wisconsin Legislative Council (608) 267-0683 larry.konopacki@legis.wisconsin.gov



State of Misconsin 2009 - 2010 LEGISLATURE

500n

LRB-2964 RNK:wlj:ph



2009 BILL



 $AN\ ACT\ \emph{to\ amend}\ 29.053\ (3),\ 29.184\ (5)\ (b),\ 29.193\ (2)\ (b)\ 2.,\ 29.193\ (2)\ (b)\ 3.\ and$

29.193 (2) (c) 1. (intro.) of the statutes; relating to: hunting permits issued to

persons who are terminally ill.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Natural Resources (DNR) is authorized to issue Class A hunting permits to an applicant who is permanently disabled. A Class A permittextends certain hunting privileges to a holder of a hunting license that are otherwise not granted under the license. Among those privileges is the privilege to use a crossbow while hunting or to hunt from a stationary vehicle. This bill requires DNR, in addition to issuing Class A permits to persons who are permanently disabled, to issue Class A permits to applicants who are terminally ill. The bill also requires DNR to define the term "terminally ill" by rule.

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:

Section 1. 29.053 (3) of the statutes is amended to read:

29.053 (3) The department may modify any requirement of this chapter or rules promulgated under it, establish special seasons, authorize the use of special

4

5

6

1

2

3

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

equipment or take any other action in order to provide additional hunting and fishing opportunities for persons who are physically disabled, terminally ill, or visually handicapped and may limit the number of persons involved.

SECTION 2. 29.184 (5) (b) of the statutes is amended to read:

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

SECTION 3. 29.193 (2) (b) 2. of the statutes is amended to read:

29.193 (2) (b) 2. An applicant shall submit an application on a form prepared and furnished by the department, which shall include a written statement or report prepared and signed by a licensed physician or licensed chiropractor, prepared no more than 6 months preceding the application and verifying that the applicant is physically disabled or terminally ill.

SECTION 4. 29.193 (2) (b) 3. of the statutes is amended to read:

29.193 (2) (b) 3. As part of the application for a Class A or Class B permit under this subsection, the applicant shall authorize the department by written release to examine all medical records regarding the applicant's physical disability or terminal

illness.

SECTION 5. 29.193 (2) (c) 1. (intro.) of the statutes is amended to read:

29.193 (2) (c) 1. (intro.) The department shall issue a Class A permit under this subsection to an applicant who is terminally ill, as defined by the department by rule, or who is permanently disabled, as determined by the department, in any of the following ways:

25

2009-2010 DRAFTING INSERT FROM THE LEGISLATIVE REFERENCE BUREAU

INSERT ANALYSIS

Under current law, the Department of Natural Resources (DNR) is authorized to issue a Class A hunting permit to an applicant who is permanently disabled or a Class B hunting permit to a person who has a temporary disability. Current law specifies the types of disabilities that qualify an applicant for a Class A or Class B permit. The permits extend certain hunting privileges) to a holder of a hunting license that are otherwise not granted under the license. Among those privileges is the privilege to use a crossbow while hunting or to hunt from a stationary vehicle. When an applicant applies for a Class A or Class B permit, the applicant must authorize DNR by written release to examine all medical records regarding the applicant's physical disability in order for DNR to determine whether the applicant qualifies for the permit.

This bill requires DNR to issue a Class B permit to an applicant who submits a statement from a licensed physician that the applicant has a physical disability that restricts mobility or ambulation due to a terminal illness. The bill prohibits DNR from requiring the applicant to authorize DNR to examine the applicant's medical records regarding the applicant's physical disability or terminal illness.

INSERT 2-24

1

5

6

7

9

SECTION 1. 29.193 (2) (c) 2m of the statutes is created to read:

29.193 (2) (c) 2m The department shall issue a Class B permit to an applicant under this subsection upon submission by the applicant of a statement from a licensed physician that the applicant has a physical disability that restricts mobility or ambulation due to a terminal illness. The department may not require a written release from the applicant authorizing the department to examine the applicant's medical records regarding the applicant's physical disability or terminal illness. Notwithstanding par. (b) 1., the department is not required conduct an investigation before issuing a Class B permit under this subdivision.

Barman, Mike

From:

Rep.Vruwink

Sent:

Thursday, November 05, 2009 12:40 PM LRB.Legal

To:

Subject:

Draft Review: LRB 09-2964/2 Topic: Hunting by persons who are terminally ill

Please Jacket LRB 09-2964/2 for the ASSEMBLY.