

**SENATE BILL 167 (LRB -1558)**

An Act to renumber and amend 29.304 (5); to amend 29.063 (5), 29.184 (6) (b) 1., 29.235 (1), 29.304 (1) (b), 29.304 (2) (a), 29.304 (2) (b) 1., 29.304 (3) (a) 1., 29.304 (3) (b) 1., 29.563 (2) (a) 4., 29.563 (2) (a) 5g., 29.563 (2) (a) 8m., 29.563 (2m), 29.563 (4) (a) 1m., 29.563 (4) (a) 2m., 29.563 (4) (b) 1m., 29.563 (4) (b) 2m., 29.593 (1) (a), 169.20 (1) (a), 169.20 (2) (a) and 169.33 (2) (d); and to create 29.304 (4m), 29.304 (5) (b) and 29.592 of the statutes; relating to: the minimum age for hunting and for possessing a firearm, restrictions on hunting and on possessing a firearm while hunting, establishing a hunting mentorship program, and granting rule-making authority. (FE)

**2009**

04-14.	S.	Introduced by Senators <b>Holperin, Wirch, Vinehout, Lehman, Decker, Carpenter, Kapanke, Grothman, Kedzie, Hopper, Schultz and Kreitlow</b> ; cosponsored by Representatives <b>Hraychuck, Gunderson, Milroy, Vruwink, LeMahieu, Mason, Danou, Vukmir, Sherman, Ballweg, Hebl, Bernard Schaber, M. Williams, Knodl, Pridemore, Soletski, Suder, A. Ott, Jorgensen, Huebsch, Spanbauer, Davis, Clark, Ripp, Vos, Zepnick, Petrowski, Meyer and Nerison.</b>	
04-14.	S.	Read first time and referred to committee on Transportation, Tourism, Forestry, and Natural Resources	127
04-29.	S.	Fiscal estimate received.	
04-30.	S.	Public hearing held.	
05-20.	S.	Senate amendment 1 offered by Senator Holperin ( <b>LRB a0485</b> )	178
05-20.	S.	Senate amendment 2 offered by Senator Holperin ( <b>LRB a0484</b> )	178
05-20.	S.	Senate amendment 3 offered by Senator Holperin ( <b>LRB a0483</b> )	178
05-21.	S.	Executive action taken.	
05-22.	S.	Report adoption of Senate Amendment 1 recommended by committee on Transportation, Tourism, Forestry, and Natural Resources, Ayes 6, Noes 1	181
05-22.	S.	Report adoption of Senate Amendment 2 recommended by committee on Transportation, Tourism, Forestry, and Natural Resources, Ayes 4, Noes 3	181
05-22.	S.	Report adoption of Senate Amendment 3 recommended by committee on Transportation, Tourism, Forestry, and Natural Resources, Ayes 6, Noes 1	181
05-22.	S.	Report passage as amended recommended by committee on Transportation, Tourism, Forestry, and Natural Resources, Ayes 6, Noes 1	181
05-22.	S.	Available for scheduling.	
06-03.	S.	Referred to joint committee on Finance by committee on Senate Organization, pursuant to Senate Rule 41 (1)(e)	191
06-03.	S.	Withdrawn from joint committee on Finance and made Available for Scheduling by committee on Senate Organization, pursuant to Senate Rule 41 (1)(e)	191
06-03.	S.	Placed on calendar 6-9-2009 by committee on Senate Organization	191
06-08.	S.	Senate amendment 4 offered by Senator Holperin ( <b>LRB a0511</b> )	195
06-09.	S.	Read a second time	197
06-09.	S.	Senate amendment 1 <b>adopted</b>	197
06-09.	S.	Senate amendment 2 <b>adopted</b>	197
06-09.	S.	Senate amendment 3 <b>adopted</b>	197
06-09.	S.	Senate amendment 4 <b>adopted</b>	197
06-09.	S.	Ordered to a third reading	197
06-09.	S.	Rules suspended	197
06-09.	S.	Read a third time and <b>passed</b> , Ayes 27, Noes 6	197
06-09.	S.	Ordered immediately messaged	198
06-16.	A.	Received from Senate	270
06-16.	A.	Read first time and referred to committee on Rules	270
06-16.	A.	Placed on calendar 6-18-2009 by committee on Rules.	
06-18.	A.	Read a second time.	
06-18.	A.	Assembly amendment 1 offered by Representative Kaufert ( <b>LRB f520</b> ).	
06-18.	A.	Assembly amendment 1 laid on table, Ayes 91, Noes 6.	
06-18.	A.	Ordered to a third reading.	
06-18.	A.	Rules suspended.	
06-18.	A.	Read a third time and <b>concurred in</b> .	
06-18.	A.	Ordered immediately messaged.	
06-18.	S.	Received from Assembly concurred in.	

2009

ENROLLED BILL

09en SB-167

ADOPTED DOCUMENTS:

Orig     Engr         SubAmdt     

09 - 1558 / 2

Amendments to above (if none, write "NONE"): SA1 - a 0485/1  
SA2 - a 0484/1                      SA3 - a 0483/1  
SA4 - a 0511/1

Corrections - show date (if none, write "NONE"): None

Topic Rel

6-19-09  
Date

*J. Philly*  
Enrolling Drafter



## 2009 SENATE BILL 167

April 14, 2009 - Introduced by Senators HOLPERIN, WIRCH, VINEHOUT, LEHMAN, DECKER, CARPENTER, KAPANKE, GROTHMAN, KEDZIE, HOPPER, SCHULTZ and KREITLOW, cosponsored by Representatives HRAYCHUCK, GUNDERSON, MILROY, VRUWINK, LEMAHIEU, MASON, DANOU, VUKMIR, SHERMAN, BALLWEG, HEBL, BERNARD SCHABER, M. WILLIAMS, KNODL, PRIDEMORE, SOLETSKI, SUDER, A. OTT, JORGENSEN, HUEBSCH, SPANBAUER, DAVIS, CLARK, RIPP, VOS, ZEPNICK, PETROWSKI, MEYER and NERISON. Referred to Committee on Transportation, Tourism, Forestry, and Natural Resources.

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) (a), 29.304 (2) (b) 1., 29.304 (3) (a) 1.,  
3           29.304 (3) (b) 1., 29.563 (2) (a) 4., 29.563 (2) (a) 5g., 29.563 (2) (a) 8m., 29.563  
4           (2m), 29.563 (4) (a) 1m., 29.563 (4) (a) 2m., 29.563 (4) (b) 1m., 29.563 (4) (b) 2m.,  
5           29.593 (1) (a), 169.20 (1) (a), 169.20 (2) (a) and 169.33 (2) (d); and **to create**  
6           29.304 (4m), 29.304 (5) (b) and 29.592 of the statutes; **relating to:** the  
7           minimum age for hunting and for possessing a firearm, restrictions on hunting  
8           and on possessing a firearm while hunting, establishing a hunting mentorship  
9           program, and granting rule-making authority.

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### ***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

**SENATE BILL 167**

in his or her possession or control if the person is accompanied by an individual 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 at least 12 years old, 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 or crossbow while hunting.

***Other provisions***

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 bill allows such a person also to hunt with a crossbow on that land.

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.

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

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*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 exempted under  
8 this subsection who is under 12 years of age is subject to the restrictions specified  
9 under s. 29.592. The department shall by rule establish eligibility criteria and  
10 application procedures for receipt of an exemption under this subsection, including  
11 a method for obtaining a permit to hunt deer without a license under this subsection.

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

13           29.184 (6) (b) 1. The applicant is at least ~~12~~ 10 years old. If the applicant is  
14 under 12 years of age, the applicant is subject to the restrictions specified under s.  
15 29.592.

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

17           29.235 (1) ISSUANCE. A resident conservation patron license shall be issued  
18 subject to ss. 29.024 and 54.25 (2) (c) 1. d. by the department to any resident ~~12~~ 10  
19 years old or older who applies for the license. A nonresident conservation patron  
20 license shall be issued subject to s. 29.024 by the department to any person ~~12~~ 10  
21 years old or older who is not a resident, and who applies for the license. A

**SENATE BILL 167****SECTION 3**

1 conservation patron license issued to a person who is under 12 years of age is subject  
2 to the restrictions specified under s. 29.592.

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

4 29.304 (1) (b) *Restrictions on possession or control of a firearm.* No person  
5 under 12 years of age may have in his or her possession or control any firearm unless  
6 he or she is enrolled in the course of instruction under the hunter education program  
7 and he or she is carrying the firearm in a case and unloaded to or from that class  
8 under the supervision of ~~a~~ his or her parent or guardian, or by a person at least 18  
9 years of age who is designated by the parent or guardian, or is handling or operating  
10 the firearm during that class under the supervision of an instructor.

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

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

16 **SECTION 6.** 29.304 (2) (b) 1. of the statutes is amended to read:

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

19 **SECTION 7.** 29.304 (3) (a) 1. of the statutes is amended to read:

20 29.304 (3) (a) 1. Is accompanied by ~~a~~ his or her parent or guardian or by a  
21 person at least 18 years of age who is designated by the parent or guardian;

22 **SECTION 8.** 29.304 (3) (b) 1. of the statutes is amended to read:

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

25 **SECTION 9.** 29.304 (4m) of the statutes is created to read:

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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 10.** 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 11.** 29.304 (5) (b) of the statutes is created to read: INS. SA 3-1

12           29.304 (5) (b) INS. SA 3-2 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. INS. SA 4-1

16           **SECTION 12.** 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 under 18 years of age: \$6.25.

19           **SECTION 13.** 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 under 18 years of age: \$17.25.

22           **SECTION 14.** 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 under 18 years of age: \$17.25.

25           **SECTION 15.** 29.563 (2m) of the statutes is amended to read:

**SENATE BILL 167****SECTION 15**

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 under 18 years of age~~, who  
3 is not a resident, and who exhibits proof that his or her parent is a resident shall be  
4 the same as the fees for hunting approvals for residents under sub. (2) (a) and (c).

5           **SECTION 16.** 29.563 (4) (a) 1m. of the statutes is amended to read:

INS. SA 4-2

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

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

9           29.563 (4) (a) 2m. Conservation patron issued to ~~12-year-olds to 17-year-olds~~  
10 persons who are under 18 years of age: \$70.25 or a greater amount at the applicant's  
11 option.

12           **SECTION 18.** 29.563 (4) (b) 1m. of the statutes is amended to read:

13           29.563 (4) (b) 1m. Sports issued to ~~12-year-olds to 17-year-olds persons who~~  
14 are under 18 years of age: \$33.25 or a greater amount at the applicant's option.

15           **SECTION 19.** 29.563 (4) (b) 2m. of the statutes is amended to read:

16           29.563 (4) (b) 2m. Conservation patron issued to ~~12-year-olds to 17-year-olds~~  
17 persons who under than 18 years of age: \$72.25 or a greater amount at the  
18 applicant's option.

19           **SECTION 20.** 29.592 of the statutes is created to read:

20           **29.592 Hunting mentorship program.** (1) A person who is at least 10 years  
21 of age may hunt in this state without obtaining a certificate of accomplishment under  
22 s. 29.591 and may, while hunting, possess or control a firearm if all of the following  
23 apply:

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



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1 (b) The person holds a hunting approval.

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

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

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

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

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

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

15 (3) A person who is authorized to hunt with a mentor under this section and  
16 a mentor under this section with whom that person hunts may jointly have only one  
17 firearm, <sup>INS. SA-2</sup> or if hunting with a crossbow is authorized under s. 29.171 (4) or 29.193 (2),  
18 only one crossbow in their possession or control while hunting.

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

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

24 **SECTION 21.** 29.593 (1) (a) of the statutes is amended to read:





State of Wisconsin  
2009 - 2010 LEGISLATURE

LRBa0485/1  
RNK:nwn:rs

**SENATE AMENDMENT 1,  
TO 2009 SENATE BILL 167**

May 20, 2009 - Offered by Senator HOLPERIN.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 8, line 20: after that line insert:

3 **"SECTION 25. Effective date.**

4 **(1) This act takes effect on September 1, 2009."**

5

**(END)**

SAI



State of Wisconsin  
2009 - 2010 LEGISLATURE

LRBa0484/1  
RNK:nwn:md

**SENATE AMENDMENT 2,  
TO 2009 SENATE BILL 167**

May 20, 2009 - Offered by Senator HOLPERIN.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 7, line 17: after "firearm," insert "only one bow".

3 (END)

SA2



State of Wisconsin  
2009 - 2010 LEGISLATURE

LRBa0483/1  
RNK:bjk:md

**SENATE AMENDMENT 3,  
TO 2009 SENATE BILL 167**

May 20, 2009 - Offered by Senator HOLPERIN.

SA 3-1

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 5, line 11: after that line insert:

3 "29.304 (5) (b) 1. In this paragraph, "target practice" includes trap shooting or  
4 a similar sport shooting activity regardless of whether the activity involves shooting  
5 at a fixed or a moving target."

6 **2.** Page 5, line 12: delete "29.304 (5) (b)" and substitute "2".

7 (END)

SA 3-2



State of Wisconsin  
2009 - 2010 LEGISLATURE

LRBa0511/1  
RNK:jld:jf

SENATE AMENDMENT 4,  
TO 2009 SENATE BILL 167

June 8, 2009 - Offered by Senator HOLPERIN.

SA4-1

1 At the locations indicated, amend the bill as follows:

2 1. Page 5, line 15: after that line insert:

3 "SECTION 11m. 29.563 (2) (intro.) of the statutes is amended to read:

4 29.563 (2) HUNTING APPROVALS. (intro.) Except as provided in sub. (2m) and (2r),  
5 the fees for hunting approvals are as follows:"

6 2. Page 6, line 4: after that line insert:

7 "SECTION 15m. 29.563 (2r) of the statutes is created to read:

8 29.563 (2r) HUNTING APPROVALS FOR 10 AND 11 YEAR OLDS. The fee for a hunting  
9 approval listed under sub. (2) issued to a person who is 10 or 11 years of age is \$4.25."

10 (END)

SA4-2