

2009 DRAFTING REQUEST

Bill

Received: **04/29/2009**

Received By: **rkite**

Wanted: **As time permits**

Identical to LRB:

For: **Mary Hubler (608) 266-2519**

By/Representing: **Steve Engelbert**

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.Hubler@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Weapons authorized under various hunting licenses

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 05/20/2009	jdyer 05/21/2009		_____			
/1			mduchek 05/21/2009	_____	cduerst 05/21/2009		
				_____	cduerst 05/21/2009		
/2	rkite 05/26/2009	jdyer 05/27/2009	jfrantze 05/27/2009	_____	sbasford 05/27/2009	mbarman 06/23/2009	

Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

FE Sent For: **NONE**

<END>

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				_____	cduerst 05/21/2009		

FE Sent For:

Handwritten signatures and dates:
5/27 5/27

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/?	rkite	1 5/21 jcd	MD	MD			
				RS			

FE Sent For:

5/21

<END>

Kite, Robin

From: Engelbert, Steve
Sent: Wednesday, April 29, 2009 10:36 AM
To: Kite, Robin
Subject: FW: AB 86 - Use of Crossbows by Nonresident Senior Citizens.

Robin: Here are Tom Van Haren's notes on the substitute amendment for the Crossbow bill, AB 86. As we discussed, Rep. Hubler has requested a separate bill to address these issues. Essentially AB 86 will have these changes. Again, please work with Tom Van Haren.

Thank you.

Steve Engelbert
Office of Rep. Mary Hubler
266-2519

From: Van Haren, Thomas - DNR [mailto:Thomas.VanHaren@Wisconsin.gov]
Sent: Wednesday, April 29, 2009 10:05 AM
To: Engelbert, Steve
Cc: Heinen, Paul H - DNR
Subject: RE: AB 86 - Use of Crossbows by Nonresident Senior Citizens.

Steve,

1. I agree with the drafters note regarding the Class A bear "Archery" license. I had not meant to include that in the e-mail I sent you as there is currently no such license. What Robin has in Section 5 is fine.
2. I also agree that it is not necessary to make any changes to the Elk hunting license authorities related to use of crossbows, as that section also does not grant crossbow authority to residents 65 or older. A person simply must qualify for a disabled hunter crossbow permit to hunt elk with a crossbow. We do not even have a season for Elk in this state yet, and that is a few years away and would only amount to a handful of licenses. I would expect few if any would want to use a crossbow when rifles would be allowed and the permits will be a once in a life time opportunity.
3. **It is important that we include a reference to airguns** in Sections 2, 8, 10 and 12. Unlike the other license types, the legal weapons/methods authorized under these licenses have not been specified in the statutes in the past and are specified in Wis. Adm. Code NR 10.09. While airguns are not legal for hunting deer, bear, turkey or elk, they are legal for hunting small game under a Small Game license issued under ss. 29.161, 29.204 and 29.207, and for Fur-bearing animals under a NR Fur-bearing Animal Hunting License issued under s. 29.213.

Since this bill will specify under these sections the authorized types of weapons/methods, if we do not include airguns in these sections, we would no longer be able to allow them by rule. This would upset a lot of hunters that hunt small game with air-rifles.

4. The last issue I think that should be considered by the Drafter is the phrase "has a crossbow permit issued under s. 29.171(4)(a)," which is found in Sections 8, 10 and 12, which are NR licenses. Crossbow permits issued under s. 29.171(4)(a), are only issued to residents who hold a Resident archery hunting license. It does not appear to me that this phrase in these 3 sections is appropriate or needed. The rest of the language in those 3 sections is fine if we can add airgun back in.

Background on the airgun concern:

Currently, the small game and NR Fur-bearing Animal Hunting licenses do not restrict the types of guns that can

04/29/2009

be used to hunt species under these licenses. By rule in NR 10.09, Wis. Adm. Code we simply restrict hunters to guns that are discharged from the shoulder, with some exceptions for handguns. This means both firearms (guns that use gun powder) and airguns (guns that use the energy of compressed air) are legal to use under these license.

This year at the spring hearings the public voted in favor of further clarification in NR 10.09(1)(c)1.

We will be advancing a rule change next month that will read:

NR 10.09(1)

(c) Guns and devices.

1. "Type." Hunt with any means other than the use of a gun ~~discharged~~ designed to be fired from the shoulder utilizing the energy of gun powder or compressed air, bow and arrow or by falconry except:

b. Hare, rabbit, squirrel, raccoon, fox, coyote, bobcat and unprotected wild animals may be hunted with handguns or **pellet guns** of .17 caliber or larger. Handguns shall have a minimum barrel length of 4 inches measured from the muzzle to the firing pin with the action closed.

Airgun is defined in the Statutes, but not in this chapter. If the drafter feels it is necessary, we could always add this definition to ch. 29, or we can define it by rule for the purposes of ch. 29. We would use the same definition found in the statutes now under s. 939.22(2). We do not define firearm in ch. 29 either, and have always relied upon the definition found in s. 167.31(1)

939.22(2)

(2) "**Airgun**" means a weapon which expels a missile by the expansion of compressed air or other gas.

I hope this is helpful. I would be more than happy to discuss further with you or the drafter.

Thomas Van Haren

Conservation Warden & NR Policy Officer
Bureau of Law Enforcement
Wisconsin Department of Natural Resources
(☎) phone: (608) 266-3244

From: Engelbert, Steve [mailto:Steve.Engelbert@legis.wisconsin.gov]
Sent: Wednesday, April 29, 2009 9:06 AM
To: Van Haren, Thomas - DNR
Cc: Heinen, Paul H - DNR
Subject: RE: AB 86 - Use of Crossbows by Nonresident Senior Citizens.

Paul and Tom: Here is the Substitute amendment for the Crossbow bill, AB 86. Please review and feedback. The drafter's note is the last page.

Steve Engelbert
Office of Rep. Mary Hubler
266-2519

From: Van Haren, Thomas - DNR [mailto:Thomas.VanHaren@Wisconsin.gov]
Sent: Tuesday, April 28, 2009 11:28 AM
To: Engelbert, Steve
Cc: Heinen, Paul H - DNR
Subject: AB 86 - Use of Crossbows by Nonresident Senior Citizens.

Steve,

04/29/2009

Below I have tried to explain as simple as I can the complex issues related to AB 86 which we discussed earlier today by phone. I will try to stop buy about 1:30pm today.

Background Information - RESIDENT Senior Citizen use of a Crossbow:

The authority for any RESIDENT age 65 or older to use a crossbow for hunting Deer and Small game under an archery hunting license and hunting Turkeys under a wild turkey hunting license was established under 2001 Act 18 and took effect on December 1, 2001.

These resident senior citizens do not have to be disabled and do not have to hold any special permit from DNR to use a crossbow for hunting these species under these licenses.

However, 2001 ACT 18 did not address the issue of using crossbows for hunting bear under a Class A bear license, or small game under the authority of a small game hunting license. The DNR was able to authorize the use of crossbows by rule for resident senior citizens for hunting bear under a class A bear license and small game under a Small game hunting license, because the statutes do not specify the authorized methods for hunting under these 2 types of licenses.

2009 AB 86 - NONRESIDENT Senior Citizens use of a Crossbow:

AB 86 only proposes to allow nonresident senior citizens to use a crossbow if they are hunting under the authority of a Nonresident Archery Hunting License. A nonresident archery hunting license only authorizes the hunting of deer and certain small game species (not turkeys or fur-bearing animals) with a crossbow.

This bill does not authorize nonresident senior citizens the authority to hunt turkeys under a turkey hunting license [s. 29.164(2)(b)], bear under a bear hunting license [s. 29.184(3)(bg)], furbearing animals [s. 29.213] or any small under a small game license issued under s. 29.204 or 29.207, Stats.

This bill will create a little more uniformity in the hunting rules on who may use crossbows. **However**, it will still leave a number of gaps and inconsistencies in the law on use of crossbows by Nonresident senior citizens.

The authority for Nonresident senior citizens to use crossbows for Wild Turkeys 2001 Act 18 authorized for Resident Senior Citizens, can only be done by amending s. 29.164(2)(b), Stats., which is not accomplished with 2009 AB 86. This can only be corrected with a statutory amendment, and can not be changed or fixed by DNR rule. If not addressed, this will create a new area of inconsistency in the statutes and hunting laws.

The DNR could propose rule changes to address the Bear and other Small game issue by changes to Wisconsin Administrative Code s. NR 10.09(1)(c)1., similar to what we had to do for residents. Or this could all be corrected statutorily along with an amendment to AB 86 to address the hunting of Turkeys by Nonresident Senior Citizens.

Minimum statutory amendment that would be needed would be as follows:

**Amend s. 29.164(2)(b) to read:
29.164 Wild turkey hunting approvals.
(2) Authorization; restrictions.**

(b) Type of hunting authorized. A license issued under this section authorizes hunting with a firearm or bow and arrow or with a crossbow if the holder of the license ~~is a resident and~~ has a Class A, Class B or Class C permit issued under s. 29.193 (2) that authorizes hunting with a crossbow or has a crossbow permit issued under s. 29.171 (4) (a), or is a ~~resident~~ senior citizen.

Additional Amendments that should be considered to address the crossbow and age issue uniformly for hunting all species under all appropriate license types, by statute, would include the following possible amendments

29.161 is amended and renumbered (1) and (2) to read:**29.161 Resident small game hunting license. Issuance; Authorization.**

(1) Issuance of license. A resident small game hunting license shall be issued subject to ss. 29.024 and 54.25 (2) (c) 1. d. by the department to any resident applying for this license. ~~The resident small game hunting license does not authorize the hunting of bear, deer, elk, or wild turkey.~~

(2) Type of hunting authorized. The resident small game hunting license authorizes hunting with a firearm, airgun or bow and arrow or with a crossbow if the holder of the license has a Class A, Class B or Class C permit issued under s. 29.193 (2) that authorizes hunting with a crossbow or has a crossbow permit issued under s. 29.171 (4) (a), or is a senior citizen. ~~The resident small game hunting license does not authorize the hunting of bear, deer, elk, or wild turkey.~~

29.184(3)(bm) is created to read:

(bm) Authorization; Class A archery bear license. A Class A archery bear license authorizes a resident or nonresident holder of the license to hunt bear with only a bow and arrow or with a crossbow if the holder of the license has a Class A, Class B or Class C permit issued under s. 29.193 (2) that authorizes hunting with a crossbow or has a crossbow permit issued under s. 29.171 (4) (a), or is a senior citizen, and to exercise all of the privileges of a Class B bear license.

29.204 is amended and renumbered (1) and (2) to read:**29.204 Nonresident annual small game hunting license. Issuance; Authorization.**

(1) Issuance of license. A nonresident annual small game hunting license shall be issued subject to s. 29.024 by the department to any nonresident applying for this license. ~~The nonresident annual small game hunting license authorizes the hunting of small game during the appropriate open season but does not authorize the hunting of deer, elk, bear, wild turkey, or fur-bearing animals.~~

(2) Type of hunting authorized. The nonresident annual small game hunting license authorizes hunting with a firearm, airgun, or bow and arrow or with a crossbow if the holder of the license has a Class A, Class B or Class C permit issued under s. 29.193 (2) that authorizes hunting with a crossbow or is a senior citizen. ~~The nonresident small game hunting license does not authorize the hunting of bear, deer, elk, wild turkey or fur-bearing animals.~~

29.207 is amended and renumbered (1) and (2) to read:**29.207 Nonresident 5-day small game hunting license. Issuance; Authorization.**

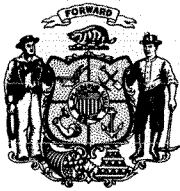
(1) *Issuance of license.* A nonresident 5-day small game hunting license shall be issued subject to s. 29.024 by the department to any nonresident applying for this license. ~~The nonresident 5-day small game hunting license authorizes the hunting of small game for which there is an open season during the 5-day period for which it is issued but does not authorize the hunting of deer, elk, bear, wild turkey, or fur-bearing animals.~~

(2) *Type of hunting authorized.* The nonresident 5-day small game hunting license authorizes the hunting of small game for which there is an open season during the 5-day period for which it is issued with a firearm, airgun, or bow and arrow or with a crossbow if the holder of the license has a Class A, Class B or Class C permit issued under s. 29.193 (2) that authorizes hunting with a crossbow or is a senior citizen. The nonresident 5-day small game hunting license does not authorize the hunting of bear, deer, elk, wild turkey or fur-bearing animals.

29.213 is amended and renumbered (1) and (2) to read:**29.213 Nonresident fur-bearing animal hunting license. Issuance; Authorization.**

(1) *Issuance of license.* A nonresident fur-bearing animal hunting license shall be issued subject to s. 29.024 by the department to any nonresident applying for this license. ~~The nonresident fur-bearing animal hunting license authorizes the hunting of skunk, raccoon, fox, weasel, opossum, coyote, bobcat and cougar during the appropriate open season but does not authorize the hunting of other fur-bearing animals, other small game, deer, elk, or bear.~~

(2) *Type of hunting authorized.* The nonresident fur-bearing animal hunting license authorizes the hunting of skunk, raccoon, fox, weasel, opossum, coyote, bobcat during the appropriate open season with a firearm, airgun or bow and arrow or with a crossbow if the holder of the license has a Class A, Class B or Class C permit issued under s. 29.193 (2) that authorizes hunting with a crossbow or is a senior citizen. The nonresident fur-bearing animal hunting license does not authorize the hunting of other fur-bearing animals, other small game, deer, elk, or bear.



soon
State of Wisconsin
2009 - 2010 LEGISLATURE

RM note
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LRB-2805?
RNK: ^:....
jld

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

In
5/20

D-Note

X

Gen

1 AN ACT ...; relating to: authorizing the use of airguns and crossbows under
2 certain hunting licenses.

Analysis by the Legislative Reference Bureau

* Under current law, the Department of Natural Resources (DNR) issues hunting licenses that authorize the hunting of specified animals such as deer, bear, and small game. Certain of those licenses also specify whether firearms, bows and arrows, or crossbows may be used for hunting under those licenses. This bill authorizes a person to hunt with an airgun under annual small game hunting licenses, under nonresident fur-bearing animal hunting licenses, and under nonresident small game hunting licenses.

* Current law authorizes the use of crossbows in hunting under certain limited circumstances. A person may qualify to use a crossbow in hunting if the person meets certain disability standards and is issued a permit from DNR. A resident who is at least 65 years old may use a crossbow without a permit under a resident archer hunting license and under a wild turkey hunting license. This bill expands the authority to use a crossbow without a permit under a wild turkey hunting license to nonresidents who are at least 65 years old. The bill also specifically allows both residents and nonresidents who are at least 65 years old to hunt with a crossbow without a permit under the authority of a Class A bear license and an annual small game hunting license. It also authorizes nonresidents who are at least 65 years old

five

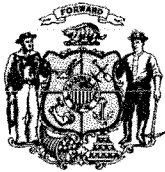
* to hunt with a crossbow under a nonresident ⁵ ~~5~~-day small game hunting license or
 a nonresident fur-bearing animal hunting license.

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

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2-1
1

(END)

d-note
↓



ASSEMBLY SUBSTITUTE AMENDMENT

TO 2009 ASSEMBLY BILL 86

INSERT 2-1

1 AN ACT *to renumber* 29.161, 29.204, 29.207 and 29.213; *to amend* 29.164 (2)
2 (b), 29.171 (4) (b) (intro.) and 29.193 (2) (cr) 2.; and *to create* 29.161 (2), 29.184
3 (3) (c), 29.204 (2), 29.207 (2), 29.213 (2) and 29.216 (2m) of the statutes;
4 **relating to:** the authority to hunt with a firearm, ^{an airgun,} a bow and arrow, or a
5 crossbow under certain hunting licenses.

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

6 SECTION 1. 29.161[✓] of the statutes is renumbered 29.161 (1)[✓].

7 SECTION 2. 29.161 (2)[✓] of the statutes is created to read:

8 29.161 (2) A resident small game hunting license[✓] authorizes hunting with a
9 [✓] firearm[✓] ^(, airgun) or bow and arrow or with a crossbow if the holder of the license has a Class
10 A, Class B[✓], or Class C[✓] permit issued under s. 29.193 (2)[✓] that authorizes hunting with
11 a crossbow, has a crossbow permit issued under s.[✓] 29.171 (4) (a), or has attained the
12 age of 65[✓] years.



INSERT
2-1 cont

1 SECTION 3. 29.164 (2) (b) of the statutes is amended to read:

2 29.164 (2) (b) *Type of hunting authorized.* A license issued under this section
3 authorizes hunting with a firearm or bow and arrow or with a crossbow if the holder
4 of the license is a resident and has a Class A, Class B, or Class C permit issued under
5 s. 29.193 (2) that authorizes hunting with a crossbow or has a crossbow permit issued
6 under s. 29.171 (4) (a), or is a resident senior citizen has attained the age of 65 years.

7 SECTION 4. 29.171 (4) (b) (intro.) of the statutes is amended to read:

8 29.171 (4) (b) (intro.) Except as provide in par. (bc), crossbows used in hunting
9 as authorized by a Class A, Class B or Class C permit issued under s. 29.193 (2) or
10 under this subsection or as authorized under sub. (2m) or s. 29.161 (2), 29.164 (2) (b),

11 29.182(3)(a), 29.184 (3) (c), 29.204 (2), 29.207 (2), 29.213 (2), or 29.216 (2) or (2m) shall meet all
12 of the following specifications:

13 SECTION 5. 29.184 (3) (c) of the statutes is created to read:

14 29.184 (3) (c) *Type of hunting authorized.* A Class A bear license authorizes
15 hunting with a firearm or bow and arrow or with a crossbow if the holder of the
16 license has a Class A, Class B, or Class C permit issued under s. 29.193 (2) that

17 authorizes hunting with a crossbow, has a crossbow permit issued under s. 29.171
18 (4) (a), or has attained the age of 65 years.

19 SECTION 6. 29.193 (2) (cr) 2. of the statutes is amended to read:

20 29.193 (2) (cr) 2. A Class A permit authorizes the holder to shoot or hunt from
21 a stationary vehicle, to fish or troll as authorized under sub. (1m) (b) and to hunt
22 certain game with a crossbow as authorized under ss. 29.161 (2), 29.164 (2) (b),

23 29.171 (2), 29.182(3)(a), 29.184 (3) (c), 29.204 (2), 29.207 (2), 29.213 (2), and 29.216 (2) and (2m).

24 SECTION 7. 29.204 of the statutes is renumbered 29.204 (1).

25 SECTION 8. 29.204 (2) of the statutes is created to read:



INS 2-1
cont

1 29.204 (2) A nonresident annual small game hunting license authorizes
 2 hunting with a [✓]firearm^{✓, airgun,} or bow and arrow or with a crossbow if the holder of the
 3 license has a Class A, Class B, or Class C [✓]permit issued under s. 29.193 (2) that
 4 authorizes hunting with a crossbow, has a crossbow permit issued under s. 29.171
 5 (4) (a), or has attained the age of 65 years. [✓]

6 **SECTION 9.** 29.207 [✓] of the statutes is renumbered 29.207 (1).

7 **SECTION 10.** 29.207 (2) [✓] of the statutes is created to read:

8 29.207 (2) A nonresident 5-day small game [✓] hunting license authorizes hunting
 9 with a [✓]firearm^{✓, airgun,} or bow and arrow or with a crossbow if the holder of the license has
 10 a Class A, Class B, or Class C permit issued under s. [✓]29.193 (2) that authorizes
 11 hunting with a crossbow, has a crossbow permit issued under s. 29.171 (4) (a), or has
 12 attained the age of 65 years. [✓]

13 **SECTION 11.** 29.213 of the statutes is renumbered 29.213 (1). [✓]

14 **SECTION 12.** 29.213 (2) of the statutes is created to read:

15 29.213 (2) A nonresident fur-bearing animal hunting license authorizes
 16 hunting with a [✓]firearm^{✓, airgun,} or bow and arrow or with a crossbow if the holder of the
 17 license has a [✓]Class A, Class B, or Class C permit issued under s. [✓]29.193 (2) that
 18 authorizes hunting with a crossbow, has a crossbow permit issued under s. 29.171
 19 (4) (a), or has attained the age of 65 years. [✓]

20 **SECTION 13.** 29.216 (2m) of the statutes is created to read:

21 29.216 (2m) ~~PERSONS 65 YEARS OF AGE OR OLDER. Notwithstanding sub. (2), a~~
 22 ~~nonresident archer hunting license authorizes hunting with a bow and arrow or with~~
 23 ~~a crossbow if the licensee is a person who has attained the age of 65. A person who~~



INSERT 2-1
CONT

LRBs0049/1
RNK:cjs:md
SECTION 13

1 ~~has attained the age of 65 is not required to hold a permit from the department to~~
2 ~~hunt with a crossbow if he or she holds a license under this section.~~

3

~~(END)~~

(end ins)

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2805/dn
RNK:.....

date

Jld

a Please note that, among other things, this draft expands the eligibility for persons who are at least 65 years old to hunt with crossbow under the authority of various hunting licenses. As requested, it does not incorporate the provisions of 2009 Assembly Bill 86, which authorizes nonresidents who are at least 65 years old to hunt with a crossbow under a nonresident archer hunting license. You may wish to incorporate those provisions into this draft in the event that Assembly Bill 86 fails to be enacted. *

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

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

LRB-2805/1dn
RNK:jld:md

May 21, 2009

Please note that, among other things, this draft expands the eligibility for persons who are at least 65 years old to hunt with crossbow under the authority of various hunting licenses. As requested, it does not incorporate the provisions of 2009 Assembly Bill 86, which authorizes a nonresident who is at least 65 years old to hunt with a crossbow under a nonresident archer hunting license. You may wish to incorporate those provisions into this draft in the event that Assembly Bill 86 fails to be enacted.

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STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

5/26/09

Per Steve in Rep. Hubler's office
incorporate 2009 AB 86 into the draft



2009 BILL

In 5706

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Regen

1 AN ACT *to renumber* 29.161, 29.204, 29.207 and 29.213; *to amend* 29.164 (2)
2 (b), 29.171 (4) (b) (intro.) and 29.193 (2) (cr) 2.; and *to create* 29.161 (2), 29.184
3 (3) (c), 29.204 (2), 29.207 (2) and 29.213 (2) of the statutes; **relating to:**
4 authorizing the use of airguns and crossbows under certain hunting licenses.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Natural Resources (DNR) issues hunting licenses that authorize the hunting of specified animals such as deer, bear, and small game. Certain hunting licenses also specify whether firearms, bows and arrows, or crossbows may be used for hunting under those licenses. This bill authorizes a person to hunt with an airgun under annual small game hunting licenses, under nonresident fur-bearing animal hunting licenses, and under nonresident five-day small game hunting licenses.

Current law authorizes the use of crossbows in hunting under certain limited circumstances. A person may qualify to use a crossbow in hunting if the person meets certain disability standards and is issued a permit from DNR. A resident who is at least 65 years old may use a crossbow without a permit under a resident archer hunting license and under a wild turkey hunting license. This bill expands the authority to use a crossbow without a permit under a wild turkey hunting license to nonresidents who are at least 65 years old. The bill also specifically allows both residents and nonresidents who are at least 65 years old to hunt with a crossbow without a permit under the authority of a Class A bear license and an annual small game hunting license. It also authorizes nonresidents who are at least 65 years old

BILL

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to hunt with a crossbow under a nonresident archer hunting license, a nonresident five-day small game hunting license or a nonresident fur-bearing animal hunting license.

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

1 **SECTION 1.** 29.161 of the statutes is renumbered 29.161 (1).

2 **SECTION 2.** 29.161 (2) of the statutes is created to read:

3 29.161 (2) A resident small game hunting license authorizes hunting with a
4 firearm, airgun, or bow and arrow or with a crossbow if the holder of the license has
5 a Class A, Class B, or Class C permit issued under s. 29.193 (2) that authorizes
6 hunting with a crossbow, has a crossbow permit issued under s. 29.171 (4) (a), or has
7 attained the age of 65 years.

8 **SECTION 3.** 29.164 (2) (b) of the statutes is amended to read:

9 29.164 (2) (b) *Type of hunting authorized.* A license issued under this section
10 authorizes hunting with a firearm or bow and arrow or with a crossbow if the holder
11 of the license is a resident and has a Class A, Class B, or Class C permit issued under
12 s. 29.193 (2) that authorizes hunting with a crossbow or has a crossbow permit issued
13 under s. 29.171 (4) (a), or is a resident senior citizen has attained the age of 65 years.

14 **SECTION 4.** 29.171 (4) (b) (intro.) of the statutes is amended to read:

15 29.171 (4) (b) (intro.) Except as provide in par. (bc), crossbows used in hunting
16 as authorized by a Class A, Class B or Class C permit issued under s. 29.193 (2) or
17 under this subsection or as authorized under sub. (2m) or s. 29.161 (2), 29.164 (2) (b),
18 29.182 (3) (a), 29.184 (3) (c), 29.204 (2), 29.207 (2), 29.213 (2), or 29.216 (2) shall meet
19 all of the following specifications:

20 **SECTION 5.** 29.184 (3) (c) of the statutes is created to read:

BILL

1 29.184 (3) (c) *Type of hunting authorized.* A Class A bear license authorizes
2 hunting with a firearm or bow and arrow or with a crossbow if the holder of the
3 license has a Class A, Class B, or Class C permit issued under s. 29.193 (2) that
4 authorizes hunting with a crossbow or has attained the age of 65 years.

5 **SECTION 6.** 29.193 (2) (cr) 2. of the statutes is amended to read:

6 29.193 (2) (cr) 2. A Class A permit authorizes the holder to shoot or hunt from
7 a stationary vehicle, to fish or troll as authorized under sub. (1m) (b) and to hunt
8 certain game with a crossbow as authorized under ss. 29.161 (2), 29.164 (2) (b),
9 29.171 (2), 29.182 (3) (a), 29.184 (3) (c), 29.204 (2), 29.207 (2), 29.213 (2), and 29.216
10 (2).

11 **SECTION 7.** 29.204 of the statutes is renumbered 29.204 (1).

12 **SECTION 8.** 29.204 (2) of the statutes is created to read:

13 29.204 (2) A nonresident annual small game hunting license authorizes
14 hunting with a firearm, airgun, or bow and arrow or with a crossbow if the holder of
15 the license has a Class A, Class B, or Class C permit issued under s. 29.193 (2) that
16 authorizes hunting with a crossbow or has attained the age of 65 years.

17 **SECTION 9.** 29.207 of the statutes is renumbered 29.207 (1).

18 **SECTION 10.** 29.207 (2) of the statutes is created to read:

19 29.207 (2) A nonresident 5-day small game hunting license authorizes hunting
20 with a firearm, airgun, or bow and arrow or with a crossbow if the holder of the license
21 has a Class A, Class B, or Class C permit issued under s. 29.193 (2) that authorizes
22 hunting with a crossbow or has attained the age of 65 years.

23 **SECTION 11.** 29.213 of the statutes is renumbered 29.213 (1).

24 **SECTION 12.** 29.213 (2) of the statutes is created to read:

BILL

1 29.213 (2) A nonresident fur-bearing animal hunting license authorizes
2 hunting with a firearm, airgun, or bow and arrow or with a crossbow if the holder of
3 the license has a Class A, Class B, or Class C permit issued under s. 29.193 (2) that
4 authorizes hunting with a crossbow or has attained the age of 65 years.

(END)

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insert
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2009 ASSEMBLY BILL 86

February 24, 2009 - Introduced by Representatives HUBLER, ZIEGELBAUER, BERCEAU, VRUWINK, GUNDERSON, TOWNSEND, MURTHA, MOLEPSKE JR., BIES, M. WILLIAMS and BALLWEG, cosponsored by Senators HOLPERIN, LEHMAN, VINEHOUT, SCHULTZ and LASSA. Referred to Committee on Fish and Wildlife.

1 AN ACT *to create* 29.216 (2m) of the statutes; **relating to:** authorizing hunting
2 of certain game with a crossbow by nonresidents who have attained the age of
3 65 years.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Natural Resources may issue an archer hunting license to any resident applying for the license and may issue a nonresident archer hunting license to any nonresident applying for the license. Both licenses authorize the hunting of certain game with a bow and arrow, including deer.

Current law also provides that a person who has attained the age of 65 may hunt under a resident archer hunting license with a crossbow as well as a bow and arrow. This bill expands this authority so that under a nonresident archer hunting license, a nonresident who has attained the age of 65 may also hunt with a crossbow.

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

4 SECTION 1. 29.216 (2m)^x of the statutes is created to read:
5 29.216 (2m) PERSONS 65[✓] YEARS OF AGE OR OLDER. Notwithstanding sub. [✓](2), a
6 nonresident archer hunting license authorizes hunting with a bow and arrow or with

Insert
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ASSEMBLY BILL 86

SECTION 1

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a crossbow if the licensee is a person who has attained the age of 65. A person who has attained the age of 65 is not required to hold a permit from the department to hunt with a crossbow if he or she holds a license under this section. *(end ins)*

~~END~~

Parisi, Lori

From: Hubler, Mary
Sent: Monday, June 22, 2009 12:58 PM
To: LRB.Legal
Subject: Message from LRB website

Rep. Mary Hubler asks that LRB 2805/2 be jacketed for introduction.
relating to: authorizing the use of airguns and crossbows under certain hunting licenses.

Thank you.

Steve Engelbert
Office of Rep. Mary Hubler
266-2519