

State of Wisconsin



2011 Senate Bill 72

Date of enactment: **June 17, 2011**

Date of publication*: **July 1, 2011**

2011 WISCONSIN ACT 28

AN ACT *to renumber and amend* 29.184 (8) and 29.184 (9) (a); *to amend* 29.184 (4), 29.184 (5) (a), 29.184 (5) (b), 29.184 (9) (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 (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 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) 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, except as provided under subd. 4.

SECTION 2. 29.184 (3) (br) 4. of the statutes is created to read:

29.184 (3) (br) 4. Shoot, for the purpose of killing, a bear that was shot, but not killed, by a Class A bear license holder if the Class B bear license holder was hunting in the same hunting party as the Class A bear license holder at the point of kill, if the Class A bear license holder possesses a current unused bear carcass tag that is authorized for use on the bear killed, and if killing the bear is necessary to protect the safety of the members of the hunting party or others.

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

29.184 (3m) **OPEN SEASON REQUIREMENTS.** If the department establishes an open season 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 4. 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 5. 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.~~ 4. without holding a Class B bear license.

SECTION 6. 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 7. 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 4. during the 3rd

* Section 991.11, WISCONSIN STATUTES 2009-10: 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].

Saturday in August and the immediately following Sunday without holding a Class B bear license.

SECTION 8. 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- Except as provided under par. (b), a person who kills a bear 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 9. 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 10. 29.184 (9) (a) of the statutes is renumbered 29.184 (9) and amended to read:

29.184 (9) The department shall issue a back tag to each person who is issued a Class A bear license ~~or a Class B bear license.~~

SECTION 11m. 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 outer-

most garment where it can clearly be seen the back tag issued to the person under par. (a).

SECTION 12. 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 person who shoots at or kills a bear as authorized under s. 29.184 (3) (br) 4.

SECTION 13. 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 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.