

2011 DRAFTING REQUEST

Assembly Amendment (AA-ASA(LRBs0212/1)-AB311)

Received: 10/19/2011

Received By: **rkite**

Wanted: **As time permits**

Companion to LRB:

For: **Jeffrey Mursau (608) 266-3780**

By/Representing: **Tim Gary**

May Contact:

Drafter: **rkite**

Subject: **Nat. Res. - fish and game**

Addl. Drafters:

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Mursau@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Disabled hunting exemptions and disabled veteran's recreational card

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>
/?							
/1	rkite 10/19/2011	wjackson 10/19/2011	jfrantze 10/19/2011	_____	ggodwin 10/19/2011	ggodwin 10/19/2011	

FE Sent For:

<END>

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1/?	rkite	1/wj 10/19	Jb 10/19	Kif 10/19			

FE Sent For:

<END>

Kite, Robin

From: Gary, Tim
Sent: Tuesday, October 18, 2011 6:15 PM
To: Kite, Robin
Subject: RE: Sportsmen recruitment
Importance: High

These two amendments are to be authored by Rep. Mursau and considered separately from the final version of the ASA being authored by Rep. Suder's office.

Since these are additions to the ASA being drafted, I assume I do not need Rep. Suder's permission to see the ASA, only to have these amendments that refer to the ASA.

Tim Gary

Wisconsin State Assembly
Office of **Representative Jeff Mursau**
36th Assembly District, Research Assistant
Committee on Natural Resources, Clerk
Committee on Forestry, Clerk
PO Box 8952
Madison, WI 53708-8953
(608) 266-3780
[Sign Up for E-Updates](#)

From: Gary, Tim
Sent: Tuesday, October 18, 2011 6:12 PM
To: Kite, Robin
Subject: Sportsmen recruitment

Robin,

Please draft 2 amendments to LRBs0212 that:

1. Create Northern and Southern winter gamefish zones (use Hwy 10 as the dividing line), maintaining the current end of season in the South and extending the end one week later in the North (Spring hearing question #82)
2. Allow a disabled hunter and up to two hunter companions, to hunt from a watercraft (pontoon boat) and/ or a specially designed blind that may not meet the natural vegetation concealment requirement of NR 10.001(20) "Open Water" (Spring hearing question #66); **and**
 - a. Create a Disabled Veteran's Recreational Card, at reduced cost (to cover administrative costs), for Wisconsin residents who are veterans with a service connected disability greater than 50% which would include fishing and small game hunting approvals Spring hearing question #75

Tim Gary

Wisconsin State Assembly
Office of **Representative Jeff Mursau**
36th Assembly District, Research Assistant
Committee on Natural Resources, Clerk
Committee on Forestry, Clerk

10/19/2011



State of Wisconsin
2011 - 2012 LEGISLATURE



LRBa1684/1
RNR & MGG: /:...

9/2 WJ

Now

DN

**ASSEMBLY AMENDMENT ,
TO ASSEMBLY SUBSTITUTE AMENDMENT (LRBs0212/1),
TO 2011 ASSEMBLY BILL 311**

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 1, line 12: after "requirements;" insert "issuing ^{disabled} veteran recreational
3 cards; hunting of waterfowl by holders of Class A ^{disabled} hunting permits". *for the disabled*

4 **2.** Page 3, line 20: after that line insert:

5 "SECTION 3g. 27.01 (7) (c) 6. of the statutes is amended to read:
6 27.01 (7) (c) 6. Any vehicle, except a motor bus, occupied by a person holding
7 a senior citizen recreation card issued under s. 29.624 or a disabled veteran
8 recreation card issued under s. 29.236.

History: 1971 c. 125, 215, 326; 1973 c. 90 s. 538; 1973 c. 245; 1975 c. 365 s. 62; 1977 c. 29, 71, 424; 1979 c. 34, 175; 1981 c. 20, 343; 1983 a. 19; 1983 a. 27 ss. 644 to 674, 2202 (38); 1983 a. 325; 1985 a. 29, 125; 1987 a. 27, 277, 295, 399; 1989 a. 31, 56, 213, 359; 1991 a. 39, 269; 1993 a. 16, 213; 1995 a. 27, 312, 391; 1997 a. 27, 248; 1999 a. 9, 83; 2001 a. 16; 2005 a. 25, 94; 2007 a. 20, 165; 2009 a. 28, 54, 70, 302.

9 **SECTION 3m.** 27.01 (8) (b) 2. of the statutes is amended to read:

1 27.01 (8) (b) 2. Any person holding a senior citizen recreation card issued under
2 s. 29.624 or a disabled veteran recreation card issued under s. 29.236; or”.

History: 1971 c. 125, 215, 326; 1973 c. 90 s. 538; 1973 c. 245; 1975 c. 365 s. 62; 1977 c. 29, 71, 424; 1979 c. 34, 175; 1981 c. 20, 343; 1983 a. 19; 1983 a. 27 ss. 644 to 674, 2202 (38); 1983 a. 325; 1985 a. 29, 125; 1987 a. 27, 277, 295, 399; 1989 a. 31, 56, 213, 359; 1991 a. 39, 269; 1993 a. 16, 213; 1995 a. 27, 312, 391; 1997 a. 27, 248; 1999 a. 9, 83; 2001 a. 16; 2005 a. 25, 94; 2007 a. 20, 165; 2009 a. 28, 54, 70, 302.

3 √ 3. Page 5, line 19: after that line insert:

4 “SECTION 5g. 29.193 (2) (cr) 2m. of the statutes is created to read:

5 29.193 (2) (cr) 2m. a. In this subdivision, “open water” means any portion of a
6 navigable water body that does not contain a naturally occurring growth of emergent
7 vegetation that is rooted to the bottom and that is of sufficient height and density to
8 conceal at least 50% of a person who is hunting waterfowl from a boat or from a
9 waterfowl blind.

10 b. A Class A permit authorizes the holder to hunt waterfowl from a boat or from
11 a waterfowl blind in open water. The holder of the Class A permit may be
12 accompanied by up to 2 persons who may hunt waterfowl with the Class A permit
13 holder only if they hold the appropriate approvals.”

14 ↓ 4. Page 6, line 3: after that line insert:

15 “SECTION 6m. 29.236 of the statutes is created to read:

16 29.236 Disabled veteran recreation card. (1) The department, subject ss.
17 29.024 and 54.25 (2) (c) 1. d., shall issue a disabled veteran recreation card to any
18 resident who produces evidence that shows ^{STL} ~~that~~ ^{she} he or she is a veteran, as defined in
19 38 USC 101, and is receiving disability compensation benefits under 38 USC 1101
20 to 1163 for disabilities that result in a disability rating that is 50 percent or greater
21 under 38 USC 1114 or 1134, or is receiving disability compensation benefits due to
22 being individually unemployable under 38 CFR 4.16 as authorized under 38 USC
23 501.”

1 (2) A ^{disabled} veteran recreation card entitles the holder to exercise all of the combined
 2 rights and privileges conferred by a resident small game hunting license and a
 3 resident fishing license, subject to all duties, conditions, limitations and restrictions
 4 of the licenses. A person may operate any motor vehicle, except a motor bus, as
 5 defined in s. 340.01 (31), subject to the admission requirements under s. 27.01 (7) in
 6 any vehicle admission area under s. 27.01 (7) without having an admission receipt
 7 affixed to the vehicle or otherwise displayed and without paying a fee if the vehicle
 8 has as an occupant a card holder who can present the card upon demand in the
 9 vehicle admission area. The card permits a card holder to enter Heritage Hill state
 10 park or a state trail without paying an admission fee.

11 (3) Except as provided in this section, possession of a ^{disabled} veteran recreation card
 12 shall not entitle the holder to obtain any other privileges or services for free if the
 13 privileges or services may be obtained only through payment of a fee." ✓

14 ↓ 5. Page 6, line 14: after that line insert:

15 "SECTION 9g. 29.563 (4) (a) 3. of the statutes is created to read:

16 29.563 (4) (a) 3. Disabled veteran recreation card: the fee as established by the
 17 department under par. (am). ✓

18 SECTION 9r. 29.563 (4) (am) of the statutes is created to read:

19 (I) → Fee for disabled veteran recreation card
 20 29.563 (4) (am) The fee established by the department for a disabled veteran
 21 recreation card may not be more than the amount necessary to cover the
 22 administrative costs of issuing the card."

22 6. Page 7, line 9: after that line insert:

23 SECTION 12g. 29.563 (12) (c) 1m. of the statutes is created to read:

24 29.563 (12) (c) 1m. Disabled veteran recreation: \$2. ✓

1

SECTION 12m. 29.563 (14) ⁷⁰(c) ⁷⁰ of the statutes is created to read:

2

29.563 (14) (c) ⁷⁰(5) There is no issuing fee for a ^{disabled} veteran recreation card.

3

SECTION 12r. 29.569 (4m) of the statutes is created to read:

4

29.569 (4m) **DISABLED VETERAN RECREATION CARD.** A disabled veteran recreation

5

card is valid from the date of issuance and shall remain valid as long as the person

6

is a resident.”.

7

(END)

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa1684/41n

MGG:WJ

Date

^{disabled}
In preparing the veteran recreation card portion of this amendment, I based the requirements for being a "disabled veteran" on the language found in s. 29.193 (3) (c) ^{stats.} which relates to the issuance of annual fishing licenses to disabled veterans. This language was amended last session in 2009 Wisconsin Act 109 to expand eligibility to include disabled veterans who are "individually unemployable". The concept of being individually unemployable takes into account education and skills, as well as medical disability, in determining whether a veteran is eligible for a reduced fee for an annual fishing license. If you want the more restrictive eligibility requirement that existed before s. 29.193 (3) (c) was amended, this will need redrafting.

^{disabled}
The provisions relating to additional fees, such as an issuing fee, and the period of validity for the veteran recreation card are based on those that currently apply to the senior citizen recreation card, or that did apply to the senior citizen recreation card when it was still being issued.

Mary Gibson-Glass
Senior Legislative Attorney
Phone: (608) 267-3215

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

LRBa1684/1dn
MGG:wlj:jf

October 19, 2011

In preparing the disabled veteran recreation card portion of this amendment, I based the requirements for being a "disabled veteran" on the language found in s. 29.193 (3) (c), stats., which relates to the issuance of annual fishing licenses to disabled veterans. This language was amended last session in 2009 Wisconsin Act 109 to expand eligibility to include disabled veterans who are "individually unemployable." The concept of being individually unemployable takes into account education and skills, as well as medical disability, in determining whether a veteran is eligible for a reduced fee for an annual fishing license. If you want the more restrictive eligibility requirement that existed before s. 29.193 (3) (c) was amended, this will need redrafting.

The provisions relating to additional fees, such as an issuing fee, and the period of validity for the disabled veteran recreation card are based on those that currently apply to the senior citizen recreation card, or that did apply to the senior citizen recreation card when it was still being issued.

Mary Gibson-Glass
Senior Legislative Attorney
Phone: (608) 267-3215