

2011 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-AB311)

Received: 11/01/2011

Received By: **rkite**

Wanted: **As time permits**

Companion to LRB:

For: **Dean Kaufert (608) 266-5719**

By/Representing: **Adam**

May Contact:

Drafter: **rkite**

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

Addl. Drafters:

Extra Copies:

Submit via email: **YES**

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

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Hunting by certain disabled persons

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>
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/1	rkite 11/01/2011	wjackson 11/01/2011	rschluet 11/01/2011	_____	lparisi 11/01/2011	lparisi 11/01/2011	

FE Sent For:

<END>

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FE Sent For:

<END>

-6-5719-

Adam - Kaufert

AB-311

11/1/11

allow persons with upper extremity
disability to hunt during fall
deer hunting season (firearm)

Wisconsin disability firearm hunt -
promulgate - to include upper extremity
disabilities

disabled firearm hunt -

same process - wants permit -

Kite, Robin

From: Field, Adam
Sent: Tuesday, November 01, 2011 2:37 PM
To: Kite, Robin
Subject: FW Wisc. Disabled Hunt

Hi Robin,

Enclosed is a copy of the basic issue Rep. Kaufert is trying to address with the amendment. This additional info. maybe helpful as well.

Thanks again for your help on this!

Adam

Wisconsin Disabled FireArm Hunt

Problem: The problem is there are people with permanent upper extremity disabilities that need the assistance of a mechanical device and/or help from another person to SAFELY discharge a firearm. These people are NOT allowed to hunt with a firearm during the special firearm season for disabled hunters.

Solution: The solution would include someone with:

- * an amputation or other loss of one or both arms above the wrist or
- * a permanent substantial loss of function in one or both hands or one or both arms (requires testing administered by or under the direction of a licensed physician)

This could be done by submitting the same form # 3600-162 which is the same process used to qualify someone to fish or troll with an electric motor.

Be it resolved: At the annual Conservation Congress meeting in Outagamie County on April 11th, 2011. It is recommended that the congress work with the Department of Natural Resources to change the rules for the WI disability firearm hunt to include people with upper extremity disabilities.

Adam R. Field

Office of Rep. Dean Kaufert
Wisconsin State Assembly



Now
State of Wisconsin
2011 - 2012 LEGISLATURE



LRBa1911/0

RNK: /:....

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run

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

ASSEMBLY AMENDMENT ,

TO ASSEMBLY SUBSTITUTE AMENDMENT 1, ✓

TO 2011 ASSEMBLY BILL 311 ✓

D-Note

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

2 ✓ 1. Page 1, line 10: after "programs;" insert "Class D hunting permits issued to
3 certain disabled persons;"

4 ✓ 2. Page 4, line 18: after that line insert:

5 "SECTION 4m. 29.053 (3) of the statutes is amended to read:

6 29.053 (3) The department may modify any requirement of this chapter or
7 rules promulgated under it, establish special seasons, authorize the use of special
8 equipment or take any other action in order to provide additional hunting and fishing
9 opportunities for persons who are physically disabled or visually handicapped and

10 The department may limit the number of persons involved, except that if the
11 department establishes a special season for hunting deer with firearms for persons

1 who are physically disabled, the season shall be open to persons who have been
2 issued a Class D permit under s. 29.193 (2)."

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

3 ✓ **3.** Page 5, line 19: after that line insert:

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

5 29.193 (2) (b) 1. The department shall, after investigation and without
6 charging a fee, except for the costs of review in par. (c) 3. or (e), issue a Class A, Class
7 B ~~or~~ Class C, or Class D permit to any person, as provided in this subsection.

8 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; 2009 a. 109, 113, 119, 132, 375; 13.92 (1) (bm) 2.

8 SECTION 5e. 29.193 (2) (b) 3. of the statutes is amended to read:

9 29.193 (2) (b) 3. As part of the application for a Class A ~~or~~ Class B, or Class
10 D permit under this subsection, the applicant shall authorize the department by
11 written release to examine all medical records regarding the applicant's physical
12 disability.

13 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; 2009 a. 109, 113, 119, 132, 375; 13.92 (1) (bm) 2.

13 SECTION 5g. 29.193 (2) (c) 5. of the statutes is created to read:

14 29.193 (2) (c) 5. The department shall issue a Class D permit to any person with
15 an amputation, or permanent substantial loss of function, of one or both arms or one
16 or both hands.

17 SECTION 5j. 29.193 (2) (cr) 4. ✓ of the statutes is created to read:

18 29.193 (2) (cr) 4. A person holding a current resident or nonresident deer
19 hunting license and a Class D permit may hunt deer of either sex with a firearm only
20 during a special season established by the department that is open for hunting deer
21 with firearms ~~only~~ by disabled persons who hold a permit under this section.

22 SECTION 5m. 29.193 (2) (d) 3. ✓ of the statutes is created to read:

23 29.193 (2) (d) 3. A holder of a Class D permit may use an adaptive device, as
24 authorized by the department by rule, to facilitate the use of a firearm and may be

1 accompanied by a person who is not eligible to apply for a permit under this section.
2 The accompanying person may not hunt or carry a firearm, bow, or crossbow unless
3 that person has been issued the appropriate approval to do so. The assistance
4 rendered by an accompanying person who has not been issued the appropriate
5 approval is limited to field dressing, tagging, and retrieving game for the permit
6 holder and any other assistance authorized by the department by rule.”. ✓

7 (END)

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

LRBa1911/1dn

RNK:.....

WJ

Date

Please review this amendment ^gvery closely to ensure that it meets your intent. The amendment creates a Class D disabled hunting permit for the very limited purpose that you have described. Please pay particular attention to the language in the amendment that concerns the type of assistance ~~that~~ the permit holder is authorized to receive. It borrows language from current law but is crafted to give DNR flexibility to authorize the use of other types of assistance. Please give me a call if you have any questions. ↙

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

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

LRBa1911/1dn
RNK:wlj:rs

November 1, 2011

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