

## 2011 DRAFTING REQUEST

### Senate Substitute Amendment (SSA-AB311)

Received: 02/20/2012

Received By: rkite

Wanted: As time permits

Companion to LRB:

For: Neal Kedzie (608) 266-2635

By/Representing: Dan Johnson

May Contact:

Drafter: rkite

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

Addl. Drafters: mglass

Extra Copies:

Submit via email: YES

Requester's email: Sen.Kedzie@legis.wisconsin.gov

Carbon copy (CC:) to:

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#### Pre Topic:

No specific pre topic given

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#### Topic:

Various changes

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#### Instructions:

See attached

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#### 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<br>02/21/2012  | jdye<br>02/22/2012     |                        | _____          |                       |                 |                 |
|              | rkite<br>02/23/2012  | wjackson<br>02/28/2012 |                        | _____          |                       |                 |                 |
|              | mglass<br>02/23/2012 |                        |                        | _____          |                       |                 |                 |
| /P1          |                      |                        | jfrantze<br>02/28/2012 | _____          | lparisi<br>02/28/2012 |                 |                 |

| <u>Vers.</u> | <u>Drafted</u>      | <u>Reviewed</u>        | <u>Typed</u>          | <u>Proofed</u> | <u>Submitted</u>      | <u>Jacketed</u>       | <u>Required</u> |
|--------------|---------------------|------------------------|-----------------------|----------------|-----------------------|-----------------------|-----------------|
| /P2          | rkite<br>02/29/2012 | wjackson<br>02/29/2012 | phenry<br>02/29/2012  | _____          | lparisi<br>02/29/2012 |                       |                 |
| /1           | rkite<br>02/29/2012 | wjackson<br>02/29/2012 | jmurphy<br>02/29/2012 | _____          | lparisi<br>02/29/2012 | lparisi<br>02/29/2012 |                 |

FE Sent For:

<END>

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|              | rkite<br>02/23/2012  | wjackson<br>02/28/2012 |                        | _____          |                       |                 |                 |
|              | mglass<br>02/23/2012 |                        |                        | _____          |                       |                 |                 |
| /P1          |                      |                        | jfrantze<br>02/28/2012 | _____          | lparisi<br>02/28/2012 |                 |                 |

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|--------------|---------------------|------------------------|----------------------|----------------|-----------------------|-----------------|-----------------|
| /P2          | rkite<br>02/29/2012 | wjackson<br>02/29/2012 | phenry<br>02/29/2012 | _____          | lparisi<br>02/29/2012 |                 |                 |

FE Sent For:

1/1 WJ 2/29

fm SELF  
2/29  
<END>

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|--------------|----------------------|------------------------|------------------------|----------------|-----------------------|-----------------|-----------------|
| /?           | rkite<br>02/21/2012  | jdyer<br>02/22/2012    | /29<br>ph              | _____          | _____                 | _____           | _____           |
|              | rkite<br>02/23/2012  | wjackson<br>02/28/2012 |                        | gm/ph          |                       |                 |                 |
|              | mglass<br>02/23/2012 |                        |                        | _____          |                       |                 |                 |
|              |                      | /p2 wlj 2/29           |                        | _____          |                       |                 |                 |
| /P1          |                      |                        | jfrantze<br>02/28/2012 | _____          | lparisi<br>02/28/2012 | _____           | _____           |

FE Sent For:

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By/Representing: **Dan Johnson**

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|--------------|----------------|-----------------|--------------|----------------|------------------|-----------------|-----------------|
| /?           | rkite          | /p1 WLJ 2/28    | Jb 2/28      | Jm 2/28        | Jb               |                 |                 |

FE Sent For:

<END>

## Kite, Robin

---

**From:** Johnson, Dan  
**Sent:** Monday, February 20, 2012 9:35 AM  
**To:** Kite, Robin  
**Subject:** AB 311 amendment request

**Attachments:** Senate Substitute Amendment 1 to Assembly Bill 311.doc

Hi Robin,

Attached are drafting instructions that Senator Kedzie would like to get in the hopper for a Senate substitute amendment to Assembly Bill 311. There are still several decisions that need to be made regarding this amendment, but he would at least like to get a preliminary draft going, which could be revised along the way. Pages 1 and 2 of this document are the actual drafting instructions, while page 3 lays out the intent. Please call or write with any questions you may have of this request.

Thank you!

Dan Johnson  
Chief of Staff  
**State Senator Neal Kedzie**  
11<sup>th</sup> Senate District  
608.266.2635



Senate Substitute  
Amendment 1 ...



✓ **Section 5**

*Per Dan -  
leave this  
item out*

**Incentives for recruitment.** To the greatest extent possible, the department shall establish a program to recognize people who recruit others as hunters, trappers, and anglers. The program shall include a component under which a person who is issued his or her first hunting, trapping, or fishing approval in his or her lifetime may designate one person as the person who encouraged the applicant to obtain the license. The program shall provide for all of the following:

- ✓ Delete lines 8-12 on Page 7 of the engrossed bill.
- ✓ Delete Section 5h on Page 9 of the engrossed bill.
- ✓ Delete Section 6m on Page 10 of the engrossed bill.
- ✓ Delete Section 7 on Page 11 of the engrossed bill.
- ✓ Delete Sections 9g. and 9r. on Pages 11-12 of the engrossed bill.
- ✓ Delete Sections 12g., 12m. and 12r. on Pages 12-13 of the engrossed bill.

✓ **Sections 15 and 19**

In these sections, change "bimonthly" to "every two months".  
(Page 13, line 22 and Page 15, line 2)

✓ **Create New Section**

Revise 29.037 in the following manner:

29.037 (1) This state assents to the provisions of 16 USC 669 to 669k and 777 to 777L. The department is authorized and directed to perform any acts necessary to establish cooperative wildlife restoration projects and cooperative fish restoration and management projects in compliance with these federal provisions and with regulations promulgated by the secretary of the interior. No funds accruing to this state from license fees paid by hunters and from sport and recreation fishing license fees may be diverted for any other purpose than the administration of the department when it is exercising its responsibilities that are specific to the management of the fish and wildlife resources of this state.

29.037 (2) On or before March 15 of each even-numbered year, the department shall submit to the chief clerk of each house of the legislature for distribution to the appropriate standing committees under s. 13.172 (3), a report identifying the department's use and expenditure of funds provided to the department under 16 USC 669 to 669k or 777 to 777L.

Senator Kedzie requests a Senate Substitute Amendment to the Engrossed and corrected copy of 2011 AB 311 (LRB 3481/1), to reflect revisions in the following manner.

**Section 1**

**SPORTING HERITAGE COUNCIL.** There is created in the department of natural resources a sporting heritage council consisting of the following members:

✓ The secretary of natural resources, or his or her designee, who shall serve as chairperson.

✓ The secretary of tourism, or his or her designee, who shall serve as vice-chairperson.

✓ Five members from nominations provided by sporting organizations that have as their primary objective the promotion of hunting or trapping. Of the 5 members, one shall represent the interests of deer hunters, one shall represent the interests of bear hunters, one shall represent the interests of waterfowl hunters, one shall represent the interests of upland game hunters, and one shall represent the interests of furbearing animal hunters and trappers.

- The deer hunting representative shall be appointed by the secretary of natural resources.
- The bear hunting representative shall be appointed by the speaker of the assembly.
- The waterfowl hunting representative shall be appointed by the senate majority leader.
- The upland game hunting representative shall be appointed by the chair of the appropriate senate standing committee that deals with natural resources issues.
- The furbearing animal hunting and trapping representative shall be appointed by the chair of the appropriate assembly standing committee that deals with natural resources issues.

✓ One member, appointed by the Governor, from nominations provided by a sporting organization that has as its primary objective the promotion of fishing.

✓ One member, appointed by the executive committee of the conservation congress, who is a member of the conservation congress.

✓ Delete line 18 on page 3 of the engrossed bill.

✓ Delete lines 5-9 on page 4 of the engrossed bill.

✓ Delete, "or a disabled veteran recreation card issued under s. 29.236" on Page 4, lines 12-13 and 16 of the bill.

✓ Delete Section 4m on Page 5 of the engrossed bill.

**INTENT of Senate Substitute Amendment to AB 311:**

- Reduces the size of the Sporting Heritage Council from 16 members to 9, but maintains the core pertinent members. Adds the Secretary of Tourism, or a designee of the Secretary, as Vice-Chair.
- Allows individual members to be selected by several key elected officials, rather than just the DNR Secretary, who is also the Chair.
- Delete a requirement the committee meet at least four times per year; deleting this requirement leaves it to the discretion of the Chair.
- Delete a provision that the DNR may not award Stewardship funds unless it first considers whether the grant will benefit local businesses and the economy.
- Delete the 'north/south' open fishing season closure provision.
- Delete a requirement the DNR award prizes to persons as an incentive for recruiting hunters, trappers, and anglers.
- Delete the creation of a free Veterans Disabled Recreation Card.
- Retain youth sturgeon spear-fishing to persons at least 14 years old.
- Change field training testing for the Hunter Safety education course from "bimonthly" to "every two months".
- Create a requirement the DNR provide a report to the Legislature every 2 years regarding its use of monies received from the federal Pittman-Robertson Act.

**Kite, Robin**

---

**From:** Johnson, Dan  
**Sent:** Monday, February 20, 2012 10:45 AM  
**To:** Kite, Robin  
**Subject:** RE: AB 311 amendment request

Honestly, I think we added that to provide the DNR with some wiggle room, in case they ran into a situation whereby they simply were not able to devise the methods for the program they're required to create. I think the issue related to the method for issuing credits, and perhaps in talking with the DNR, they really didn't know how that would work in the real world. But, if you believe the phrase is superfluous or unnecessary, then get rid of it.

*Per follow-up w/ Dan -  
leave this item out*

Thank you!

Dan

---

**From:** Kite, Robin  
**Sent:** Monday, February 20, 2012 10:37 AM  
**To:** Johnson, Dan  
**Subject:** RE: AB 311 amendment request

Dan,

As I work on this substitute amendment, I have just one question at this point. With regard to the change to Section 5:

You have added the phrase, "to the greatest extent possible". I am not sure what that phrase modifies. In other words, is the department's program supposed to recognize people to the greatest extent possible? Or, is the department supposed to establish a program to the greatest extent possible? In either event, I'm not sure I understand what this means. Could you clarify the intent of this item?

Thanks.  
Robin

---

**From:** Johnson, Dan  
**Sent:** Monday, February 20, 2012 9:35 AM  
**To:** Kite, Robin  
**Subject:** AB 311 amendment request

Hi Robin,

Attached are drafting instructions that Senator Kedzie would like to get in the hopper for a Senate substitute amendment to Assembly Bill 311. There are still several decisions that need to be made regarding this amendment, but he would at least like to get a preliminary draft going, which could be revised along the way. Pages 1 and 2 of this document are the actual drafting instructions, while page 3 lays out the intent. Please call or write with any questions you may have of this request.

Thank you!

Dan Johnson  
Chief of Staff

**State Senator Neal Kedzie**

11<sup>th</sup> Senate District

608.266.2635

<< File: Senate Substitute Amendment 1 to Assembly Bill 311.doc >>

## Kite, Robin

---

**From:** Johnson, Dan  
**Sent:** Wednesday, February 22, 2012 4:43 PM  
**To:** Kite, Robin  
**Subject:** RE: AB 311 amendment

No, no further reduction for first time duplicates, and it would only apply to the approvals listed under the bill. The intent is to ensure they don't get charged the non-reduced fee for a duplicate approval. In other words, if they pay \$4.25 for a license, and then somehow lose that license, they can get another one for \$4.25.

Dan

---

**From:** Kite, Robin  
**Sent:** Wednesday, February 22, 2012 4:33 PM  
**To:** Johnson, Dan  
**Subject:** RE: AB 311 amendment

Dan:

I have another question that concerns duplicate approvals. Current law specifies reduced fees for duplicate approvals (see 29.563 (12)). Should the draft provide that for a first time license holder, the fee for a duplicate license (which is already reduced) should be further reduced? And, if so, does the reduction in the fee for a duplicate only apply to duplicates of those approvals already specified in the bill? For example, the bill does not provide for a reduced fee for a conservation patron license for a first timer, but current law specifies a reduced fee for a duplicate of that license. And the fee for a duplicate approval may or may not already be less than the reduced fee specified under the bill for first time licensees. I think we will have to talk about this one so that I make sure I understand the instructions. I will give you a call when I finish with the rest of the redraft and we can sort this out.

Thanks.  
Robin

---

**From:** Johnson, Dan  
**Sent:** Wednesday, February 22, 2012 3:48 PM  
**To:** Kite, Robin  
**Subject:** RE: AB 311 amendment

Yes, that's seems reasonable. I will let you know if we need to bump that date out any further. Thanks!

Dan

---

**From:** Kite, Robin  
**Sent:** Wednesday, February 22, 2012 3:43 PM  
**To:** Johnson, Dan  
**Subject:** FW: AB 311 amendment

Dan:

As I look through these revised instructions, I see that you have not revised the effective dates in the bill. Certain provisions in the bill have an effective date of March 1, 2012 (see page 16, lines 13-15 of the engrossed bill). This could be interpreted to give retroactive effect to these provisions because this bill will not pass the legislature until after March 1, 2012. Do you want these provisions to take effect on the day after publication instead?

Thanks.  
Robin

---

**From:** Johnson, Dan  
**Sent:** Wednesday, February 22, 2012 3:20 PM  
**To:** Kite, Robin  
**Subject:** RE: AB 311 amendment

Robin,

Here are the new instructions. To clarify, we wish to retain Assembly Bill 311 as engrossed, but make changes as listed below. I am still waiting for one more revision from the DNR regarding the issuance of Class D permits. I think they are working on some type of definition of "permanent substantial loss of function". When I have that from them, I will get it to you.

Please call or write with any questions you have. Thanks!

Dan Johnson  
**State Senator Neal Kedzie**  
11<sup>th</sup> Senate District  
608.266.2635

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There is created in the department of natural resources a 12-member sporting heritage council consisting of the following members:

- The secretary of natural resources, or his or her designee, who shall serve as chairperson.
- One member appointed by the Governor.
- Two members of the state assembly, appointed by the assembly speaker, who may not be members of the same political party.
- Two members of the state senate, appointed by the senate majority leader, who may not be members of the same political party.
- Five members, appointed by the Natural Resource Board, from nominations provided by sporting organizations that have as their primary objective the promotion of hunting, fishing, or trapping. Of the 5 members, one shall represent the interests of deer hunters, one shall represent the interests of bear hunters, one shall represent the interests of bird hunters, one shall represent the interests of fishers, and one shall represent the interests of furbearing animal hunters and trappers.
- One member, appointed by the executive committee of the conservation congress, who is a member of the conservation congress.

The sporting heritage council shall meet at least one time each year.

Delete lines 5-9 on page 4 of the engrossed bill. **(Delete Stewardship grants requirement)**

Delete Section 4m on Page 5 of the engrossed bill. **(Delete North/South fishing closure)**

Delete Section 5h on page 9, lines 5-13 of the engrossed bill. **(Delete 'open water' hunting provision)**

Delete lines 8-12 on Page 7 of the engrossed bill. **(Delete awarding and donating prizes)**

### **Sections 15 and 19**

In these sections, change "bimonthly" to "every two months".  
(Page 13, line 22 and Page 15, line 2)

### **Hunting, fishing, trapping in state parks**

Page 8, line 1 to read: "The department prohibits hunting, fishing, or trapping within 100 yards of a designated use area."

### **Disabled Veteran Recreation Card**

- Retain the disabled veteran recreation card provisions in the engrossed bill, however the fee is set at \$7 and the holder of the card is required to renew the card each year at the same cost.

### **Fees for First Time Approvals**

Under the engrossed bill, first time users receive a reduced fee for certain approvals or privileges. However, it does not contemplate the issuance of a duplicate approval for a first time user who may lose or misplace their approval. Thus, add language to ensure a first time user may receive a duplicate approval or license at the same reduced rate.

### **INTENT of Senate Substitute Amendment to AB 311:**

- Reduce the size of the Sporting Heritage Council from 16 members to 12. Sporting organization members appointed by the Natural Resources Board.
- Require the Council to meet at least once per year.
- Delete a provision that the DNR may not award Stewardship funds unless it first considers whether the grant will benefit local businesses and the economy.
- Ensure first time users can receive a duplicate license at the same rate.
- Delete the 'north/south' open fishing season closure provision.
- Delete the 'open water' hunting provision.
- DNR may prohibit hunting, fishing, or trapping within 100 yards of a designated use area.
- Retain the disabled veteran recreation card, however the cost of the card is set at \$7 and the holder of the



card is required to renew the card each year at the same cost.

- Delete a requirement the DNR award prizes to persons as an incentive for recruiting hunters, trappers, and anglers.
- Change field training testing for the Hunter Safety education course from “bimonthly” to “every two months”.
- All other provisions in the engrossed bill remain as is.



DN

Tus

+MGG

LRB-6481/1  
RNK:elm

SENATE SUBSTITUTE AMENDMENT WLj

~~ENGROSSED~~ 2011 ASSEMBLY BILL 311

TO

November 2, 2011 - Printed by direction of SENATE CHIEF CLERK.

regen cat

1 AN ACT *to repeal* 29.089 (3); *to renumber and amend* 29.591 (2); *to amend*

2 29.089 (title), 29.089 (1), 29.089 (2) (intro.), 27.01 (7) (c) 6., 27.01 (8) (b) 2.,

3 29.053 (3), 29.193 (2) (b) 1., 29.193 (2) (b) 3., 29.197 (3), 29.237 (1m), 29.563 (2)

4 (intro.), 29.563 (3) (intro.), 29.563 (6) (intro.), 29.597 (1) (a) and 29.597 (1) (c);

5 and *to create* 15.347 (21), 29.089 (1m), 23.0916 (3m), 23.0917 (8) (f), 29.036,

6 29.053 (1m), 29.084, 29.193 (2) (c) 5., 29.193 (2) (cr) 2m., 29.193 (2) (cr) 4., 29.193

7 (2) (d) 3., 29.236, 29.563 (4) (a) 3., 29.563 (4) (am), 29.563 (6) (a) 1m., 29.563

8 (6m), 29.563 (12) (c) 1m., 29.563 (14) (c) 7., 29.569 (4m), 29.591 (1) (am), 29.591

9 (2) (b), 29.597 (1m), 29.597 (2) (c), 29.597 (2) (d) and 120.13 (30) of the statutes;

10 relating to: ~~20090612~~ <sup>SILL</sup> ~~of the~~ sporting heritage council; programs to encourage

11 hunting, trapping, fishing, and outdoor recreation activities; access to land

12 under the Warren Knowles-Gaylord Nelson stewardship program; reduced

13 fees for certain hunting, trapping, and fishing approvals; high school credit

14 under and administration of the hunter and trapper education programs; Class

**ENGROSSED ASSEMBLY BILL 311**

1 D hunting permits issued to certain disabled persons; waiving fishing license  
 2 requirements for weekend fishing events; hunting, fishing, and trapping in  
 3 state parks; ~~sturgeon spearing license age requirements~~, issuing <sup>annual</sup> disabled  
 4 veteran recreational cards; ~~hunting of waterfowl by holders of Class A hunting~~  
 5 ~~permits for the disabled; open game fishing seasons;~~ and requiring the exercise  
 6 of rule-making authority.

***Analysis by the Legislative Reference Bureau***

***Engrossment information:***

The text of Engrossed 2011 Assembly Bill 311 consists of the following documents adopted in the assembly on November 1, 2011: Assembly Substitute Amendment 1 as affected by Assembly Amendments 1, 2, 3, 4 (as affected by Assembly Amendment 1 thereto), and 7. In engrossing, SECTIONS 1d, 1f, 1j, 1m, 1p, 4m, and 5g were renumbered, respectively, SECTIONS 5ae, 5am, 5as, 5bg, 5br, 4r, and 5h to correct the order of these sections.

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

7 **SECTION 1.** 15.347 (21) of the statutes is created to read:

8 15.347 (21) SPORTING HERITAGE COUNCIL. (a) There is created in the department  
 9 of natural resources a sporting heritage council consisting of the following members:

10 1. The secretary of natural resources, or his or her designee, who shall serve  
 11 as chairperson.

12 2. ~~Two~~ <sup>one</sup> members, appointed by the governor.

13 3. Two members, appointed by the speaker of the assembly, who may not be  
 14 members of the same political party.

15 4. Two members, appointed by the senate majority leader, who may not be  
 16 members of the same political party.

ENGROSSED ASSEMBLY BILL 311

1 5. Five members, appointed by the secretary of natural resources from  
2 nominations provided by sporting organizations that have as their primary objective  
3 the promotion of hunting or trapping. Of the 5 members, one shall represent the  
4 interests of deer hunters, one shall represent the interests of bear hunters, one shall  
5 represent the interests of waterfowl hunters, one shall represent the interests of  
6 upland game hunters, and one shall represent the interests of furbearing animal  
7 hunters and trappers.

8 6. One member, appointed by the ~~secretary of natural resources~~ <sup>governor</sup> from  
9 nominations provided by a ~~sporting organization~~ that has as its primary objective the  
10 promotion of fishing.  
11 7. Two members, appointed by the secretary of natural resources, each of whom  
12 has held a conservation patron license for 2 of the 3 license years preceding the date  
13 of the member's appointment.

14 <sup>b.</sup> ~~8.~~ One member, appointed by the executive committee of the conservation  
15 congress, who is a member of the conservation congress.

16 (b) The members of the sporting heritage council appointed under par. (a) 2. to  
17 <sup>6.</sup> ~~8.~~ shall be appointed for 3-year terms.

18 <sup>^</sup> (c) The sporting heritage council shall meet at least ~~4 times~~ <sup>one time</sup> each year.

19 SECTION 2. 23.0916 (3m) of the statutes is created to read:

20 23.0916 (3m) BOARD DETERMINATIONS. (a) Except as provided in par. (b), a  
21 determination by the natural resources board under sub. (2) (b) or (c) or (3) (b) or (c)  
22 with regard to public access on land or an easement requires 4 or more members of  
23 the natural resources board to concur in that determination if the land or easement  
24 was acquired on or after the effective date of this <sup>paragraph</sup> ~~subsection~~ .... [LRB inserts date].

## ENGROSSED ASSEMBLY BILL 3H

## SECTION 2

1 (b) Paragraph (a) does not apply to a determination by the natural resources  
2 board with regard to public access on an easement, if the primary purpose of the  
3 easement is to provide public access to a navigable water on which public fishing is  
4 allowed.

5 **SECTION 3.** 23.0917 (8) (f) of the statutes is created to read:

6 ~~23.0917 (8) (f) The department may not obligate moneys from the~~  
7 ~~appropriation under s. 20.866 (2) (ta) to award a grant under sub. (3) or (4) unless~~  
8 ~~the department first considers whether the grant will benefit local businesses and~~  
9 ~~the economy of this state~~

10 **SECTION 3g.** 27.01 (7) (c) 6. of the statutes is amended to read:

11 27.01 (7) (c) 6. Any vehicle, except a motor bus, occupied by a person holding  
12 a senior citizen recreation card issued under s. 29.624 or an annual ~~disabled veteran~~  
13 recreation card issued under s. 29.236.

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

15 27.01 (8) (b) 2. Any person holding a senior citizen recreation card issued under  
16 s. 29.624 or an annual ~~disabled veteran recreation card issued under s. 29.236;~~ or

17 **SECTION 4.** 29.036 of the statutes is created to read:

18 **29.036 Sporting heritage council. (1)** The sporting heritage council shall  
19 study, and provide advice and make recommendations to the governor, the natural  
20 resources board, and the legislature about, issues relating to hunting, trapping,  
21 fishing, and other types of outdoor recreation activities including all of the following:

22 (a) Ways to improve the recruitment and retention of hunters, trappers, and  
23 anglers.

## ENGROSSED ASSEMBLY BILL 311

1 (b) Ways to improve the management and protection of the natural resources  
2 of this state for the purpose<sup>s</sup> of hunting, trapping, fishing, and other types of outdoor  
3 recreation activities.

4 (c) Ways to encourage youth to participate in outdoor recreation activities,  
5 including ways to implement outdoor recreation programs for youth. ↓

6 (d) Ways to improve access to public and private land for hunting, trapping,  
7 fishing, and other types of outdoor recreation activities. ↓

8 (e) Ways to improve public access to lakes.

9 (f) Ways to increase the availability of public shooting ranges.

10 (2) The sporting heritage council shall prepare a biennial report on the status  
11 of the recruitment and retention of hunters, trappers, and anglers in this state. The  
12 sporting heritage council shall submit its initial report under this subsection no later  
13 than July 1, 2014, and shall submit subsequent reports no later than July 1 of each  
14 even-numbered year thereafter, to the governor, to the chairperson of the natural  
15 resources board, and to the chief clerk of each house of the legislature, for  
16 distribution to the appropriate standing committees under s. 13.172 (3).

17 **SECTION 4m.** 29.053 (1m) of the statutes is created to read:

18 29.053 (1m) (a) In this subsection:

19 1. "Northern zone" means the geographic area of this state that is north of USH

20 10.

21 2. "Southern zone" means the geographic area of this state that is south of USH

22 10.

23 (b) Any open fishing season that the department establishes for a type of game  
24 fish that applies to both the northern zone and the southern zone, shall have an

## ENGROSSED ASSEMBLY BILL 311

ending date in the northern zone that is 7 days later than the ending date for that open season in the southern zone.

SECTION 4r. 29.053 (3) of the statutes is amended to read:

29.053 (3) The department may modify any requirement of this chapter or rules promulgated under it, establish special seasons, authorize the use of special equipment or take any other action in order to provide additional hunting and fishing opportunities for persons who are physically disabled or visually handicapped and, The department may limit the number of persons involved, except that if the department establishes a special season for hunting deer with firearms for persons who are physically disabled, the season shall be open to persons who have been issued a Class D permit under s. 29.193 (2).

SECTION 5. 29.084 of the statutes is created to read:

**29.084 Incentives for recruitment.** The department shall establish a program to recognize people who recruit others as hunters, trappers, and anglers. The program shall include a component under which a person who is issued his or her first hunting, trapping, or fishing approval in his or her lifetime may designate one person as the person who encouraged the applicant to obtain the license. The program shall provide for all of the following:

(1) A method for maintaining a record of persons designated as provided under this section.

(2) A method for issuing a credit to any resident who is designated as provided under this section a specified number of times, as determined by the department, in any license year. The method shall require the department to allow the recipient of the credit to apply the credit in a manner that reduces the fee for an approval that is listed under s. 29.563 (2) (a) 1., 2., 4. to 5g., or 7. to 9., (3) (a) 1., or (6) (a) 1. by

**ENGROSSED ASSEMBLY BILL 311**

1 one-half of the fee that would otherwise apply to the approval, rounded up to the  
2 nearest dollar, that reduces the fee specified in s. 29.563 (4) (a) 1. for a resident sports  
3 license by \$20, or that reduces the fee specified in s. 29.563 (4) (a) 2. for a resident  
4 conservation patron license by \$60. The department may not require a resident to  
5 be designated more than 5 times in a license year in order to be eligible for a credit  
6 under this subsection. In this subsection, "license year" means the period between  
7 April 1 and the following March 31.

8 **(3)** A method under which a person who is designated as provided under this  
9 section by more than 20 different people may be entered in a drawing for prizes  
10 awarded by the department.

11 **(4)** A method under which a person may donate a prize to the department to  
12 be awarded in a drawing under sub. (3).

13 **SECTION 5ae.** 29.089 (title) of the statutes is amended to read:

14 **29.089 (title) Hunting, fishing, and trapping on land in state parks and**  
15 **state fish hatcheries.**

16 **SECTION 5am.** 29.089 (1) of the statutes is amended to read:

17 29.089 **(1)** ~~Except as provided in sub. (3), no~~ No person may hunt or trap on land  
18 located in ~~state parks or~~ state fish hatcheries.

19 **SECTION 5as.** 29.089 (1m) of the statutes is created to read:

20 29.089 **(1m)** (a) Except as provided in par. (b), state parks shall be open to  
21 hunting, fishing, and trapping by persons who hold the appropriate approvals  
22 required under this chapter.

23 (b) The department may prohibit hunting, fishing, or trapping in a state park  
24 or a portion of a state park if any of the following applies:



**ENGROSSED ASSEMBLY BILL 311**

**SECTION 5as**

*within 100 yards of*

1

1. The department prohibits hunting, fishing, or trapping ~~in~~ a designated use area.

2

3

2. The natural resources board determines that prohibiting hunting, fishing, or trapping is necessary to protect public safety or to protect a unique animal or plant community. A determination to prohibit hunting, fishing, or trapping in a state park or a portion of a state park under this subdivision requires 4 or more members of the natural resources board to concur in that determination.

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**SECTION 5bg.** 29.089 (2) (intro.) of the statutes, as affected by 2011 Wisconsin Act 35, is amended to read:

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29.089 (2) (intro.) ~~Except as provided in sub. (3), no~~ No person may have in his or her possession or under his or her control a firearm on land located in state parks or state fish hatcheries unless the firearm is unloaded and enclosed within a carrying case. This subsection does not apply to any of the following:

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12

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14

**SECTION 5br.** 29.089 (3) of the statutes is repealed.

15

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

16

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

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

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

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

**ENGROSSED ASSEMBLY BILL 311**

1           29.193 (2) (c) 5. The department shall issue a Class D permit to any person with  
2 an amputation, or permanent substantial loss of function, of one or both arms or one  
3 or both hands.

4           ~~**SECTION 5h.** 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 percent of a person who is hunting waterfowl from a boat or from  
9 a 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           **SECTION 5j.** 29.193 (2) (cr) 4. of the statutes is created to read:

15           29.193 (2) (cr) 4. A person holding a current resident or nonresident deer  
16 hunting license and a Class D permit may hunt deer of either sex with a firearm only  
17 during a special season established by the department that is open for hunting deer  
18 with firearms by disabled persons who hold a permit under this section.

19           ~~**SECTION 5m.** 29.193 (2) (d) 3. of the statutes is created to read:~~

20           ~~29.193 (2) (d) 3. A holder of a Class D permit may use an adaptive device, as  
21 authorized by the department by rule, to facilitate the use of a firearm and may be  
22 accompanied by a person who is not eligible to apply for a permit under this section.  
23 The accompanying person may not hunt or carry a firearm, bow, or crossbow unless  
24 that person has been issued the appropriate approval to do so. The assistance  
25 rendered by an accompanying person who has not been issued the appropriate~~

## ENGROSSED ASSEMBLY BILL 311

## SECTION 5m

1 approval is limited to field dressing, tagging, and retrieving game for the permit  
2 holder and any other assistance authorized by the department by rule.

3 SECTION 6. 29.197 (3) of the statutes is amended to read:

4 29.197 (3) WEEKEND EVENT EVENTS. In addition to any special event or program  
5 sponsored under sub. (2), the department shall, by rule, ~~for a~~ designate 2 special  
6 event ~~for one weekend~~ weekends per year; during which it shall waive the  
7 requirement that persons be issued fishing licenses and pay the applicable fees in  
8 order to fish in the waters of this state. The department shall designate the 3rd full  
9 weekend in January as one of the special event weekends. The department shall, by  
10 rule, designate to which inland or outlying waters ~~this waiver~~ these waivers shall  
11 apply.

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

13 ~~29.236~~ <sup>ⓑ → Annual</sup> Disabled veteran recreation card. (1) The department, subject to  
14 ss. 29.024 and 54.25 (2) (c) 1. d., shall issue <sup>an annual</sup> ~~a~~ disabled veteran recreation card to any  
15 resident who produces evidence that shows that he or she is a veteran, as defined in  
16 38 USC 101, and is receiving disability compensation benefits under 38 USC 1101  
17 to 1163 for disabilities that result in a disability rating that is 50 percent or greater  
18 under 38 USC 1114 or 1134, or is receiving disability compensation benefits due to  
19 being individually unemployable under 38 CFR 4.16 as authorized under 38 USC  
20 501. <sup>An annual</sup>

21 ~~(2)~~ <sup>ⓐ</sup> disabled veteran recreation card entitles the holder to exercise all of the  
22 combined rights and privileges conferred by a resident small game hunting license  
23 and a resident fishing license, subject to all duties, conditions, limitations, and  
24 restrictions of the licenses. A person may operate any motor vehicle, except a motor  
25 bus, as defined in s. 340.01 (31), subject to the admission requirements under s. 27.01

ENGROSSED ASSEMBLY BILL 311

(7) in any vehicle admission area under s. 27.01 (7) without having an admission receipt affixed to the vehicle or otherwise displayed and without paying a fee if the vehicle has as an occupant a card holder who can present the card upon demand in the vehicle admission area. The card permits a card holder to enter Heritage Hill state park or a state trail without paying an admission fee. *an annual*

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

SECTION 7. 29.237 (1m) of the statutes is amended to read:

29.237 (1m) Subject to s. 29.024 and any limit imposed under s. 29.192 (3), a sturgeon spearing license shall be issued by the department to any person applying for this license who is at least 14 12 years old.

SECTION 8. 29.563 (2) (intro.) of the statutes is amended to read:

29.563 (2) HUNTING APPROVALS. (intro.) Except as provided in sub. (2m) and, (2r), and (6m), the fees for hunting approvals are as follows:

SECTION 9. 29.563 (3) (intro.) of the statutes, as affected by 2009 Wisconsin Act 364, is amended to read:

29.563 (3) FISHING APPROVALS. (intro.) Except as provided in subs. (3m) and, (3r), and (6m), the fees for fishing approvals are as follows:

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

29.563 (4) (a) 3. *Annual* Disabled veteran recreation *\$7* card. *the fee as established by the* department *under par. (am)* *Keep colon*

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

## ENGROSSED ASSEMBLY BILL 311

## SECTION 9r

1 29.563 (4) (am) *Fee for disabled veteran recreation card.* The fee established  
2 by the department for a disabled veteran recreation card may not be more than the  
3 amount necessary to cover the administrative costs of issuing the card.

4 SECTION 10. 29.563 (6) (intro.) of the statutes is amended to read:

5 29.563 (6) APPROVALS FOR TRAPPING, FUR DEALERS AND TAXIDERMISTS. (intro.) ~~The~~  
6 Except as provided in sub. (6m), the fees for trapping, fur dealer, taxidermist and  
7 related approvals are as follows:

8 SECTION 11. 29.563 (6) (a) 1m. of the statutes is created to read:

9 29.563 (6) (a) 1m. Trapping issued to persons who are under 16 years of age:  
10 \$9.25.

11 SECTION 12. 29.563 (6m) of the statutes is created to read:

12 29.563 (6m) REDUCED FEES FOR CERTAIN FIRST-TIME APPROVALS. (a) The fee for  
13 an approval that is listed under sub. (2) (a) 1., 2., 4. to 5g., or 7. to 9., (3) (a) 1., or (6)  
14 (a) 1. is \$4.25 if the approval is issued to a person who has not received that type of  
15 approval, or has not been conferred the privileges of that type of approval under a  
16 license issued under s. 29.231 or 29.235, in any of the 10 years preceding the date of  
17 application.

18 (b) The fee for an approval listed under sub. (2) (b) 1., 3., or 5. to 8., (3) (b) 1.,  
19 or (6) (am) is one-half of the fee listed for the respective approval, rounded up to the  
20 nearest dollar, if the approval is issued to a person who has not received that type  
21 of approval by the department, or has not been conferred the privileges of that type  
22 of approval under a license issued under s. 29.231 or 29.235, in any of the 10 years  
23 preceding the date of application.

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

25 29.563 (12) (c) 1m. <sup>Annual</sup> Disabled veteran recreation: \$2.

ENGROSSED ASSEMBLY BILL 311

SECTION 12m

*an annual*

INS.  
13-1A  
RNK

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SECTION 12m. 29.563 (14) (c) 7. of the statutes is created to read:

29.563 (14) (c) 7. There is no issuing fee for a disabled veteran recreation card.

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

29.569 (4m) DISABLED VETERAN RECREATION CARD. A disabled veteran recreation card is valid from the date of issuance and shall remain valid as long as the person is a resident.

INS.  
13-1B

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SECTION 13. 29.591 (1) (am) of the statutes is created to read:

29.591 (1) (am) The department shall offer an online course of instruction under the hunter education program for persons who are at least 18 years of age.

SECTION 14. 29.591 (2) of the statutes is renumbered 29.591 (2) (am) and amended to read:

29.591 (2) (am) The department may appoint county, regional and statewide directors and categories of hunter education instructors necessary for the hunter education program and the bow hunter education program. These appointees are responsible to the department and shall serve on a voluntary basis without compensation. This paragraph does not apply to the online course of instruction under sub. (1) (am).

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SECTION 15. 29.591 (2) (b) of the statutes is created to read:

29.591 (2) (b) 1. If the online course of instruction under the hunter education program requires field testing for a person to demonstrate successful completion of the course, the department shall make field testing available through each department service center at least bimonthly for persons who are at least 18 years of age. *once every 2 months*

24  
25

2. If the online course of instruction under the hunter education program requires a written test for a person to demonstrate successful completion of the

## ENGROSSED ASSEMBLY BILL 311

## SECTION 15

1 course, the department shall offer the test at each department service center at least  
2 <sup>once every 2 months</sup> ~~annually~~ to persons who are at least 18 years of age.

3 SECTION 16. 29.597 (1) (a) of the statutes is amended to read:

4 29.597 (1) (a) The department shall establish and supervise the administration  
5 of a trapper education program funded from the appropriations under s. 20.370 (1)  
6 (Lq) and (ma). The Except with respect to the online course of instruction under sub.  
7 (1m), the department shall enter into an agreement with an organization that has  
8 demonstrated ability and experience in the field of trapper education to assist in the  
9 establishment and administration of the program.

10 SECTION 17. 29.597 (1) (c) of the statutes is amended to read:

11 29.597 (1) (c) The trapper education program shall use certified instructors  
12 when providing the instruction on techniques of trapping fur-bearing animals. The  
13 department shall establish criteria and standards for certifying these instructors.  
14 This paragraph does not apply to the online course of instruction under sub. (1m).

15 SECTION 18. 29.597 (1m) of the statutes is created to read:

16 29.597 (1m) ONLINE COURSE OF INSTRUCTION. The department shall offer an  
17 online course of instruction under the trapper education program.

18 SECTION 19. 29.597 (2) (c) of the statutes is created to read:

19 29.597 (2) (c) 1. If the online course of instruction under the trapper education  
20 program requires field testing for a person to demonstrate successful completion of  
21 the course, the department shall make field testing available through each  
22 <sup>once every 2 months</sup> ~~annually~~ department service center at least ~~annually~~.

23 2. If the online course of instruction under the trapper education program  
24 requires a written test for a person to demonstrate successful completion of the

**ENGROSSED ASSEMBLY BILL 311**

1 course, the department shall offer the test at each department service center at least

2 ~~bimonthly~~ once every 2 months

3 **SECTION 20.** 29.597 (2) (d) of the statutes is created to read:

4 29.597 (2) (d) Paragraphs (a) and (b) do not apply to the online course of  
5 instruction under the trapper education program.

6 **SECTION 21.** 120.13 (30) of the statutes is created to read:

7 120.13 (30) HUNTER EDUCATION PROGRAMS. May award 0.5 high school credit to  
8 a pupil who successfully completes while in the high school grades a course of  
9 instruction under the hunter education program or bow hunter education program  
10 under s. 29.591 or the trapper education program under s. 29.597. A school board  
11 may award credit to a pupil under this subsection for completion of only one program.

12 **SECTION 22. Nonstatutory provisions.**

13 (1) SPORTING HERITAGE COUNCIL; INITIAL STUDY REQUIREMENTS. Before June 30,  
14 2014, the sporting heritage council shall study each of the following:

15 (a) Options and recommendations for increasing access to land for hunting,  
16 trapping, and other types of outdoor recreation activities especially in all of the  
17 following areas of this state:

- 18 1. Areas with a high population density.
- 19 2. Areas with a percentage of land open for public hunting that is lower than  
20 the statewide average.

21 (b) Options and recommendations for simplifying hunting and trapping rules  
22 promulgated by the department of natural resources.

23 (2) SPORTING HERITAGE COUNCIL; INITIAL MEMBERSHIP. Notwithstanding the  
24 length of terms specified for the appointed members of the sporting heritage council  
25 under section 15.347 (21) (b) of the statutes, as created by this act, 4 of the initial

3



**ENGROSSED ASSEMBLY BILL 311**

1 members shall be appointed for terms expiring on July 1, 2013; <sup>3</sup> of the initial  
 2 members shall be appointed for terms expiring on July 1, 2014; <sup>3</sup> of the initial  
 3 members shall be appointed for terms expiring on July 1, 2015; <sup>2</sup> and <sup>3</sup> of the initial  
 4 members shall be appointed for terms expiring on July 1, 2016.

*Change  
Commas  
to  
Semicolons  
in 3  
places*

**SECTION 23. Initial applicability.**

6 (1) The treatment of section 120.13 (30) of the statutes first applies to courses  
 7 of instruction taken in the hunter education program or bow hunter education  
 8 program under section 29.591 of the statutes or the trapper education program  
 9 under section 29.597 of the statutes during the first school year beginning after the  
 10 effective date of this subsection.

**SECTION 24. Effective dates.** This act takes effect on the day after publication,

12 except as follows:

13 (1) ~~Except as provided in subsection (2), the treatment of sections 29.084 and~~  
 14 ~~29.563 (2) (intro.), (3) (intro.), (6) (intro.), and (6m) of the statutes takes effect on~~  
 15 ~~March 1, 2012.~~

16 (2) ~~If this subsection takes effect after October 31, 2011, the treatment of~~  
 17 ~~sections 29.084 and 29.563 (2) (intro.), (3) (intro.), (6) (intro.), and (6m) of the statutes~~  
 18 ~~takes effect on March 1, 2013.~~

19 (3) <sup>2</sup> ~~The~~ treatment of section 29.089 (title), (1), (1m), (2) (intro.), and (3) of the  
 20 statutes takes effect on January 1, 2013.

21 (END)

2011-2012 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRBs0338/P1ins.  
RNK:.....

INSERT 13-1<sup>A</sup> RNK

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SECTION ~~29.563~~ <sup>(12m)</sup> (12) (d) of the statutes is created to read:

29.563 (12) (d) Notwithstanding the fees specified under <sup>(12m)</sup> (pars) (a) and (b), a  
<sup>(6)</sup> person who was issued an approval and charged the reduced fee specified under sub.  
(6m) may not be charged a fee for a duplicate of that approval that exceeds the fee  
specified for the approval under sub. (6m)!

sub. (12)

*(12m) Duplicates of reduced fee approvals.*

(Cs)

INSERT BALB 12-25

Section #. 29.563 (14) (c) 1. of the statutes is amended to read:

29.563 (14) (c) 1. Each license issued under subs. (2) to (10) ~~and~~ <sup>^ and (12m)</sup> (12): 75 cents.

**History:** 1997 a. 248; 1999 a. 9, 32, 47, 63, 186; 2001 a. 16, 17, 56, 109; 2003 a. 33; 2005 a. 22, 25, 55, 284, 288; 2007 a. 20; 2009 a. 28, 39, 364.

Date

MGG: WJ:

D-N

there is no

④ No drafted ~~the~~ wildlife damage surcharge

~~under S. 29.563 (13) and S. 29.563~~ imposed

on a <sup>disabled</sup> veterans recreational card. Do you want to impose such a surcharge?

MGG

the surcharge

④ No Under current law is \$4 for conservation patron licenses and \$2 for all other licenses. See S. 29.563 (13) ④

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

LRBs0338/P1dn  
MGG:wlj:jjf

February 28, 2012

As drafted there is no wildlife damage surcharge imposed on a disable veterans recreational card. Under current law the surcharge is \$4 for conservation patron licenses and \$2 for all other licenses. See s. 29.563 (13). Do you want to impose such a surcharge?

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

## Kite, Robin

---

**From:** Johnson, Dan  
**Sent:** Tuesday, February 28, 2012 5:36 PM  
**To:** Kite, Robin; Gibson-Glass, Mary  
**Subject:** SSA 1 to AB 311

Robin and Mary,

I've looked over the preliminary amendment for AB 311 and request the following changes.

First, per the drafter's note, do not add a wildlife damage surcharge to the Veteran's Recreation card.

Page 2, line 13 -22 – Per our revised instructions, please make the following changes to this section, to reflect:

- Two members of the state assembly, appointed by the assembly speaker, who may not be members of the same political party.
- Two members of the state senate, appointed by the senate majority leader, who may not be members of the same political party.
- Five members, appointed by the Natural Resource Board, from nominations provided by sporting organizations that have as their primary objective the promotion of hunting, fishing, or trapping. Of the 5 members, one shall represent the interests of deer hunters, one shall represent the interests of bear hunters, one shall represent the interests of bird hunters, one shall represent the interests of fishers, and one shall represent the interests of furbearing animal hunters and trappers.

Also, I do not see any language regarding the eligibility criteria for a Class D disabled permit, as we requested. Thus, this language needs to be added:

The department shall issue to any person a Class D Permit if the person meets any of the qualifications in section (a) or (b) and meets the standards in section (c)

(a)

1. Has an amputation or other loss of one or more arms at or above the elbow.
2. Has a permanent substantial loss of function in one or both arms and fails to meet the minimum standards of any one of the following standard tests, administered under the direction of a licensed physician or a licensed chiropractor:
  1. Upper extremity pinch.
  2. Grip.
  3. Nine-hole peg

(b) Has a permanent substantial loss of function in one or both shoulders and fails to meet the minimum standards of the standard shoulder strength tests, administered under the direction of a licensed physician or a licensed chiropractor.

(c)

1. Meets one of the following:
  - a. Is unable to place their non-dominant hand or prosthesis in a position level with their shoulders and at a minimum of 27 inches from their body

1. Is unable to place their dominant hand or prosthesis in a position level with their shoulders at a minimum of 11 inches from their body.
2. Is unable to hold a 5 pound weight for 10 seconds while their non-dominant hand or prosthesis is held in the position identified in (c)(1) 1.

Thank you.

Dan Johnson

Chief of Staff

**State Senator Neal Kedzie**

11<sup>th</sup> Senate District

608.266.2635