



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2011 Wisconsin Act 168
[2011 Assembly Bill 311]

Sporting Heritage

SPORTING HERITAGE COUNCIL

2011 Wisconsin Act 168 creates a 12-member Sporting Heritage Council in the Department of Natural Resources (DNR). The council is directed to meet at least once per year and to study, provide advice, make recommendations to, and prepare a biennial report for, the Governor, the Natural Resources Board (NRB), and the Legislature about issues relating to hunting, trapping, fishing, and other types of outdoor recreation activities.

The council is also assigned initial tasks, including to study:

- Options and recommendations for increasing access to land for hunting, trapping, and other types of outdoor recreation activities especially in specified areas of this state.
- Options and recommendations for simplifying hunting and trapping rules promulgated by the DNR.

STEWARDSHIP PROGRAM

Under current law, depending on when stewardship land was acquired, a person receiving a stewardship grant may prohibit public access for one or more nature-based outdoor activities (hunting, fishing, trapping, hiking, cross-country skiing) only if the NRB determines that it is necessary to do so to protect public safety, protect a unique animal or plant community, or on some types of land, such as trails, to accommodate usership patterns. Also under current law, depending on when the land or easement was acquired, on land the DNR owns or with respect to an easement acquired by the DNR on former managed forest land, the DNR may prohibit public access for one or more nature-based outdoor activities if the NRB determines it is necessary to do so to protect public safety, protect a unique animal or plant community, or accommodate usership patterns.

This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature's Web site at: <http://www.legis.state.wi.us/>.

The Act specifies that in order to prohibit public access for one or more nature-based outdoor activities, at least four of the seven NRB members must agree. This requirement does not apply to a determination by the board regarding public access on an easement, if the primary purpose of the easement is to provide public access to navigable water on which public fishing is allowed.

INCENTIVES FOR RECRUITMENT

Recognition Program

The Act requires the DNR to establish a program to recognize people who recruit others as hunters, trappers, and anglers. The program must include a component under which a person who is issued their first hunting, trapping, or fishing approval may designate one person as the one who encouraged the applicant to obtain the approval. The program must provide, among other things, a method for issuing a credit to a resident so designated a specified number of times in any license year. The DNR must then charge the credit recipient a reduced fee for certain approvals.

Free Fishing Weekends

The Act requires the DNR to designate two free fishing weekends per year, and requires the DNR to designate the third full weekend in January as one of those weekends.

Reduced Fees for First-Time Approvals

Act 168 reduces the resident license fees for certain first-time approvals to \$4.25 (plus a \$.75 issuance fee) if the approval is issued to a person who has not received that type of approval in the 10 years before the license application. The Act also reduces the nonresident license fees for certain approvals to one-half the fee if the approval is issued to a person who has not received that type of approval in the 10 years before the license application. The reduced fees for first-time hunting, fishing, and trapping approvals also apply to duplicate approvals.

Hunter and Trapper Education

Act 168 requires the DNR to offer an online hunter education course for adults and an online trapper education course. If these online courses require field testing or completion of a written test, the DNR must make that testing available at each DNR service center at least every two months.

The Act also authorizes a school board to award a half credit toward high school graduation to a high school pupil who successfully completes the hunter education program, the bow hunter education program, or the trapper education program. A school board may award credit for completion of only one of those programs.

Youth Trapping and Sturgeon Spearing

Act 168 reduces the minimum age for a person to obtain a sturgeon spearing license from 14-years old to 12-years old and creates a resident trapping license for persons under age 16 for \$9.25.

Disabled Veteran Recreation Card

The Act creates a disabled veteran recreation card and specifies that a person holding a card is not required to pay a vehicle admission fee to state parks or an admission fee for Heritage Hill State

Park or any state trail. This card would also entitle the holder to the privileges under a resident small game hunting license and a resident fishing license. The DNR is required to issue a card to any resident who produces evidence that shows he or she is a veteran, as defined under federal law, and is receiving certain disability compensation benefits. The annual fee for a disabled veteran recreation card is \$7. A card is valid for as long as the person is a resident of the state.

Class “D” Disabled Hunting Permit

Act 168 creates a Class D disabled hunting permit and directs the DNR to issue such a permit to any person with an amputation, or permanent substantial loss of function, of one or both arms, one or both hands, or one or both shoulders. The Act specifies that if the DNR establishes a special season for hunting deer with firearms for persons who are physically disabled, the season must be open to all hunters who have been issued a Class D permit, and that a person holding a current resident or nonresident deer hunting license and a Class D permit may hunt deer of either sex during a special season established by the DNR that is open for hunting deer with firearms.

The Act also specifies that a Class D permit holder may use an adaptive device to facilitate the use of a firearm and may be accompanied by a person that is not eligible to apply for a disabled hunting permit. The accompanying person may not hunt or carry a firearm, bow, or crossbow unless the person has been issued the appropriate approval to do so. If the accompanying person has not been issued the appropriate approval, the assistance rendered by an accompanying person is limited to field dressing, tagging, and retrieving game for the permit holder and any other assistance authorized by the DNR by rule.

Hunting, Fishing, and Trapping in State Parks

Current law generally prohibits hunting or trapping in a state park, but specifies that a person may hunt deer, elk, wild turkeys, or small game in a state park, or in a portion of a state park, if the DNR has authorized the hunting of that type of game in the state park, or in a portion of the state park, by administrative rule. Current law also generally provides, subject to specific exceptions, that no person may possess or have 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.

Act 168 requires state parks to be open to hunting, fishing, and trapping, but authorizes the DNR to prohibit hunting, fishing, or trapping in a state park or a portion of a state park within 100 yards of a designated use area or if the NRB determines that prohibiting one of these activities is necessary to protect public safety or to protect a unique animal or plant community. Such a determination requires approval of four of seven NRB members.

Effective date: 2011 Wisconsin Act 168 takes effect on April 17, 2012. The authorization for a school board to award a half credit toward high school graduation to a high school pupil who successfully completes the hunter education program, the bow hunter education program, or the trapper education program, first applies beginning in the 2012-13 school year. The requirement that state parks be open to hunting, fishing, and trapping, subject to the specific exceptions provided in the Act, takes effect on January 1, 2013.

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