

State of Wisconsin



2013 Assembly Bill 194

Date of enactment: **December 10, 2013**
Date of publication*: **December 11, 2013**

2013 WISCONSIN ACT 61

AN ACT *to repeal* 29.171 (2m), 29.171 (4) (a), 29.171 (4) (c) and 29.216 (2m); *to renumber and amend* 29.171 (3), 29.193 (1m) (a), 29.193 (2) (cr) 2. and 29.216 (3); *to amend* 29.014 (1m) (b), 29.171 (2), 29.177 (3m), 29.185 (2) (b), 29.216 (2), 29.563 (6m), 29.563 (12) (a) 2., 29.563 (12m), 29.592 (3), 29.593 (1) (b) and 29.593 (2m); and *to create* 29.171 (3) (b), 29.172, 29.193 (1m) (a) 1., 29.193 (1m) (a) 2., 29.216 (3) (b), 29.217, 29.235 (2) (dm), 29.235 (2m) (dm), 29.346, 29.563 (2) (a) 8r., 29.563 (2) (a) 8t., 29.563 (2) (b) 6m. and 29.563 (2g) of the statutes; **relating to:** the authority to hunt certain animals with a crossbow, establishing open seasons for hunting with a crossbow, information required to be recorded at the time of carcass registration, deer management rule requirements, and providing an exemption from emergency rule procedures.

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

SECTION 1. 29.014 (1m) (b) of the statutes is amended to read:

29.014 (1m) (b) If the department establishes an open season for hunting deer, elk, small game, wild turkey, or bear with a bow and arrow but not with a firearm, the department ~~may not~~ shall also establish an open that season for hunting the respective game with a crossbow except by a person who has attained the age of 65 or by a person who is authorized to hunt with a crossbow by a permit issued under s. 29.171 (4) (a) or 29.193 (2).

SECTION 2. 29.171 (2) of the statutes is amended to read:

29.171 (2) A resident archer hunting license authorizes the hunting of all game, except bear, elk, and wild turkey, during the open seasons established by the department for hunting that game with bow and arrow ~~established by the department. This license authorizes hunting with a bow and arrow only, unless hunting with a crossbow is authorized by a Class A, Class B, or Class C per-~~

~~mit issued under s. 29.193 (2) or a permit issued under sub. (4).~~

SECTION 3. 29.171 (2m) of the statutes is repealed.

SECTION 4. 29.171 (3) of the statutes is renumbered 29.171 (3) (a) and amended to read:

29.171 (3) (a) ~~The~~ Except as provided under par. (b), the department shall issue to each person who is issued a resident archer hunting license a deer tag and a back tag.

SECTION 5. 29.171 (3) (b) of the statutes is created to read:

29.171 (3) (b) The department may not issue a deer tag or back tag to a person who is issued a resident archer hunting license at the reduced fee under s. 29.563 (2g).

SECTION 6. 29.171 (4) (a) of the statutes is repealed.

SECTION 7. 29.171 (4) (c) of the statutes is repealed.

SECTION 8. 29.172 of the statutes is created to read:

29.172 Resident crossbow hunting license. (1) A resident crossbow hunting license shall be issued subject to ss. 29.024 and 54.25 (2) (c) 1. d. by the department to any resident applying for this license.

(2) A resident crossbow hunting license authorizes the hunting of all game, except bear, elk, and wild turkey,

* Section 991.11, WISCONSIN STATUTES: 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."

during the open seasons for hunting that game with a crossbow established by the department. This license authorizes hunting with a crossbow only.

(3) (a) Except as provided under par. (b), the department shall issue to each person who is issued a resident crossbow hunting license a deer tag and a back tag.

(b) The department may not issue a deer tag or back tag to a person who is issued a resident crossbow hunting license at the reduced fee under s. 29.563 (2g).

SECTION 9. 29.177 (3m) of the statutes is amended to read:

29.177 (3m) **DEER MANAGEMENT RULES.** For the purposes of permits issued under this section and s. 29.181, the department shall specify by rule the type and number of deer which may be taken, the deer management areas where these permits are valid, the number of permits to be issued, the open seasons during which the permits are valid, the types of weapons authorized to be used under the permits, and other restrictions and conditions concerning these permits.

SECTION 10. 29.185 (2) (b) of the statutes is amended to read:

29.185 (2) (b) ~~Resident archer Archer licenses, crossbow licenses, and trapping licenses.~~ Notwithstanding ss. 29.171 (2), ~~29.172 (2),~~ 29.216 (2), ~~29.217 (2),~~ and 29.241 (3), a resident archer hunting license, a nonresident archer hunting license, a resident crossbow hunting license, a nonresident crossbow hunting license, or a trapping license does not authorize the hunting or trapping of wolves.

SECTION 11. 29.193 (1m) (a) of the statutes is renumbered 29.193 (1m) (a) (intro.) and amended to read:

29.193 (1m) (a) The department shall, after an investigation and without charging a fee, issue a trolling permit to any person who meets the any of the following requirements ~~under s. 29.171 (4) (a) 2. or 4.:~~

SECTION 12. 29.193 (1m) (a) 1. of the statutes is created to read:

29.193 (1m) (a) 1. Has an amputation or other loss of one or more arms above the wrist.

SECTION 13. 29.193 (1m) (a) 2. of the statutes is created to read:

29.193 (1m) (a) 2. Has a permanent substantial loss of function in one or both arms or one or both hands 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:

- a. Upper extremity pinch.
- b. Grip.
- c. Nine-hole peg.

SECTION 14. 29.193 (2) (cr) 2. of the statutes is renumbered 29.193 (2) (cr) 2. (intro.) and amended to read:

29.193 (2) (cr) 2. (intro.) A Class A permit authorizes the holder to ~~shoot~~ do all of the following:

- a. Shoot or hunt from a stationary vehicle, ~~to fish,~~

~~b. Fish or troll as authorized under sub. (1m) (b) and to hunt certain game with a crossbow as authorized under ss. 29.171 (2) and 29.216 (2).~~

SECTION 15. 29.216 (2) of the statutes is amended to read:

29.216 (2) The nonresident archer hunting license authorizes the hunting of all game, except bear, elk, wild turkey, and fur-bearing animals, during the open season for the hunting of that game with a bow and arrow. ~~This license authorizes hunting with a bow and arrow only unless hunting with a crossbow is authorized by a Class A, Class B, or Class C permit issued under s. 29.193 (2).~~

SECTION 16. 29.216 (2m) of the statutes is repealed.

SECTION 17. 29.216 (3) of the statutes is renumbered 29.216 (3) (a) and amended to read:

29.216 (3) (a) **DEER TAG AND BACK TAG.** ~~The~~ Except as provided under par. (b), the department shall issue to each person who is issued a nonresident archer hunting license a deer tag and a back tag.

SECTION 18. 29.216 (3) (b) of the statutes is created to read:

29.216 (3) (b) The department may not issue a deer tag or back tag to a person who is issued a nonresident archer hunting license if the department issues the nonresident archer hunting license at the reduced fee under s. 29.563 (2g).

SECTION 19. 29.217 of the statutes is created to read:

29.217 Nonresident crossbow hunting license. (1) ISSUANCE. A nonresident crossbow hunting license shall be issued subject to s. 29.024 by the department to any nonresident applying for this license.

(2) AUTHORIZATION. The nonresident crossbow hunting license authorizes the hunting of all game, except bear, elk, wild turkey, and fur-bearing animals, during the open season for the hunting of that game with a crossbow.

(3) DEER TAG AND BACK TAG. (a) The department shall issue to each person who is issued a nonresident crossbow hunting license a deer tag and a back tag.

(b) The department may not issue a deer tag or back tag to a person who is issued a nonresident crossbow hunting license at the reduced fee under s. 29.563 (2g).

SECTION 20. 29.235 (2) (dm) of the statutes is created to read:

29.235 (2) (dm) A resident crossbow hunting license.

SECTION 21. 29.235 (2m) (dm) of the statutes is created to read:

29.235 (2m) (dm) A nonresident crossbow hunting license.

SECTION 22. 29.346 of the statutes is created to read:

29.346 Registration information. If the department requires a person who kills an animal to register that animal with the department, the department shall, at the time of registration, make a record of the type of weapon that was used to kill the animal.

SECTION 23. 29.563 (2) (a) 8r. of the statutes is created to read:

29.563 (2) (a) 8r. Crossbow: \$21.25.

SECTION 24. 29.563 (2) (a) 8t. of the statutes is created to read:

29.563 (2) (a) 8t. Crossbow issued to persons who are under 18 years of age: \$17.25.

SECTION 25. 29.563 (2) (b) 6m. of the statutes is created to read:

29.563 (2) (b) 6m. Crossbow: \$157.25.

SECTION 26. 29.563 (2g) of the statutes is created to read:

29.563 (2g) REDUCED FEES FOR CERTAIN ARCHER AND CROSSBOW LICENSES. Notwithstanding the fees under sub. (2) (a) 8. and 8r. and (b) 6. and 6m., the fee is \$2.25 for any of the following licenses:

(a) A resident archer hunting license issued to a person who holds a resident crossbow hunting license, provided that the resident archer hunting license and the resident crossbow hunting license authorize hunting during the same hunting season.

(b) A nonresident archer hunting license issued to a person who holds a nonresident crossbow hunting license, provided that the nonresident archer hunting license and the nonresident crossbow hunting license authorize hunting during the same hunting seasons.

(c) A resident crossbow hunting license issued to a person who holds a resident archer hunting license, provided that the resident crossbow hunting license and the resident archer hunting license authorize hunting during the same hunting season.

(d) A nonresident crossbow hunting license issued to a person who holds a nonresident archer hunting license, provided that the nonresident crossbow hunting license and the nonresident archer hunting license authorize hunting during the same hunting seasons.

SECTION 27. 29.563 (6m) of the statutes is amended to read:

29.563 (6m) REDUCED FEES FOR CERTAIN FIRST-TIME APPROVALS. (a) The fee for an approval that is listed under sub. (2) (a) 1., 2., 4. to 5g., ~~or 7. to 9.~~ 8m., or 9., (3) (a) 1., or (6) (a) 1. is \$4.25 if the approval is issued to a person who has not received that type of approval, or has not been conferred the privileges of that type of approval under a license issued under s. 29.231 or 29.235, in any of the 10 years preceding the date of application.

(b) The fee for an approval listed under sub. (2) (b) 1., 3., ~~or 5. to 6., 7.,~~ 8., (3) (b) 1., or (6) (am) is one-half of the fee listed for the respective approval, rounded up to the nearest dollar, if the approval is issued to a person who has not received that type of approval by the department, or has not been conferred the privileges of that type of approval under a license issued under s. 29.231 or 29.235, in any of the 10 years preceding the date of application.

SECTION 28. 29.563 (12) (a) 2. of the statutes is amended to read:

29.563 (12) (a) 2. Archer, crossbow, sports, or conservation patron: \$14.25 if deer tags are included; \$11.25 after open season and deer tags are not included.

SECTION 29. 29.563 (12m) of the statutes is amended to read:

29.563 (12m) DUPLICATES OF REDUCED FEE APPROVALS. Notwithstanding the fees specified under sub. (12) (a) and (b), a person who was issued an approval and charged the reduced fee specified under sub. (2g) or (6m) may not be charged a fee for a duplicate of that approval that exceeds the fee specified for the approval under sub. (2g) or (6m).

SECTION 30. 29.592 (3) of the statutes is amended to read:

29.592 (3) A person who is authorized to hunt with a mentor under this section and a mentor under this section with whom that person hunts may jointly have only one firearm, only one bow, or ~~if hunting with a~~ only one crossbow is authorized under s. 29.171 (4) or 29.193 (2), only one crossbow in their possession or control while hunting.

SECTION 31. 29.593 (1) (b) of the statutes is amended to read:

29.593 (1) (b) A certificate of accomplishment issued to a person for successfully completing the course under the bow hunter education program only authorizes the person to obtain a resident ~~or archer hunting license,~~ a nonresident archer hunting license, a resident crossbow hunting license, or a nonresident crossbow hunting license.

SECTION 32. 29.593 (2m) of the statutes is amended to read:

29.593 (2m) A person who has a certificate, license, or other evidence that is satisfactory to the department indicating that he or she has successfully completed in another state, country, or province a bow hunter education course recognized by the department may obtain an archer hunting license or crossbow hunting license.

SECTION 33. Nonstatutory provisions.

(1) (a) In this subsection:

1. "Bow and arrow season" means the open season established by the department for hunting with a bow and arrow but not with a firearm.

2. "Crossbow season" means the open season established by the department for hunting with a crossbow.

3. "Department" means the department of natural resources.

(b) A crossbow season established by the department under section 29.014 (1m) (b) of the statutes, as affected by this act, for hunting deer, elk, small game, wild turkey, or bear shall run concurrently with the bow and arrow season for hunting the respective animal. The requirement under this subsection that the crossbow season and

the bow and arrow season run concurrently applies only for the period beginning with the 2014–15 hunting season and ending with the 2015–16 hunting season.

(2) The department may promulgate emergency rules under section 227.24 of the statutes that are necessary for the purpose of establishing crossbow seasons under section 29.014 (1m) (b) of the statutes, as affected by this act. Notwithstanding section 227.24 (1) (c) and (2) of the statutes, emergency rules promulgated under this subsection

remain in effect until June 30, 2016, or the date on which permanent rules take effect, whichever is sooner. Notwithstanding section 227.24 (1) (a) and (3) of the statutes, the department is not required to provide evidence that promulgating a rule under this subsection as an emergency rule is necessary for the preservation of the public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection.
