



State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

Appendix A

LRB BILL HISTORY RESEARCH APPENDIX

 The drafting file for 2013 LRBs0101/1 (For: Senator Farrow)

has been copied/added to the drafting file for

2013 LRBs0102 (For: Senator Farrow)


(SSA1-AB194)

 Are These "Companion Bills" ?? ... No



RESEARCH APPENDIX -
PLEASE KEEP WITH THE DRAFTING FILE

Date Transfer Requested: 08/21/2013 (Per: RNK)

 The attached draft was incorporated into the new draft listed above. For research purposes the attached materials were added, as a appendix, to the new drafting file. If introduced this section will be scanned and added, as a separate appendix, to the electronic drafting file folder.

2013 DRAFTING REQUEST

Senate Substitute Amendment (SSA-AB194)

Received: 8/16/2013 Received By: rkite
Wanted: As time permits Same as LRB:
For: Paul Farrow (608) 266-9174 By/Representing: Scott Rausch
May Contact: Drafter: rkite
Subject: Nat. Res. - fish and game Addl. Drafters:
Extra Copies:

Submit via email: YES
Requester's email: Sen.Farrow@legis.wisconsin.gov
Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Emergency rule authority and concurrent bow and crossbow seasons

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>
/?	rkite 8/19/2013			_____			
/1		jdye 8/19/2013	pheny 8/19/2013	_____	sbasford 8/19/2013	sbasford 8/19/2013	

FE Sent For:

<END>

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FE Sent For:

<END>

Kite, Robin

From: Rausch, Scott
Sent: Friday, August 16, 2013 4:46 PM
To: Kite, Robin
Subject: RE: AB 194 Amendment request

Robin,

No, that does not need to apply to the rules and do not need to expire in the 2 year period.

Thank you for checking.

SR

From: Kite, Robin
Sent: Friday, August 16, 2013 4:40 PM
To: Rausch, Scott
Cc: Konopacki, Larry
Subject: RE: AB 194 Amendment request

Scott:

Should the emergency rules authority also apply to rules that DNR must promulgate under this substitute amendment with regard to the provision that will amend s. 29.177 (3m) ("antlerless/herd protection")? And if so, should those rules also expire within the same 2 year period?

Thanks.
Robin

From: Rausch, Scott
Sent: Friday, August 16, 2013 3:18 PM
To: Kite, Robin
Subject: FW: AB 194 Amendment request

Robin,

Due to a meeting between Sens. Farrow, Kedzie, Fitzgerald and Moulton, we have a few changes to the proposed amendment that Larry outlined yesterday.

Instead of a five year sunset, we need it to reflect a two year sunset beginning with the 2014-15 season and ending with the 2015-16 season, a crossbow season established under subd.1. shall be held concurrently with the bow and arrow season.

The emergency rule promulgation should be completed within the timeline of the two year sunset.

The amendment must also contain the antlerless/herd protection components as Larry outlined below.

This draft will be a Senate Substitute Amendment to Assembly Bill 194. It is to be offered by Senator Farrow.

Thank you for your help in making this happen. Sen. Farrow would like to have the draft completed and jacketed by Monday early afternoon.

If you have any questions please let me know.

Scott Rausch
Chief of Staff
Office of Senator Paul Farrow

From: Konopacki, Larry
Sent: Thursday, August 15, 2013 2:28 PM
To: Rep.Czaja; Loe, Emily; Sen.Farrow; Rausch, Scott
Subject: FW: AB 194 Amendment request

Rep. Czaja and Sen. Farrow,
The following is what I delivered to Robin Kite at the LRB. I shared your timeline goals with her. Please let me know if you have any questions.
Thanks,
Larry

Larry A. Konopacki
Wisconsin Legislative Council
(608) 267-0683
larry.konopacki@legis.wisconsin.gov

From: Konopacki, Larry
Sent: Thursday, August 15, 2013 2:18 PM
To: Kite, Robin
Cc: Queensland, Michael; Letzing, Rachel
Subject: AB 194 Amendment request

Hi Robin, as we discussed, would you please draft the following as a Senate simple amendment to AB 194, as passed by the Assembly? For now, please list me as the requestor, and, if possible, please put this on the fast track.

- Please modify the text under Section 1 of Assembly Substitute Amendment 1 to provide as follows:
"29.014 (1m) (b) 1. 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)~~.
2. Beginning with the 2014-15 season and ending with the 2018-19 season, a crossbow season established under subd. 1. shall be held concurrently with the bow and arrow season."
- Modify s. 29.177 (3m) to provide as follows: "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 seasons within which the permits are valid, the weapon types for which these permits are valid, and other restrictions and conditions concerning these permits.

- As we previously discussed, please add a provision allowing the DNR to initially establish the crossbow season by emergency rule and exempt the agency from the requirement that it find an emergency. Please provide that the emergency rule may remain in effect until June 30, 2015 or whenever the permanent rule is promulgated, whichever is earlier.

Larry A. Konopacki
Wisconsin Legislative Council
(608) 267-0683
larry.konopacki@legis.wisconsin.gov



Today 11:50 a.m.
State of Wisconsin
2013 - 2014 LEGISLATURE

RN
not
run
50101/1
LRBs0061/2
RNK: [unclear]

SAC
↓
jld

ASSEMBLY SUBSTITUTE AMENDMENT (1)
TO ASSEMBLY BILL 194

May 29, 2013 - Offered by Representative CZAJA

X

Reger

deer management rule requirements, and providing an exemption from emergency rule procedures

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

Analysis by the Legislative Reference Bureau

Under current law, the Department of Natural Resources (DNR) issues hunting licenses and establishes open hunting seasons that allow the hunting of specified game animals. Among the licenses that DNR issues are resident and nonresident

archer hunting licenses. An archer hunting license allows the holder to hunt all game, except bear, elk, wolf, and wild turkey, with a bow and arrow during the relevant open season established by DNR. An archer hunting license allows a person to hunt only with a bow and arrow and not with a crossbow unless the person is disabled and holds a permit from DNR that authorizes the use of a crossbow or unless the person is at least 65 years old. This substitute amendment eliminates the age and disability requirements for using a crossbow. Instead, the substitute amendment establishes a new resident crossbow hunting license and a new nonresident crossbow hunting license.

The crossbow hunting licenses established in this substitute amendment allow a license holder to use a crossbow to hunt the same game animals that may be hunted under current law with an archer hunting license. The substitute amendment also allows the holder of an archer hunting license to obtain a crossbow hunting license at a substantially reduced fee and allows the holder of a crossbow hunting license to obtain an archer hunting license at a substantially reduced fee. As with other hunting licenses under current law, a person may not obtain a crossbow hunting license unless the person completes a course of instruction in hunter education or bow hunter education.

Current law provides that if DNR establishes an open season for hunting deer, elk, small game, wild turkey, or bear with a bow and arrow but not with a firearm, DNR may not open that season for hunting with a crossbow unless the hunter is at least 65 years old or is disabled and holds a permit from DNR. This substitute amendment provides that if DNR establishes an open season for hunting any of those animals with a bow and arrow but not with a firearm, DNR must also establish a concurrent open season that allows a person to hunt the respective animal with a crossbow regardless of the age of the hunter or whether the hunter has a disability.

The substitute amendment also provides that if DNR requires a person who kills an animal to register the animal with DNR, then DNR must make a record of the type of weapon that was used to kill the animal.

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

- 1 SECTION 1. 29.014 (1m) (b) of the statutes is amended to read:
- 2 29.014 (1m) (b) If the department establishes an open season for hunting deer,
- 3 elk, small game, wild turkey, or bear with a bow and arrow but not with a firearm,
- 4 the department may not shall also establish a concurrent open that season for
- 5 hunting the respective game with a crossbow except by a person who has attained

(crossbow season)
INS Analysis

(bow and arrow season)

NO #

The bill provides that, during the 2014-15 and 2015-16 open seasons, the bow and arrow season and the crossbow season must run concurrently.

✓

1 the age of 65 or by a person who is authorized to hunt with a crossbow by a permit
2 issued under s. 29.171 (4) (a) or 29.193 (2).

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

4 29.171 (2) A resident archer hunting license authorizes the hunting of all
5 game, except bear, elk, and wild turkey, during the open seasons established by the
6 department for hunting that game with bow and arrow ~~established by the~~
7 ~~department. This license authorizes hunting with a bow and arrow only, unless~~
8 ~~hunting with a crossbow is authorized by a Class A, Class B, or Class C permit issued~~
9 ~~under s. 29.193 (2) or a permit issued under sub. (4).~~

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

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

13 29.171 (3) (a) ~~The Except as provided under par. (b), the department shall issue~~
14 ~~to each person who is issued a resident archer hunting license a deer tag and a back~~
15 ~~tag.~~

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

17 29.171 (3) (b) The department may not issue a deer tag or back tag to a person
18 who is issued a resident archer hunting license at the reduced fee under s. 29.563
19 (2g).

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

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

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

23 **29.172 Resident crossbow hunting license.** (1) A resident crossbow
24 hunting license shall be issued subject to ss. 29.024 and 54.25 (2) (c) 1. d. by the
25 department to any resident applying for this license.

1 (2) A resident crossbow hunting license authorizes the hunting of all game,
2 except bear, elk, and wild turkey, during the open seasons for hunting that game with
3 a crossbow established by the department. This license authorizes hunting with a
4 crossbow only.

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

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

INS. ✓
4-8

9 **SECTION 9.** 29.185 (2) (b) of the statutes is amended to read:

10 29.185 (2) (b) ~~Resident archer Archer licenses, crossbow licenses, and trapping~~
11 ~~licenses.~~ Notwithstanding ss. 29.171 (2), 29.172 (2), 29.216 (2), 29.217 (2), and 29.241
12 (3), a resident archer hunting license, a nonresident archer hunting license, a
13 resident crossbow hunting license, a nonresident crossbow hunting license, or a
14 trapping license does not authorize the hunting or trapping of wolves.

15 **SECTION 10.** 29.193 (1m) (a) of the statutes is renumbered 29.193 (1m) (a)
16 (intro.) and amended to read:

17 29.193 (1m) (a) The department shall, after an investigation and without
18 charging a fee, issue a trolling permit to any person who meets the any of the
19 following requirements under s. 29.171 (4) (a) 2. or 4.:

20 **SECTION 11.** 29.193 (1m) (a) 1. of the statutes is created to read:

21 29.193 (1m) (a) 1. Has an amputation or other loss of one or more arms above
22 the wrist.

23 **SECTION 12.** 29.193 (1m) (a) 2. of the statutes is created to read:

24 29.193 (1m) (a) 2. Has a permanent substantial loss of function in one or both
25 arms or one or both hands and fails to meet the minimum standards of any one of the

1 following standard tests, administered under the direction of a licensed physician or
2 a licensed chiropractor:

3 a. Upper extremity pinch.

4 b. Grip.

5 c. Nine-hole peg.

6 **SECTION 13.** 29.193 (2) (cr) 2. of the statutes is renumbered 29.193 (2) (cr) 2.
7 (intro.) and amended to read:

8 29.193 (2) (cr) 2. (intro.) A Class A permit authorizes the holder to shoot do all
9 of the following:

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

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

13 **SECTION 14.** 29.216 (2) of the statutes is amended to read:

14 29.216 (2) The nonresident archer hunting license authorizes the hunting of
15 all game, except bear, elk, wild turkey, and fur-bearing animals, during the open
16 season for the hunting of that game with a bow and arrow. ~~This license authorizes~~
17 ~~hunting with a bow and arrow only unless hunting with a crossbow is authorized by~~
18 ~~a Class A, Class B, or Class C permit issued under s. 29.193 (2).~~

19 **SECTION 15.** 29.216 (2m) of the statutes is repealed.

20 **SECTION 16.** 29.216 (3) of the statutes is renumbered 29.216 (3) (a) and
21 amended to read:

22 29.216 (3) (a) DEER TAG AND BACK TAG. The Except as provided under par. (b).
23 the department shall issue to each person who is issued a nonresident archer
24 hunting license a deer tag and a back tag.

25 **SECTION 17.** 29.216 (3) (b) of the statutes is created to read:

1 29.216 (3) (b) The department may not issue a deer tag or back tag to a person
2 who is issued a nonresident archer hunting license if the department issues the
3 nonresident archer hunting license at the reduced fee under s. 29.563 (2g).

4 **SECTION 18.** 29.217 of the statutes is created to read:

5 **29.217 Nonresident crossbow hunting license.** (1) **ISSUANCE.** A
6 nonresident crossbow hunting license shall be issued subject to s. 29.024 by the
7 department to any nonresident applying for this license.

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

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

13 (b) The department may not issue a deer tag or back tag to a person who is
14 issued a nonresident crossbow hunting license at the reduced fee under s. 29.563
15 (2g).

16 **SECTION 19.** 29.235 (2) (dm) of the statutes is created to read:

17 29.235 (2) (dm) A resident crossbow hunting license.

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

19 29.235 (2m) (dm) A nonresident crossbow hunting license.

20 **SECTION 21.** 29.346 of the statutes is created to read:

21 **29.346 Registration information.** If the department requires a person who
22 kills an animal to register that animal with the department, the department shall,
23 at the time of registration, make a record of the type of weapon that was used to kill
24 the animal.

25 **SECTION 22.** 29.563 (2) (a) 8r. of the statutes is created to read:

1 29.563 (2) (a) 8r. Crossbow: \$21.25.

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

3 29.563 (2) (a) 8t. Crossbow issued to persons who are under 18 years of age:
4 \$17.25.

5 **SECTION 24.** 29.563 (2) (b) 6m. of the statutes is created to read:

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

7 **SECTION 25.** 29.563 (2g) of the statutes is created to read:

8 29.563 (2g) REDUCED FEES FOR CERTAIN ARCHER AND CROSSBOW LICENSES.
9 Notwithstanding the fees under sub. (2) (a) 8. and 8r. and (b) 6. and 6m., the fee is
10 \$2.25 for any of the following licenses:

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

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

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

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

1 **SECTION 26.** 29.563 (6m) of the statutes is amended to read:

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

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

14 **SECTION 27.** 29.563 (12) (a) 2. of the statutes is amended to read:

15 29.563 **(12)** (a) 2. Archer, crossbow, sports, or conservation patron: \$14.25 if
16 deer tags are included; \$11.25 after open season and deer tags are not included.

17 **SECTION 28.** 29.563 (12m) of the statutes is amended to read:

18 29.563 **(12m)** DUPLICATES OF REDUCED FEE APPROVALS. Notwithstanding the fees
19 specified under sub. (12) (a) and (b), a person who was issued an approval and
20 charged the reduced fee specified under sub. (2g) or (6m) may not be charged a fee
21 for a duplicate of that approval that exceeds the fee specified for the approval under
22 sub. (2g) or (6m).

23 **SECTION 29.** 29.592 (3) of the statutes is amended to read:

24 29.592 **(3)** A person who is authorized to hunt with a mentor under this section
25 and a mentor under this section with whom that person hunts may jointly have only

1 one firearm, only one bow, or if ~~hunting with a~~ only one crossbow is authorized under
2 s. ~~29.171 (4) or 29.193 (2)~~, only one crossbow in their possession or control while
3 hunting.

4 **SECTION 30.** 29.593 (1) (b) of the statutes is amended to read:

5 29.593 (1) (b) A certificate of accomplishment issued to a person for successfully
6 completing the course under the bow hunter education program only authorizes the
7 person to obtain a resident or archer hunting license, a nonresident archer hunting
8 license, a resident crossbow hunting license, or a nonresident crossbow hunting
9 license.

10 **SECTION 31.** 29.593 (2m) of the statutes is amended to read:

11 29.593 (2m) A person who has a certificate, license, or other evidence that is
12 satisfactory to the department indicating that he or she has successfully completed
13 in another state, country, or province a bow hunter education course recognized by
14 the department may obtain an archer hunting license or crossbow hunting license.

15 (END)

SECTION #. Nonstatutory
provisions. ← B
CS →
INS.
9-14
A and B ✓

624 INSERTS

1 this subdivision applies beginning with the 2014-15 open season and ending with
2 the 2018-19 open season.

3 **6.** Page 4, line 8: after that line insert:

INS. 4
4-8

4 ~~SECTION 8m.~~ 29.177 (3m) of the statutes is amended to read:

5 29.177 (3m) DEER MANAGEMENT RULES. For the purposes of permits issued
6 under this section and s. 29.181, the department shall specify by rule the type and
7 number of deer which may be taken, the deer management areas where these
8 permits are valid, the number of permits to be issued, the open seasons during which
9 the permits are valid, the types of weapons authorized to be used under the permits,

10 and other restrictions and conditions concerning these permits.

11 **7.** Page 9, line 14: after that line insert:

12 ~~SECTION 31m. Nonstatutory provisions.~~

13 ~~(1)~~ ^(#) The department of natural resources may promulgate emergency rules
14 under section 227.24 of the statutes that are necessary for the purpose of establishing
15 ~~open~~ crossbow hunting seasons under section 29.014 (1m) (b) of the statutes, as

INS
9-143

16 affected by this act. Notwithstanding section 227.24 (1) (c) and (2) of the statutes,

17 emergency rules promulgated under this subsection remain in effect until June 30,

18 ~~2015~~ ²⁰¹⁶, or the date on which permanent rules take effect, whichever is sooner.

19 Notwithstanding section 227.24 (1) (a) and (3) of the statutes, the department is not

20 required to provide evidence that promulgating a rule under this subsection as an

21 emergency rule is necessary for the preservation of the public peace, health, safety,

22 or welfare and is not required to provide a finding of emergency for a rule

23 promulgated under this subsection.

END
INS. 9-143

(END)

2013-2014 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBs0101/lins.
RNK:.....

INSERT ANALYSIS

Under current law, DNR may issue special deer hunting permits that authorize or require the permit holder to take deer of a sex or type not authorized by a regular deer hunting license. Current law requires that DNR specify by rule the type and number of deer that may be taken, the deer management areas where these permits are valid, the number of permits to be issued, and other restrictions and conditions concerning these permits. This substitute amendment also requires DNR to specify by rule the open seasons during which these permits are valid and the types of weapons authorized to be used under these permits.

INSERT 9-14A

① LRS:
2 check
component
SECTION 1. ~~Nonstatutory provisions~~
subsubsection

- 1 (1) (a) In this section:
- 2 1. "Bow and arrow season" means the open season established by the
- 3 department for hunting with a bow and arrow but not with a firearm.
- 4 2. "Crossbow season" means the open season established by the department for
- 5 hunting with a crossbow.
- 6 3. "Department" means the department of natural resources.
- 7 (b) A crossbow season established by the department under section 29.014 (1m)
- 8 (b) of the statutes, as affected by this act, for hunting deer, elk, small game, wild
- 9 turkey, or bear shall run concurrently with the bow and arrow season for hunting the
- 10 respective animal. The requirement under this subsection that the crossbow season
- 11 and the bow and arrow season run concurrently applies only for the period beginning
- 12 with the 2014-15 hunting season and ending with the 2015-16 hunting season.
- 13

(end ins 9-14 A)



State of Wisconsin
2013 - 2014 LEGISLATURE



LRBs0101/1
RNK:sac&jld:ph

SENATE SUBSTITUTE AMENDMENT ,
TO ASSEMBLY BILL 194

1 **AN ACT** *to repeal* 29.171 (2m), 29.171 (4) (a), 29.171 (4) (c) and 29.216 (2m); *to*
2 *renumber and amend* 29.171 (3), 29.193 (1m) (a), 29.193 (2) (cr) 2. and 29.216
3 (3); *to amend* 29.014 (1m) (b), 29.171 (2), 29.177 (3m), 29.185 (2) (b), 29.216 (2),
4 29.563 (6m), 29.563 (12) (a) 2., 29.563 (12m), 29.592 (3), 29.593 (1) (b) and
5 29.593 (2m); and *to create* 29.171 (3) (b), 29.172, 29.193 (1m) (a) 1., 29.193 (1m)
6 (a) 2., 29.216 (3) (b), 29.217, 29.235 (2) (dm), 29.235 (2m) (dm), 29.346, 29.563
7 (2) (a) 8r., 29.563 (2) (a) 8t., 29.563 (2) (b) 6m. and 29.563 (2g) of the statutes;
8 **relating to:** the authority to hunt certain animals with a crossbow,
9 establishing open seasons for hunting with a crossbow, information required to
10 be recorded at the time of carcass registration, deer management rule
11 requirements, and providing an exemption from emergency rule procedures.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Natural Resources (DNR) issues hunting licenses and establishes open hunting seasons that allow the hunting of specified

game animals. Among the licenses that DNR issues are resident and nonresident archer hunting licenses. An archer hunting license allows the holder to hunt all game, except bear, elk, wolf, and wild turkey, with a bow and arrow during the relevant open season established by DNR. An archer hunting license allows a person to hunt only with a bow and arrow and not with a crossbow unless the person is disabled and holds a permit from DNR that authorizes the use of a crossbow or unless the person is at least 65 years old. This substitute amendment eliminates the age and disability requirements for using a crossbow. Instead, the substitute amendment establishes a new resident crossbow hunting license and a new nonresident crossbow hunting license.

The crossbow hunting licenses established in this substitute amendment allow a license holder to use a crossbow to hunt the same game animals that may be hunted under current law with an archer hunting license. The substitute amendment also allows the holder of an archer hunting license to obtain a crossbow hunting license at a substantially reduced fee and allows the holder of a crossbow hunting license to obtain an archer hunting license at a substantially reduced fee. As with other hunting licenses under current law, a person may not obtain a crossbow hunting license unless the person completes a course of instruction in hunter education or bow hunter education.

Current law provides that, if DNR establishes an open season for hunting deer, elk, small game, wild turkey, or bear with a bow and arrow but not with a firearm (bow and arrow season), DNR may not open that season for hunting with a crossbow unless the hunter is at least 65 years old or is disabled and holds a permit from DNR. This substitute amendment provides that, if DNR establishes an open season for hunting any of those animals with a bow and arrow but not with a firearm, DNR must also establish an open season that allows a person to hunt the respective animal with a crossbow (crossbow season) regardless of the age of the hunter or whether the hunter has a disability. The bill provides that, during the 2014–15 and 2015–16 open seasons, the bow and arrow season and the crossbow season must run concurrently.

Under current law, DNR may issue special deer hunting permits that authorize or require the permit holder to take deer of a sex or type not authorized by a regular deer hunting license. Current law requires that DNR specify by rule the type and number of deer that may be taken, the deer management areas where these permits are valid, the number of permits to be issued, and other restrictions and conditions concerning these permits. This substitute amendment also requires DNR to specify by rule the open seasons during which these permits are valid and the types of weapons authorized to be used under these permits.

The substitute amendment also provides that, if DNR requires a person who kills an animal to register the animal with DNR, then DNR must make a record of the type of weapon that was used to kill the animal.

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

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

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

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

9 29.171 (2) A resident archer hunting license authorizes the hunting of all
10 game, except bear, elk, and wild turkey, during the open seasons established by the
11 department for hunting that game with bow and arrow ~~established by the~~
12 ~~department. This license authorizes hunting with a bow and arrow only, unless~~
13 ~~hunting with a crossbow is authorized by a Class A, Class B, or Class C permit issued~~
14 ~~under s. 29.193 (2) or a permit issued under sub. (4).~~

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

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

18 29.171 (3) (a) ~~The~~ Except as provided under par. (b), the department shall issue
19 to each person who is issued a resident archer hunting license a deer tag and a back
20 tag.

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

22 29.171 (3) (b) The department may not issue a deer tag or back tag to a person
23 who is issued a resident archer hunting license at the reduced fee under s. 29.563
24 (2g).

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

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

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

3 **29.172 Resident crossbow hunting license.** (1) A resident crossbow
4 hunting license shall be issued subject to ss. 29.024 and 54.25 (2) (c) 1. d. by the
5 department to any resident applying for this license.

6 (2) A resident crossbow hunting license authorizes the hunting of all game,
7 except bear, elk, and wild turkey, during the open seasons for hunting that game with
8 a crossbow established by the department. This license authorizes hunting with a
9 crossbow only.

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

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

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

15 29.177 (3m) DEER MANAGEMENT RULES. For the purposes of permits issued
16 under this section and s. 29.181, the department shall specify by rule the type and
17 number of deer which may be taken, the deer management areas where these
18 permits are valid, the number of permits to be issued, the open seasons during which
19 the permits are valid, the types of weapons authorized to be used under the permits,
20 and other restrictions and conditions concerning these permits.

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

22 29.185 (2) (b) *Resident ~~areher~~ Archer licenses, crossbow licenses, and trapping*
23 *licenses.* Notwithstanding ss. 29.171 (2), 29.172 (2), 29.216 (2), 29.217 (2), and 29.241
24 (3), a resident archer hunting license, a nonresident archer hunting license, a

1 resident crossbow hunting license, a nonresident crossbow hunting license, or a
2 trapping license does not authorize the hunting or trapping of wolves.

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

5 29.193 (1m) (a) The department shall, after an investigation and without
6 charging a fee, issue a trolling permit to any person who meets the any of the
7 following requirements under ~~s. 29.171 (4) (a) 2. or 4.;~~

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

9 29.193 (1m) (a) 1. Has an amputation or other loss of one or more arms above
10 the wrist.

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

12 29.193 (1m) (a) 2. Has a permanent substantial loss of function in one or both
13 arms or one or both hands and fails to meet the minimum standards of any one of the
14 following standard tests, administered under the direction of a licensed physician or
15 a licensed chiropractor:

16 a. Upper extremity pinch.

17 b. Grip.

18 c. Nine-hole peg.

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

21 29.193 (2) (cr) 2. (intro.) A Class A permit authorizes the holder to shoot do all
22 of the following:

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

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

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

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

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

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

10 29.216 (3) (a) DEER TAG AND BACK TAG. ~~The~~ Except as provided under par. (b),
11 the department shall issue to each person who is issued a nonresident archer
12 hunting license a deer tag and a back tag.

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

14 29.216 (3) (b) The department may not issue a deer tag or back tag to a person
15 who is issued a nonresident archer hunting license if the department issues the
16 nonresident archer hunting license at the reduced fee under s. 29.563 (2g).

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

18 **29.217 Nonresident crossbow hunting license. (1) ISSUANCE.** A
19 nonresident crossbow hunting license shall be issued subject to s. 29.024 by the
20 department to any nonresident applying for this license.

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

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

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

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

5 29.235 (2) (dm) A resident crossbow hunting license.

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

7 29.235 (2m) (dm) A nonresident crossbow hunting license.

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

9 **29.346 Registration information.** If the department requires a person who
10 kills an animal to register that animal with the department, the department shall,
11 at the time of registration, make a record of the type of weapon that was used to kill
12 the animal.

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

14 29.563 (2) (a) 8r. Crossbow: \$21.25.

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

16 29.563 (2) (a) 8t. Crossbow issued to persons who are under 18 years of age:
17 \$17.25.

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

19 29.563 (2) (b) 6m. Crossbow: \$157.25.

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

21 29.563 (2g) **REDUCED FEES FOR CERTAIN ARCHER AND CROSSBOW LICENSES.**
22 Notwithstanding the fees under sub. (2) (a) 8. and 8r. and (b) 6. and 6m., the fee is
23 \$2.25 for any of the following licenses:

24 (a) A resident archer hunting license issued to a person who holds a resident
25 crossbow hunting license, provided that the resident archer hunting license and the

1 resident crossbow hunting license authorize hunting during the same hunting
2 season.

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

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

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

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

15 29.563 (6m) REDUCED FEES FOR CERTAIN FIRST-TIME APPROVALS. (a) The fee for
16 an approval that is listed under sub. (2) (a) 1., 2., 4. to 5g., ~~or 7. to 9.~~ 8m., or 9., (3)
17 (a) 1., or (6) (a) 1. is \$4.25 if the approval is issued to a person who has not received
18 that type of approval, or has not been conferred the privileges of that type of approval
19 under a license issued under s. 29.231 or 29.235, in any of the 10 years preceding the
20 date of application.

21 (b) The fee for an approval listed under sub. (2) (b) 1., 3., ~~or 5. to 6., 7., 8.,~~ (3)
22 (b) 1., or (6) (am) is one-half of the fee listed for the respective approval, rounded up
23 to the nearest dollar, if the approval is issued to a person who has not received that
24 type of approval by the department, or has not been conferred the privileges of that

1 type of approval under a license issued under s. 29.231 or 29.235, in any of the 10
2 years preceding the date of application.

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

4 29.563 (12) (a) 2. Archer, crossbow, sports, or conservation patron: \$14.25 if
5 deer tags are included; \$11.25 after open season and deer tags are not included.

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

7 29.563 (12m) DUPLICATES OF REDUCED FEE APPROVALS. Notwithstanding the fees
8 specified under sub. (12) (a) and (b), a person who was issued an approval and
9 charged the reduced fee specified under sub. (2g) or (6m) may not be charged a fee
10 for a duplicate of that approval that exceeds the fee specified for the approval under
11 sub. (2g) or (6m).

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

13 29.592 (3) A person who is authorized to hunt with a mentor under this section
14 and a mentor under this section with whom that person hunts may jointly have only
15 one firearm, only one bow, or ~~if hunting with a only one crossbow is authorized under~~
16 ~~s. 29.171 (4) or 29.193 (2), only one crossbow~~ in their possession or control while
17 hunting.

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

19 29.593 (1) (b) A certificate of accomplishment issued to a person for successfully
20 completing the course under the bow hunter education program only authorizes the
21 person to obtain a resident ~~or archer hunting license, a nonresident archer hunting~~
22 ~~license, a resident crossbow hunting license, or a nonresident crossbow hunting~~
23 ~~license.~~

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

1 29.593 (2m) A person who has a certificate, license, or other evidence that is
2 satisfactory to the department indicating that he or she has successfully completed
3 in another state, country, or province a bow hunter education course recognized by
4 the department may obtain an archer hunting license or crossbow hunting license.

5 **SECTION 33. Nonstatutory provisions.**

6 (1) (a) In this subsection:

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

9 2. “Crossbow season” means the open season established by the department for
10 hunting with a crossbow.

11 3. “Department” means the department of natural resources.

12 (b) A crossbow season established by the department under section 29.014 (1m)
13 (b) of the statutes, as affected by this act, for hunting deer, elk, small game, wild
14 turkey, or bear shall run concurrently with the bow and arrow season for hunting the
15 respective animal. The requirement under this subsection that the crossbow season
16 and the bow and arrow season run concurrently applies only for the period beginning
17 with the 2014–15 hunting season and ending with the 2015–16 hunting season.

18 (2) The department may promulgate emergency rules under section 227.24 of
19 the statutes that are necessary for the purpose of establishing crossbow seasons
20 under section 29.014 (1m) (b) of the statutes, as affected by this act. Notwithstanding
21 section 227.24 (1) (c) and (2) of the statutes, emergency rules promulgated under this
22 subsection remain in effect until June 30, 2016, or the date on which permanent rules
23 take effect, whichever is sooner. Notwithstanding section 227.24 (1) (a) and (3) of the
24 statutes, the department is not required to provide evidence that promulgating a rule
25 under this subsection as an emergency rule is necessary for the preservation of the

1 public peace, health, safety, or welfare and is not required to provide a finding of
2 emergency for a rule promulgated under this subsection.

3 (END)