

2017 DRAFTING REQUEST

Bill

For: **Romaine Quinn (608) 266-2519** Drafter: **zwyatt**
 By: **Steve** Secondary Drafters:
 Date: **5/5/2017** May Contact:

Same as LRB:

Submit via email: **YES**
 Requester's email: **Rep.Quinn@legis.wisconsin.gov**
 Carbon copy (CC) to: **elisabeth.shea@legis.wisconsin.gov**
zachary.wyatt@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Youth trapping and mentored trapping license

Instructions:

Redraft AB 448 (15-3495/1).

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	zwyatt 5/8/2017	wjackson 5/8/2017			
/P1	zwyatt 9/22/2017	wjackson 9/22/2017	hkohn 5/8/2017		
/P2	zwyatt 9/26/2017	lparisi 9/26/2017	lparisi 9/22/2017		
/P3			lparisi 9/26/2017		
/1			mbarman	mbarman	

per ZDW

Vers. Drafted

Reviewed

Submitted
10/16/2017

Jacketed
10/16/2017

Required

FE Sent For:

<END>

↳ Not
Needed



WSEPT

2015 BILL

PWF

gc

1 AN ACT to renumber and amend 29.331 (1); to amend 29.331 (5) (a) and 29.597
2 (6) (a); and to create 29.331 (1) (b), 29.331 (5) (am) and 29.596 of the statutes;
3 relating to: a trapping mentorship program, restrictions on taking or
4 appropriating a trap or its contents, and requirements for tagging traps.

Analysis by the Legislative Reference Bureau

WSA

This bill creates a trapping mentorship program and creates exceptions to the general prohibition against taking or appropriating a trap belonging to another person.

Under current law, with certain exceptions, no person may obtain a hunting or trapping license, permit, or other approval (approval) from the Department of Natural Resources (DNR) unless the person first completes a relevant hunter education or trapper education program. Upon successful completion of the hunter education program, DNR issues a hunter education certificate of accomplishment (hunter education certificate) and upon successful completion of the trapper education program, DNR issues a trapper education certificate of accomplishment (trapper education certificate).

Current law exempts a hunter who is participating in an authorized hunting mentorship program from the general requirement to obtain a hunter education certificate. No hunter education certificate is required if the hunter is hunting with a qualified mentor, the hunter is at least ten years old, the hunter holds a valid hunting approval, and the hunter remains within arm's reach of the qualified mentor at all times when hunting.

BILL

This bill creates a trapping mentorship program that is similar to the hunting mentorship program. Under the bill, a person may trap an animal other than a bobcat, fisher, otter, or wolf without obtaining a trapper education certificate if the person is trapping with a qualified mentor, the trapper holds a valid trapping approval, and the trapper is accompanied by the qualified mentor at all times when trapping. The bill allows a qualified mentor to take more than one person trapping at a time if the mentor determines that he or she can adequately and safely serve as a mentor for all of the persons he or she takes trapping at one time. The bill also specifies that a person trapping with a mentor may assist the mentor in trapping any animal for which the mentor holds the appropriate trapping approval. The bill does not establish a minimum age requirement for a trapper to be mentored under the trapping mentorship program.

Current law generally prohibits a person from taking or appropriating a trap belonging to another person or the contents of that trap. This bill creates exceptions to this general prohibition by providing that a person may take a trap belonging to another person or the contents of that trap if the person placing the trap gives permission to the other person to take that action and the person placing the trap is not trapping a bobcat, fisher, otter, or wolf. The exception also applies to persons trapping bobcat, fisher, otter, or wolf in the course of participation in the trapping mentorship program.

Current law requires each trap used under a trapping license to be tagged with a metal stamp containing certain identifying information. This bill allows more than one licensed trapper to operate a trap. The bill provides that, if the trap is operated by more than one trapper, the trap must be tagged with the metal stamp of each trap operator.

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

1 **SECTION 1.** 29.331 (1) of the statutes is renumbered 29.331 (1) (a) and amended
2 to read:

3 29.331 (1) (a) Each Except as provided under par. (b), each trap used under a
4 trapping license shall be tagged with a metal tag stamped with the name and address
5 or customer identification number of the operator of the trap. If a trap is operated
6 by more than one licensed trapper, the trap shall be tagged with the metal stamp of
7 each operator of the trap. All untagged traps shall be seized and confiscated, and the

BILL

1 owner or person using or attending the untagged traps shall be punished as provided
2 under s. 29.971 (4) and (12).

3 **SECTION 2.** 29.331 (1) (b) of the statutes is created to read:

4 29.331 (1) (b) Each trap used by a person who is trapping with a qualified
5 mentor as provided under s. 29.596 shall be tagged with a metal tag stamped with
6 the name and address or customer identification number of either the person using
7 the trap or of the qualified mentor.

8 **SECTION 3.** 29.331 (5) (a) of the statutes is amended to read:

9 ~~29.331 (5) (a) No Except as provided in par. (am), no person may molest, take~~[^]
10 ~~or appropriate a trap belonging to another person when the trap is lawfully placed.~~
11 ~~No person may or take or appropriate the animal or contents of any lawfully placed~~
12 ~~trap belonging to another person.~~

13 **SECTION 4.** 29.331 (5) (am) of the statutes is created to read:

14 29.331 (5) (am) A trapper holding a valid trapping approval may take a trap
15 belonging to another person or take the animal or contents of a lawfully placed trap
16 belonging to another person if the trapper was given permission to engage in the
17 conduct by the person who placed the trap and either of the following applies:

- 18 1. The person who placed the trap is not trapping a bobcat, fisher, otter, or wolf.
- 19 2. The person placed the trap while serving as, or being mentored by, a qualified
20 mentor under s. 29.596 and the person who placed the trap is trapping a bobcat,
21 fisher, otter, or wolf.

22 **SECTION 5.** 29.596 of the statutes is created to read:

23 **29.596 Trapping mentorship program.** (1) A person may trap an animal
24 other than a bobcat, fisher, otter, or wolf without obtaining a certificate of
25 accomplishment under s. 29.597 if all of the following apply:

BILL**SECTION 5**

1 (a) At all times when trapping, the person is accompanied by a mentor who
2 meets the qualifications under sub. (2).

3 (b) The person holds an approval that authorizes trapping.

4 (2) No person may serve as a qualified mentor for a trapper unless the person
5 meets all of the following requirements:

6 (a) The person is 18 years of age or older.

7 (b) The person is the parent or guardian of the person for whom he or she is
8 serving as a mentor or is authorized by the parent or guardian to serve as a mentor.
9 This requirement does not apply to a person serving as a mentor for a person who
10 is 18 years of age or older.

11 (c) At all times when serving as a mentor, the person accompanies the person
12 for whom he or she is serving as a mentor.

13 (d) The person holds a valid certificate of accomplishment issued under s.
14 29.597.

15 (e) The person holds a current valid trapping approval.

16 (3) A mentor under this section may take more than one person trapping at a
17 time if the mentor determines that he or she can adequately and safely serve as a
18 mentor for all of the persons he or she takes trapping at one time.

19 (4) This section does not prohibit a person who is trapping with a qualified
20 mentor under this section from assisting that mentor in trapping any animal for
21 which the mentor holds the appropriate trapping approval.

22 (5) The requirements under subs. (1) (b) and (2) (e) do not apply to a person who
23 is authorized to trap without a trapping approval under s. 29.337.

24 **SECTION 6.** 29.597 (6) (a) of the statutes is amended to read:

BILL

1 29.597 (6) (a) ~~No~~ Except as provided under s. 29.596, no person may be issued
2 an approval authorizing trapping unless he or she holds a valid certificate of
3 accomplishment issued under this section.

4 **SECTION 7. Effective date.**

5 (1) This act takes effect on September 1, ²⁰¹⁸ ~~2016~~, or on the day after publication,
6 whichever is later.

7 (END)

**2017-2018 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-3421/P1ins
ZDW:...

INS A

This bill creates a trapping mentorship program and creates exceptions to the general prohibition against taking or appropriating a trap belonging to another.

Under current law, with certain exceptions, no person may obtain a trapping license, permit, or other approval from the Department of Natural Resources unless the person first completes a trapper education program. Upon successful completion of the program, DNR issues a trapper education certificate of accomplishment. Under the bill, a person may trap certain animals without obtaining a trapper education certificate if the person is trapping with a qualified mentor. The bill requires a person serving as a mentor to be 18 years of age or older, hold a valid trapping approval and trapper education certificate, and accompany the person he or she is mentoring at all times while trapping.

Current law generally prohibits a person from taking another person's trap or its contents. This bill creates exceptions to this prohibition when the person placing the trap is not trapping a bobcat, fisher, otter, or wolf and gives permission to the other person to take the trap or its contents. The exception also applies to persons in the trapping mentorship program who are trapping bobcat, fisher, otter, or wolf.

Current law requires each trap used under a trapping license to be tagged with a metal stamp containing certain identifying information. This bill allows more than one licensed trapper to operate a trap and requires the trap to be tagged with the metal stamp of each trap operator. ✓



W 9/22/2017
OUT TODAY

INSERT

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1 **AN ACT to renumber and amend** 29.331 (1); **to amend** 29.331 (5) (a) and 29.597
2 (6) (a); and **to create** 29.331 (1) (b), 29.331 (5) (am) and 29.596 of the statutes;
3 **relating to:** ^{youth} trapping ^{creating a mentored trapping license,} mentorship program, restrictions on taking or
4 appropriating a trap or its contents, and requirements for tagging traps.

WS A

Analysis by the Legislative Reference Bureau

This bill creates a trapping mentorship program and exceptions to the general prohibition against taking or appropriating a trap belonging to another.

Under current law, with certain exceptions, no person may obtain a trapping license, permit, or other approval from the Department of Natural Resources unless the person first completes a trapper education program. Upon successful completion of the program, DNR issues a trapper education certificate of accomplishment. Under the bill, a person may trap certain animals without obtaining a trapper education certificate if the person is trapping with a qualified mentor. The bill requires a person serving as a mentor to be 18 years of age or older, hold a valid trapping approval and trapper education certificate, and accompany the person he or she is mentoring at all times while trapping.

Current law generally prohibits a person from taking another person's trap or its contents. This bill creates exceptions to this prohibition when the person placing the trap is not trapping a bobcat, fisher, otter, or wolf and gives permission to the other person to take the trap or its contents. The exception also applies to persons in the trapping mentorship program who are trapping bobcat, fisher, otter, or wolf.

Current law requires each trap used under a trapping license to be tagged with a metal stamp containing certain identifying information. This bill allows more than

one licensed trapper to operate a trap and requires the trap to be tagged with the metal stamp of each trap operator.

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

WS 2-1

1 SECTION 1. 29.331 (1) of the statutes is renumbered 29.331 (1) (a) and amended
2 to read:

3 29.331 (1) (a) ~~Each~~ Except as provided under par. (b), each trap used under a
4 trapping license shall be tagged with a metal tag stamped with the name and address
5 or customer identification number of the operator of the trap. If a trap is operated
6 by more than one licensed trapper, the trap shall be tagged with the metal stamp of
7 each operator of the trap. All untagged traps shall be seized and confiscated, and the
8 owner or person using or attending the untagged traps shall be punished as provided
9 under s. 29.971 (4) and (12).

WS 2-9

10 SECTION 2. 29.331 (1) (b) of the statutes is created to read:

11 29.331 (1) (b) Each trap used by a person who is trapping with a qualified
12 mentor as provided under s. ~~29.596~~^{29.241(6)} shall be tagged with a metal tag stamped with
13 the name and address or customer identification number of ~~either~~² the person using
14 the trap ~~or of the qualified mentor.~~²

WS 2-14

15 SECTION 3. 29.331 (5) (a) of the statutes is amended to read:

16 29.331 (5) (a) ~~No~~ Except as provided in par. (am), no person may molest, take
17 or appropriate a trap belonging to another person when the trap is lawfully placed.
18 ~~No person may or take or appropriate the animal or contents of any lawfully placed~~
19 ~~trap belonging to another person.~~

20 SECTION 4. 29.331 (5) (am) of the statutes is created to read:

1 29.331 (5) (am) A trapper holding a valid trapping approval may take a trap
2 belonging to another person or take the animal or contents of a lawfully placed trap
3 belonging to another person if the trapper was given permission to engage in the
4 conduct by the person who placed the trap and either of the following applies:

- 5 1. The person who placed the trap is not trapping a bobcat, fisher, otter, or wolf.
- 6 2. The person placed the trap while serving as, or being mentored by, a qualified
7 mentor under s. 29.596 and the person who placed the trap is trapping a bobcat,
8 fisher, otter, or wolf.

9 SECTION 5. 29.596 of the statutes is created to read:

10 **29.596 Trapping mentorship program. (1)** A person may trap an animal
11 other than a bobcat, fisher, otter, or wolf without obtaining a certificate of
12 accomplishment under s. 29.597 if all of the following apply:

13 (a) At all times when trapping, the person is accompanied by a mentor who
14 meets the qualifications under sub. (2).

15 (b) The person holds an approval that authorizes trapping.

16 **(2)** No person may serve as a qualified mentor for a trapper unless the person
17 meets all of the following requirements:

18 (a) The person is 18 years of age or older.

19 (b) The person is the parent or guardian of the person for whom he or she is
20 serving as a mentor or is authorized by the parent or guardian to serve as a mentor.

21 This requirement does not apply to a person serving as a mentor for a person who
22 is 18 years of age or older.

23 (c) At all times when serving as a mentor, the person accompanies the person
24 for whom he or she is serving as a mentor.

1 (d) The person holds a valid certificate of accomplishment issued under s.
2 29.597.

3 ****NOTE: Is this provision consistent with your intent?

4 (e) The person holds a current valid trapping approval.

5 (3) A mentor under this section may take more than one person trapping at a
6 time if the mentor determines that he or she can adequately and safely serve as a
7 mentor for all of the persons he or she takes trapping at one time.

8 (4) This section does not prohibit a person who is trapping with a qualified
9 mentor under this section from assisting that mentor in trapping any animal for
10 which the mentor holds the appropriate trapping approval.

11 (5) The requirements under subs. (1) (b) and (2) (e) do not apply to a person who
12 is authorized to trap without a trapping approval under s. 29.337.

13 **SECTION 6.** 29.597 (6) (a) of the statutes is amended to read:

14 29.597 (6) (a) ~~No~~ Except as provided under s. 29.596, no person may be issued
15 an approval authorizing trapping unless he or she holds a valid certificate of
16 accomplishment issued under this section.

17 **SECTION 7. Effective date.**

18 (1) This act takes effect on September 1, 2018, or on the day after publication,
19 whichever is later.

(END)

1 INS A

This bill authorizes a person under the age of 16 to engage in trapping without obtaining a trapping license or a trapping education certificate of accomplishment if the person is trapping under the supervision of a licensed trapper.

Current law generally requires a person engaging in trapping to obtain a trapping license from the Department of Natural Resources. Current law also prohibits a person from obtaining a trapping license unless he or she holds a valid certificate of accomplishment indicating that he or she has successfully completed a trapper education course.

This bill ~~also~~ creates a mentored trapping license, which authorizes the holder to engage in trapping while in contact with a qualified mentor. Under the bill, "contact" means visual or voice contact without the aid of any mechanical or electronic amplifying device other than a hearing aid. To qualify as a trapping mentor, a person must 1) be at least 18 years of age, 2) be the parent or guardian or authorized by the parent or guardian of the person being mentored, 3) be in contact with the person being mentored at all times, and 4) hold a current valid trapping license or be authorized to trap without holding a trapping license.

Current law generally prohibits a person from taking another person's trap or its contents. The bill creates exceptions to this prohibition for persons under the supervision of a licensed trapper or receiving instruction from a mentor.

Current law requires each trap used under a trapping license to be tagged with a metal stamp containing certain identifying information. The bill allows more than one licensed trapper to operate a trap and requires the trap to be tagged with the metal stamp of each trap operator. The bill also provides that a trap being used by a mentor and a person being mentored may be tagged by either or both persons. A trap tagged only by a person being mentored may be operated by that person and his or her mentor, but only if both persons are present.

2 INS 2-1

3 **SECTION 1.** 29.241 (5) of the statutes is created to read:

4 29.241 (5) YOUTH TRAPPING. A person under the age of 16 may engage in
5 trapping under the supervision of a licensed trapper without holding a trapping
6 license or a certificate of accomplishment under s. 29.597 (5). ✓

7 **SECTION 2.** 29.241 (6) of the statutes is created to read:

8 29.241 (6) MENTORED TRAPPING LICENSE. (a) In this section:

9 1. "Contact" has the meaning given in s. 29.324 (1) (a).

1 2. "Mentor" means a person who provides trapping instruction to a mentee.

2 3. "Mentee" means a person holding a mentored trapping license who is
3 receiving trapping instruction from a mentor.

4 (b) A mentored trapping license shall be issued subject to ss. 29.024 and 54.25
5 (2) (c) 1. d. by the department to any resident applying for this license or to any
6 nonresident of this state who applies for this license and who resides in a state that
7 allows nonresidents of that state to trap within that state.

 ***NOTE: Do you want the person applying for the mentored trapping license to be
 required to have a trapper education certificate of accomplishment?

8 (c) A mentored trapping license authorizes trapping by a mentee while in
9 contact with a mentor who meets the following qualifications:

10 1. The person is 18 years of age or older.

11 2. The person is the parent or guardian of the mentee or is authorized by the
12 parent or guardian to serve as a mentor. This requirement does not apply to a person
13 serving as a mentor for a person who is 18 years of age or older.

14 3. At all times when serving as a mentor, the person is in contact with the
15 mentee.

16 4. The person holds a current valid trapping license or is authorized to trap
17 without holding a trapping license as provided under s. 29.337.

18 (d) A person may be issued only ²(two) mentored trapping licenses in his or her
19 lifetime[^] and each mentored trapping license shall be valid for only one trapping
20 season.

21 (e) A mentor under this subsection may take more than one person trapping
22 at a time if the mentor determines he or she can adequately and safely serve as a
23 mentor for all of the persons he takes trapping at one time.

1 (f) A person holding a mentored trapping license is not eligible to receive a
2 harvest tag for trapping purposes for any species for which the department limits the
3 number of available tags but may assist his or her mentor in the trapping of a species
4 for which the department limits the number of available tags.

5 INS 2-9

6 This paragraph does not apply to a person under the age of 16 trapping under
7 the supervision of a licensed trapper as provided in s. 29.241 (5).

8 INS 2-14

9 , or both. If the trap is tagged only by a person who is trapping with a qualified
10 mentor, the trap may only be operated by that person or by the mentor and only when
11 both are present.

12 **SECTION 3.** 29.331 (5) (a) of the statutes is amended to read:

13 29.331 (5) (a) No person may molest, take or appropriate a trap belonging to
14 another person when the trap is lawfully placed. No person may take or appropriate
15 the animal or contents of any lawfully placed trap belonging to another person. This
16 paragraph does not apply to a person taking a trap belonging to a supervising trapper
17 or mentor, or taking the contents of that trap, if the person is acting under the
18 direction of a supervising trapper under s. 29.241 (5) or a mentor providing
19 instruction under s. 29.241 (6).

20 **SECTION 4.** 29.351 (1r) of the statutes is amended to read:

21 29.351 (1r) No person may possess the raw skin of any muskrat, mink, otter,
22 fisher, or pine marten at any time unless the person is the holder of a valid scientific
23 collector permit, fur dealer license, trapping license, mentored trapping license, or
24 resident conservation patron license. No license is required for a person breeding,
25 raising, and producing domestic fur-bearing animals in captivity, as defined in s.

1 29.627, or for a person authorized to take muskrats on a cranberry marsh under a
2 permit issued to the person by the department.

History: 1983 a. 27; 1987 a. 27; 1995 a. 27; 1997 a. 248 s. 507; Stats. 1997 s. 29.351; 2001 a. 56; 2009 a. 38.

3 **SECTION 5.** 29.563 (6) (a) 1s. of the statutes is created to read:

4 29.563 (6) (a) 1s. Mentored trapping license: \$9.25.

****NOTE: The request did not specify a fee for this license so I used the fee currently charged to trappers under the age of 16. Please advise if you want a different fee.

5 **SECTION 6. Effective dates.** This act takes effect on the day after publication,
6 except as follows:

7 (1) The treatment of sections 29.241 (6), 29.331 (1) (b), 29.351 (1r), and 29.563
8 (6) (a) 1s. of the statutes takes effect on September 1, 2018.

9 (END)

Wyatt, Zachary

From: Schwerbel, Steven
Sent: Tuesday, September 19, 2017 1:35 PM
To: Wyatt, Zachary; Konopacki, Larry
Subject: RE: Trapping mentorship bill request

RE: /P2, per Konopacki @LLC
• add "or ste" on p3, 116
• remove 4-stor notes

I believe that was at a P-draft currently – if so, yes, let's update that draft with the instructions below. Thanks!

Steven Schwerbel
Office of Rep. Romaine Quinn
Ph. 608.266.2519
Steven.Schwerbel@legis.wisconsin.gov

From: Wyatt, Zachary
Sent: Tuesday, September 19, 2017 1:06 PM
To: Konopacki, Larry <Larry.Konopacki@legis.wisconsin.gov>; Schwerbel, Steven <Steven.Schwerbel@legis.wisconsin.gov>
Subject: FW: Trapping mentorship bill request

Lis mentioned this to me this morning and I remembered I had already done a trapping mentorship draft for your office (17-3421). Is this request different or should this be treated as revision to the existing draft?

Thanks,
Zachary D. Wyatt
Legislative Attorney
Wisconsin Legislative Reference Bureau
zachary.wyatt@legis.wisconsin.gov
608.267.3362

The information contained in this communication may be confidential and protected by the attorney-client privilege.

From: Shea, Elisabeth
Sent: Tuesday, September 19, 2017 11:57 AM
To: Wyatt, Zachary <Zachary.Wyatt@legis.wisconsin.gov>
Subject: FW: Trapping mentorship bill request

From: Schwerbel, Steven
Sent: Wednesday, September 13, 2017 11:27 AM
To: Konopacki, Larry <Larry.Konopacki@legis.wisconsin.gov>
Cc: Shea, Elisabeth <Elisabeth.Shea@legis.wisconsin.gov>
Subject: RE: Trapping mentorship bill request

Ah, think I've got her now – didn't realize they hadn't been sent over to her already. Thanks!

From: Konopacki, Larry
Sent: Wednesday, September 13, 2017 11:18 AM
To: Schwerbel, Steven <Steven.Schwerbel@legis.wisconsin.gov>
Subject: RE: Trapping mentorship bill request

Hi Steve, do you want to pass this directly on to Lis at the LRB for drafting, or would you like me to do that? Thanks!

LK

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

From: Schwerbel, Steven
Sent: Wednesday, September 13, 2017 8:50 AM
To: georgemeyer@tds.net
Cc: Konopacki, Larry <Larry.Konopacki@legis.wisconsin.gov>
Subject: RE: Trapping mentorship bill request

Excellent – thanks.

From: georgemeyer@tds.net [mailto:georgemeyer@tds.net]
Sent: Wednesday, September 13, 2017 7:54 AM
To: Schwerbel, Steven <Steven.Schwerbel@legis.wisconsin.gov>
Cc: Scott Zimmermann <zimm.s.v@tds.net>; Quinn, Romaine <Romaine.Quinn@legis.wisconsin.gov>; Rep.Stafsholt <Rep.Stafsholt@legis.wisconsin.gov>
Subject: Re: Trapping mentorship bill request

Steve: I have reviewed with Scott Zimmerman and the drafting instructions look consistent with our previous discussions. We would be glad to review the draft bill when it comes out. Thank you all for your work on this. Geogr

From: "Steven Schwerbel" <Steven.Schwerbel@legis.wisconsin.gov>
To: "Scott Zimmermann" <zimm.s.v@tds.net>, "George Meyer" <georgemeyer@tds.net>
Cc: "Romaine Quinn" <Romaine.Quinn@legis.wisconsin.gov>, "Rep.Stafsholt" <Rep.Stafsholt@legis.wisconsin.gov>
Sent: Tuesday, September 12, 2017 9:38:09 AM
Subject: FW: Trapping mentorship bill request

Gentlemen—

Below are the original drafting request notes – is there anything else you'd like to add/ adjust before draft 1 comes out?

Thanks!

Steven Schwerbel
Office of Rep. Romaine Quinn
Ph. 608.266.2519
Steven.Schwerbel@legis.wisconsin.gov

From: Konopacki, Larry
Sent: Monday, September 11, 2017 3:45 PM
To: Schwerbel, Steven <Steven.Schwerbel@legis.wisconsin.gov>
Cc: Shea, Elisabeth <Elisabeth.Shea@legis.wisconsin.gov>
Subject: Trapping mentorship bill request

Hi Steve, below is what I recommend sending to Lis, based on my understanding of what you would like to see in the mentored trapping bill. I am not sure if this matches up with what George described in his email – maybe share it with him to see?

I have already given Lis a heads-up that this is coming, and she is cc'd on this email.

Thanks,
Larry

Hi Lis, Rep. Quinn would like a trapping mentorship bill which accomplishes all of the following:

1. Allow anyone under the age of 16 (youth) to accompany a licensed trapper and engage in “trapping” under the supervision of the licensed trapper 1) without a trapping license, 2) without completion of a trapping safety course, and 3) without affixing trap tags with the name or customer number of the youth on the traps that will be used by the youth during such activity under s. 29.331 (1).
2. Create a new mentored trapping license subject to the following:
 - a. Require that the mentor and the mentee maintain contact while the mentee is being mentored, as defined under s. 29.324 (1) (a)
 - b. Provide the same requirements for a mentor as are required under 2015 Assembly Bill 448 proposed s. 29.596 (2) (except replace the “accompany” requirement with the “contact” requirement in a. above and eliminate proposed s. s. 29.596 (2) (d)) and proposed s. s. 29.596 (5).
 - c. Only allow a person to purchase a mentored trapping license 2 times (only for a maximum of 2 trapping seasons)
 - d. Do not restrict the age at which a person may purchase a mentored trapping license. (FYI; the reason that a person under the age of 16 may want to do this is that they could own and possess their own fur under a mentored license, but not when only accompanying a trapper)
 - e. Do not restrict the number of people whom a trapper may mentor at a time.
 - f. Specify that a mentored trapper is not eligible to receive a harvest tag for a species for which there is a limited draw for tags, *for trapping purposes* (this might be tricky because some limited-draw species that can be trapped can also be hunted, like bobcat and wolves, so we need to specify that a mentored trapping license is not good for trapping a limited draw species even if it can be obtained by a mentee who might have drawn the tag for hunting purposes).
 - i. Note that mentees may accompany and help their mentors while their mentors are trapping limited-draw species.
 - ii. Note that everyone, whether a licensed trapper, a licensed mentored trapper, or an unlicensed person, should be able to apply for an accumulate preference points for future drawings for limited draw species.
 - g. Require that each trap used must be tagged under s. 29.324 (1) (a) by the mentor, the mentee, or both. If tagged by the mentee, the trap could only be manipulated in a mentorship scenario, if tagged by the mentor or by both people, the trap could be manipulated in a mentorship scenario or by the mentor in the absence of the mentee.

- h. As you can see from 2015 AB 448, it may be necessary to modify s. 29.331 (5) (a) to accomplish the above objectives.
- i. Specify that the provision allowing youth to accompany a trapper applies the day after publication and the mentored trapping provisions first apply Sept 1, 2018.

Larry A. Konopacki
Wisconsin Legislative Council
(608) 267-0683
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PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1 **AN ACT** *to renumber and amend* 29.331 (1); *to amend* 29.331 (5) (a) and 29.351
2 (1r); and *to create* 29.241 (5), 29.241 (6), 29.331 (1) (b) and 29.563 (6) (a) 1s. of
3 the statutes; **relating to:** youth trapping, creating a mentored trapping
4 license, restrictions on taking or appropriating a trap or its contents, and
5 requirements for tagging traps.

Analysis by the Legislative Reference Bureau

This bill authorizes a person under the age of 16 to engage in trapping without obtaining a trapping license or a trapping education certificate of accomplishment if the person is trapping under the supervision of a licensed trapper.

Current law generally requires a person engaging in trapping to obtain a trapping license from the Department of Natural Resources. Current law also prohibits a person from obtaining a trapping license unless he or she holds a valid certificate of accomplishment indicating that he or she has successfully completed a trapper education course.

This bill creates a mentored trapping license, which authorizes the holder to engage in trapping while in contact with a qualified mentor. Under the bill, "contact" means visual or voice contact without the aid of any mechanical or electronic amplifying device other than a hearing aid. To qualify as a trapping mentor, a person must 1) be at least 18 years of age, 2) be the parent or guardian or authorized by the parent or guardian of the person being mentored, 3) be in contact with the person being mentored at all times, and 4) hold a current valid trapping license or be authorized to trap without holding a trapping license.

Current law generally prohibits a person from taking another person's trap or its contents. The bill creates exceptions to this prohibition for persons under the supervision of a licensed trapper or receiving instruction from a mentor.

Current law requires each trap used under a trapping license to be tagged with a metal stamp containing certain identifying information. The bill allows more than one licensed trapper to operate a trap and requires the trap to be tagged with the metal stamp of each trap operator. The bill also provides that a trap being used by a mentor and a person being mentored may be tagged by either or both persons. A trap tagged only by a person being mentored may be operated by that person and his or her mentor, but only if both persons are present.

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

1 **SECTION 1.** 29.241 (5) of the statutes is created to read:

2 29.241 (5) YOUTH TRAPPING. A person under the age of 16 may engage in
3 trapping under the supervision of a licensed trapper without holding a trapping
4 license or a certificate of accomplishment under s. 29.597 (5).

5 **SECTION 2.** 29.241 (6) of the statutes is created to read:

6 29.241 (6) MENTORED TRAPPING LICENSE. (a) In this section:

7 1. "Contact" has the meaning given in s. 29.324 (1) (a).

8 2. "Mentor" means a person who provides trapping instruction to a mentee.

9 3. "Mentee" means a person holding a mentored trapping license who is
10 receiving trapping instruction from a mentor.

11 (b) A mentored trapping license shall be issued subject to ss. 29.024 and 54.25
12 (2) (c) 1. d. by the department to any resident applying for this license or to any
13 nonresident of this state who applies for this license and who resides in a state that
14 allows nonresidents of that state to trap within that state.

****NOTE: Do you want the person applying for the mentored trapping license to be required to have a trapper education certificate of accomplishment?

1 (c) A mentored trapping license authorizes trapping by a mentee while in
2 contact with a mentor who meets the following qualifications:

3 1. The person is 18 years of age or older.

4 2. The person is the parent or guardian of the mentee or is authorized by the
5 parent or guardian to serve as a mentor. This requirement does not apply to a person
6 serving as a mentor for a person who is 18 years of age or older.

7 3. At all times when serving as a mentor, the person is in contact with the
8 mentee.

9 4. The person holds a current valid trapping license or is authorized to trap
10 without holding a trapping license as provided under s. 29.337.

11 (d) A person may be issued only 2 mentored trapping licenses in his or her
12 lifetime, and each mentored trapping license shall be valid for only one trapping
13 season.

14 (e) A mentor under this subsection may take more than one person trapping
15 at a time if the mentor determines he or she can adequately and safely serve as a
16 mentor for all of the persons he^{or she} takes trapping at one time.

17 (f) A person holding a mentored trapping license is not eligible to receive a
18 harvest tag for trapping purposes for any species for which the department limits the
19 number of available tags but may assist his or her mentor in the trapping of a species
20 for which the department limits the number of available tags.

21 **SECTION 3.** 29.331 (1) of the statutes is renumbered 29.331 (1) (a) and amended
22 to read:

23 29.331 (1) (a) ~~Each~~ Except as provided under par. (b), each trap used under a
24 trapping license shall be tagged with a metal tag stamped with the name and address
25 or customer identification number of the operator of the trap. If a trap is operated

1 by more than one licensed trapper, the trap shall be tagged with the metal stamp of
2 each operator of the trap. All untagged traps shall be seized and confiscated, and the
3 owner or person using or attending the untagged traps shall be punished as provided
4 under s. 29.971 (4) and (12). This paragraph does not apply to a person under the
5 age of 16 trapping under the supervision of a licensed trapper as provided in s. 29.241
6 (5).

7 **SECTION 4.** 29.331 (1) (b) of the statutes is created to read:

8 29.331 (1) (b) Each trap used by a person who is trapping with a qualified
9 mentor as provided under s. 29.241 (6) shall be tagged with a metal tag stamped with
10 the name and address or customer identification number of the person using the
11 trap, the qualified mentor, or both. If the trap is tagged only by a person who is
12 trapping with a qualified mentor, the trap may be operated only by that person or by
13 the mentor and only when both are present.

14 **SECTION 5.** 29.331 (5) (a) of the statutes is amended to read:

15 29.331 (5) (a) No person may molest, take or appropriate a trap belonging to
16 another person when the trap is lawfully placed. No person may take or appropriate
17 the animal or contents of any lawfully placed trap belonging to another person. This
18 paragraph does not apply to a person taking a trap belonging to a supervising trapper
19 or mentor, or taking the contents of that trap, if the person is acting under the
20 direction of a supervising trapper under s. 29.241 (5) or a mentor providing
21 instruction under s. 29.241 (6).

22 **SECTION 6.** 29.351 (1r) of the statutes is amended to read:

23 29.351 (1r) No person may possess the raw skin of any muskrat, mink, otter,
24 fisher, or pine marten at any time unless the person is the holder of a valid scientific
25 collector permit, fur dealer license, trapping license, mentored trapping license, or

1 resident conservation patron license. No license is required for a person breeding,
2 raising, and producing domestic fur-bearing animals in captivity, as defined in s.
3 29.627, or for a person authorized to take muskrats on a cranberry marsh under a
4 permit issued to the person by the department.

5 **SECTION 7.** 29.563 (6) (a) 1s. of the statutes is created to read:

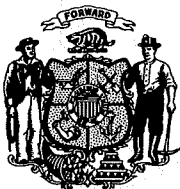
6 29.563 (6) (a) 1s. Mentored trapping license: \$9.25.

****NOTE: The request did not specify a fee for this license so I used the fee currently
charged to trappers under the age of 16. Please advise if you want a different fee.

7 **SECTION 8. Effective dates.** This act takes effect on the day after publication,
8 except as follows:

9 (1) The treatment of sections 29.241 (6), 29.331 (1) (b), 29.351 (1r), and 29.563
10 (6) (a) 1s. of the statutes takes effect on September 1, 2018.

11 (END)



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-3421/P8
ZDW:wlj

1

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

No
Changes

1 **AN ACT** *to renumber and amend* 29.331 (1); *to amend* 29.331 (5) (a) and 29.351
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1 29.627, or for a person authorized to take muskrats on a cranberry marsh under a
2 permit issued to the person by the department.

3 **SECTION 7.** 29.563 (6) (a) 1s. of the statutes is created to read:

4 29.563 (6) (a) 1s. Mentored trapping license: \$9.25.

5 **SECTION 8. Effective dates.** This act takes effect on the day after publication,
6 except as follows:

7 (1) The treatment of sections 29.241 (6), 29.331 (1) (b), 29.351 (1r), and 29.563
8 (6) (a) 1s. of the statutes takes effect on September 1, 2018.

9 (END)

Barman, Mike

From: LRB.Legal
To: Rep.Quinn
Subject: Draft review: LRB -3421/1
Attachments: 17-3421/1

State of Wisconsin - Legislative Reference Bureau
One East Main Street - Suite 200 - Madison

The attached draft was prepared at your request. Please review it carefully to ensure that it satisfies your intent.

We will jacket this draft for introduction in the Assembly.

If you have any questions concerning the draft or would like to have it redrafted, please contact Zachary Wyatt, Legislative Attorney, at (608) 267-3362, at zachary.wyatt@legis.wisconsin.gov, or at One East Main Street, Suite 200.

If the last paragraph of the analysis states that a fiscal estimate will be prepared, the LRB will submit a request to DOA when the draft is introduced. You may obtain a fiscal estimate on the draft prior to introduction by contacting our program assistants at LRB.Legal@legis.wisconsin.gov or at (608) 266-3561. If you requested a fiscal estimate on an earlier version of this draft and would like to obtain a fiscal estimate on the current version before it is introduced, you will need to request a revised fiscal estimate from our program assistants.

Please call our program assistants at (608) 266-3561 if you have any questions regarding this email.