

1991 Senate Bill 217

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1991 WISCONSIN ACT 254

AN ACT to amend 20.370 (1) (ma), 29.092 (6) (title), 29.092 (13) (f), 29.093 (6) (title) and 29.226; and to create 20.370 (1) (Lq), 29.092 (6) (am), 29.092 (13) (fm), 29.093 (6) (am), 29.13 (3m), 29.224 and 227.01 (13) (zn) of the statutes, relating to: the establishment of a mandatory trapper education program, granting rule-making authority, providing an exemption from rule-making procedures and making appropriations.

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

SECTION 1. 20.370 (1) (Lq) of the statutes is created to read:

20.370 (1) (Lq) *Trapper education program.* As a continuing appropriation, all moneys remitted to the department under s. 29.224 (3), an amount equal to the amount calculated under s. 29.13 (3m) and all moneys received from fees collected under s. 29.092 (13) (fm) for the trapper education program under s. 29.224.

SECTION 2. 20.370 (1) (ma) of the statutes is amended to read:

20.370 (1) (ma) *General program operations — state funds.* From the general fund, the amounts in the schedule for general program operations under ch. 23 and ss. 30.40 to 30.49 and for the trapper education program under s. 29.224.

SECTION 3. 29.092 (6) (title) of the statutes is amended to read:

29.092 (6) (title) TRAPPING AND FUR DEALER LICENSES; TAXIDERMIST PERMITS; CERTIFICATES OF ACCOMPLISHMENT.

SECTION 4. 29.092 (6) (am) of the statutes is created to read:

29.092 (6) (am) *Trapper education; instruction fee; certificate of accomplishment.* The instruction fee for the trapper education course is the amount established under s. 29.224 (3). There is no fee for the original issuance of

a certificate of accomplishment if this instruction fee is paid.

SECTION 5. 29.092 (13) (f) of the statutes is amended to read:

29.092 (13) (f) (title) *Duplicate hunter certificate of accomplishment.* The fee for a duplicate hunter education and firearm safety course certificate of accomplishment issued under s. 29.225 (4) (b) is \$2.

SECTION 6. 29.092 (13) (fm) of the statutes is created to read:

29.092 (13) (fm) *Duplicate trapper certificate of accomplishment.* The fee for a duplicate trapper education course certificate of accomplishment is the amount established under s. 29.224 (5) (b).

SECTION 7. 29.093 (6) (title) of the statutes is amended to read:

29.093 (6) (title) TRAPPING AND FUR DEALER LICENSES; TAXIDERMIST PERMITS; CERTIFICATES OF ACCOMPLISHMENT.

SECTION 8. 29.093 (6) (am) of the statutes is created to read:

29.093 (6) (am) *Certificate of accomplishment.* A certificate of accomplishment issued under s. 29.224 (5) is valid for trapping in place of a trapping license for the period beginning on the date of issuance of the certificate and ending on April 30 of the following year.

SECTION 9. 29.13 (3m) of the statutes is created to read:

29.13 (3m) From the moneys received from the sale of trapping licenses issued under this section, the department shall calculate an amount equal to \$2 times the number of trapping licenses issued and shall credit this amount to the appropriation under s. 20.370 (1) (Lq).

SECTION 10. 29.224 of the statutes is created to read:

29.224 Trapper education program; certificate of accomplishment. (1) **ESTABLISHMENT; PROGRAM REQUIREMENTS.** (a) The department shall establish and supervise the administration of a statewide trapper education program funded from the appropriations under s. 20.370 (1) (Lq) and (ma). The department shall enter into an agreement with a statewide organization that has demonstrated ability and experience in the field of trapper education to assist in the establishment and administration of the program.

(b) The trapper education program shall provide classroom instruction and instruction by correspondence and shall provide a course of instruction that includes all of the following:

1. Principles of wildlife management.
2. Responsibilities of trappers to landowners.
3. Interrelationships between trapping activities and the conservation of natural resources.
4. Techniques for the trapping of fur-bearing animals.

(c) The trapper education program shall use certified instructors when providing the instruction on techniques of trapping fur-bearing animals. The department shall establish criteria and standards for certifying these instructors.

(2) **ADMINISTRATION.** (a) The department and the organization with which the department enters into an agreement under sub. (1) (a) shall jointly do all of the following:

1. Contract with a qualified individual, who shall not be an employe of the department, to operate the trapper education program.
2. Prescribe the duties and responsibilities of the individual contracted with under subd. 1.

(b) The individual contracted with under par. (a) 1. shall operate the trapper education program and shall do all of the following:

1. Supervise the recruitment and training of qualified trapper education instructors.
2. Coordinate the scheduling of classes.
3. Maintain the records for the trapper education program.

(c) The administration of the trapper education program shall be under the supervision of the subunit of the department that is responsible for resource management.

(3) **INSTRUCTION FEE.** (a) The department shall establish by rule the fee for the course of instruction under the trapper education program.

(b) An instructor conducting the course of instruction under the trapper education program shall collect the fee

established under par. (a) from each person receiving instruction. The department may authorize an instructor to retain up to 50% of the fee to defray expenses incurred in the instructor's operation of the course. The instructor shall remit the remaining portion of the fee or, if nothing is retained, the entire fee to the department.

(4) **COURSE AND PROMOTIONAL MATERIALS.** The department may reimburse the organization with which it enters into an agreement under sub. (1) (a) for the organization's costs of producing promotional and course materials for the program.

(5) **CERTIFICATE OF ACCOMPLISHMENT.** (a) The department shall issue a certificate of accomplishment to a person who successfully completes the course of instruction under the trapper education program and who pays the instruction fee. The department shall prescribe the form and content of the certificate of accomplishment. The certificate may be used by a resident to whom issued in place of a trapping license as required in s. 29.09 for the period specified in s. 29.093 (6) (am).

(b) The department may issue a duplicate certificate of accomplishment to a person who is entitled to a duplicate certificate under this section. The department shall establish by rule the fee for a duplicate certificate.

(6) **REQUIREMENT OF CERTIFICATE OF ACCOMPLISHMENT TO OBTAIN TRAPPING APPROVAL.** (a) Except as provided in pars. (b) to (d), no person may be issued an approval authorizing trapping unless he or she holds a valid certificate of accomplishment issued under this section.

(b) A person who holds on the effective date of this paragraph [revisor inserts date], a valid approval authorizing trapping is exempt from the requirement under par. (a).

(bn) A person who is a farmer, as defined in s. 102.04 (3).

(c) A person who has held a valid approval authorizing trapping that expired before the effective date of this paragraph [revisor inserts date], and that was not suspended or revoked is exempt from the requirement under par. (a).

(d) A person who holds a valid certificate, license or other evidence indicating that he or she has successfully completed a trapper education course in another state is exempt from the requirement under par. (a) if the department determines that the course has substantially the same content as the course of instruction under the program established under this section.

SECTION 11. 29.226 of the statutes is amended to read:

29.226 Requirement for certificate of accomplishment to obtain hunting approval for certain persons born on or after January 1, 1973. (1) Except as provided under subs. (2) and (3), no person born on or after January 1, 1973, may obtain any approval authorizing

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hunting unless the person is issued a certificate of accomplishment under s. 29.225.

(2) A person who has a certificate, license or other evidence indicating that he or she has completed a hunter safety course in another state and the course is recognized by the department under a reciprocity agreement may obtain an approval authorizing hunting regardless of whether the person is issued a certificate of accomplishment under s. 29.225 in this state.

(3) A person who successfully completes basic training in the U.S. armed forces, reserves or national guard may obtain an approval authorizing hunting regardless of whether the person is issued a certificate of accomplishment under s. 29.225.

SECTION 12. 227.01 (13) (zn) of the statutes is created to read:

227.01 (13) (zn) Establishes criteria and standards for certifying instructors for the trapper education program.

SECTION 13. Nonstatutory provisions. Notwithstanding section 29.093 (6) (am) of the statutes, as created by this act, a certificate of accomplishment issued under section 29.224 (5) of the statutes, as created by this act, during the period beginning on the effective date of this SECTION and ending on April 30, 1993, is valid for trapping in place of a trapping license from the date of issuance until April 30, 1993.
