

# State of Wisconsin



1997 Assembly Bill 61

Date of enactment: **March 13, 1997**

Date of publication\*: **March 14, 1997**

## 1997 WISCONSIN ACT 1

AN ACT *to repeal* 29.093 (2) (cm), 29.1085 (2) (b), 29.1085 (2) (c), 29.109 (title), 29.109 (1) (title), 29.109 (2), 29.109 (3) and 29.114; *to renumber* 29.1075 (1) and 29.1085 (1); *to renumber and amend* 29.1085 (3) (c) and 29.109 (1); *to amend* 29.01 (8), 29.09 (9m) (a) (intro.), 29.09 (9m) (b), 29.092 (2) (a), 29.092 (2) (c), 29.092 (2) (d), 29.092 (2) (e), 29.092 (2) (em), 29.092 (2) (f), 29.092 (2) (g), 29.092 (2) (h), 29.092 (2) (i), 29.092 (2) (j), 29.092 (2) (k), 29.092 (2) (kd), 29.092 (2) (kg), 29.092 (2) (kr), 29.092 (2) (m), 29.092 (2) (om), 29.092 (3) (a), 29.092 (3) (b), 29.092 (3) (c), 29.092 (3) (f), 29.092 (3) (h), 29.092 (3) (i), 29.092 (3) (j), 29.092 (3) (k), 29.092 (3) (L), 29.092 (3) (m), 29.092 (3v) (a) 1., 29.092 (3v) (a) 2., 29.092 (3v) (b), 29.092 (4) (a), 29.092 (4) (am), 29.092 (4) (b), 29.092 (4) (bn), 29.092 (6) (a), 29.092 (7) (a) 4., 29.092 (7) (b) 5., 29.092 (13) (a), 29.092 (13) (b), 29.092 (13) (c), 29.092 (13) (cm), 29.092 (13) (d), 29.092 (13m) (a), 29.092 (14) (a), 29.092 (14) (b), 29.1085 (title), 29.1085 (3) (a), 29.1085 (3) (b), 29.1085 (4), 29.1085 (5), 29.1475 (2), 29.1475 (2m), 29.245 (3) (b) 3., 29.245 (5) (b) 1., 29.99 (11m) (a) and 29.99 (11m) (b); *to repeal and recreate* 29.1085 (2) (title) and 29.1085 (2) (a); and *to create* 25.29 (4r), 29.09 (9m) (a) 8., 29.09 (9m) (c), 29.092 (2) (ky), 29.092 (2) (or), 29.092 (3) (e), 29.092 (3) (g), 29.092 (14) (am), 29.1075 (1b), 29.1075 (2m), 29.1085 (1b), 29.1085 (2) (am), 29.1085 (2) (bg), 29.1085 (2) (br), 29.1085 (2g), 29.1085 (2m), 29.1085 (5g), 29.145 (2) (c) and 29.99 (11m) (c) of the statutes; **relating to:** fees for fish and game approvals, funding for fish and wildlife activities, bear hunting, shining bear, the bear hunting approval system, the wildlife damage surcharge, bonus deer hunting permits for certain farm owners, retiring certain fishing licenses, report on fish hatcheries and fish stocking and granting rule-making authority.

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

**SECTION 1.** 25.29 (4r) of the statutes is created to read:

25.29 (4r) Notwithstanding sub. (3), no moneys may be expended or paid from the conservation fund to make payments to persons holding licenses under s. 29.33, 29.34, 29.343, 29.344, 29.36 or 29.37 in exchange for the retirement of the licenses or for the permanent or temporary cessation of fishing as authorized under the licenses.

**SECTION 2.** 29.01 (8) of the statutes is amended to read:

29.01 (8) "Hunt" or "hunting" includes shooting, shooting at, pursuing, taking, catching or killing any wild animal or animals, ~~except that for the purposes of ss. 29.1085, 29.109 and 29.114, "hunt" or "hunting" does not include shooting, shooting at, taking, catching or killing any bear.~~

**SECTION 3.** 29.09 (9m) (a) (intro.) of the statutes is amended to read:

29.09 (9m) (a) (intro.) If Except as provided in par. (c), if the department issues any of the following approvals, a nonrefundable processing fee, in addition to any

\* Section 991.11, WISCONSIN STATUTES 1995-96: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

other fee imposed under s. 29.092, shall be collected for each application for such an approval:

**SECTION 4.** 29.09 (9m) (a) 8. of the statutes is created to read:

29.09 (9m) (a) 8. Class A bear license.

**SECTION 5.** 29.09 (9m) (b) of the statutes is amended to read:

29.09 (9m) (b) If a person applies jointly for a hunter's choice deer hunting permit and a bonus deer hunting permit, the person shall pay a single processing fee. A person who applies for a bonus deer hunting permit is exempt from paying an additional processing fee if the person has already applied for a hunter's choice deer hunting permit for the same season. If the department authorizes the issuing of more than one bonus deer hunting permit to a person in a single season under s. 29.1075 (2) ~~or (2m)~~, the person is exempt from paying an additional processing fee for an application for the 2nd or subsequent bonus deer hunting permit.

**SECTION 6.** 29.09 (9m) (c) of the statutes is created to read:

29.09 (9m) (c) The department may waive the processing fee for the approvals specified in par. (a) 1., 1m. and 3. to 7. for persons who apply for or are holders of resident conservation patron licenses and nonresident conservation patron licenses.

**SECTION 7.** 29.092 (2) (a) of the statutes is amended to read:

29.092 (2) (a) *Resident small game.* Except as provided in sub. (3v) (a) 1. and (am), the fee for a resident small game hunting license is ~~\$40.25~~ \$12.25.

**SECTION 8.** 29.092 (2) (c) of the statutes is amended to read:

29.092 (2) (c) *Resident deer.* The fee for a resident deer hunting license is ~~\$16.25~~ \$18.25.

**SECTION 9.** 29.092 (2) (d) of the statutes is amended to read:

29.092 (2) (d) (title) *Resident Class A bear.* The fee for a resident Class A bear hunting license is ~~\$5~~ \$39.25.

**SECTION 10.** 29.092 (2) (e) of the statutes is amended to read:

29.092 (2) (e) *Resident archer.* The fee for a resident archer hunting license is ~~\$16.25~~ \$18.25.

**SECTION 11.** 29.092 (2) (em) of the statutes is amended to read:

29.092 (2) (em) *Resident wild turkey.* The fee for a resident wild turkey hunting license is ~~\$7.25~~ \$10.25.

**SECTION 12.** 29.092 (2) (f) of the statutes is amended to read:

29.092 (2) (f) *Nonresident annual small game.* The fee for a nonresident annual small game hunting license is ~~\$68.25~~ \$73.25.

**SECTION 13.** 29.092 (2) (g) of the statutes is amended to read:

29.092 (2) (g) *Nonresident 5-day small game.* The fee for a nonresident 5-day small game hunting license is ~~\$38.25~~ \$41.25.

**SECTION 14.** 29.092 (2) (h) of the statutes is amended to read:

29.092 (2) (h) *Nonresident deer.* The fee for a nonresident deer hunting license is ~~\$118.25~~ \$133.25.

**SECTION 15.** 29.092 (2) (i) of the statutes is amended to read:

29.092 (2) (i) (title) *Nonresident Class A bear.* The fee for a nonresident Class A bear hunting license is ~~\$20~~ \$199.25.

**SECTION 16.** 29.092 (2) (j) of the statutes is amended to read:

29.092 (2) (j) *Nonresident fur-bearing animal.* The fee for a nonresident fur-bearing animal hunting license is ~~\$138.25~~ \$148.25.

**SECTION 17.** 29.092 (2) (k) of the statutes is amended to read:

29.092 (2) (k) *Nonresident archer.* The fee for a nonresident archer hunting license is ~~\$118.25~~ \$133.25.

**SECTION 18.** 29.092 (2) (kd) of the statutes is amended to read:

29.092 (2) (kd) *Nonresident wild turkey.* The fee for a nonresident wild turkey hunting license is ~~\$49.25~~ \$54.25.

**SECTION 19.** 29.092 (2) (kg) of the statutes is amended to read:

29.092 (2) (kg) (title) *Resident Class B bear harvest permit license.* The fee for a resident Class B bear harvest permit license is ~~\$30~~ \$6.25.

**SECTION 20.** 29.092 (2) (kr) of the statutes is amended to read:

29.092 (2) (kr) (title) *Nonresident Class B bear harvest permit license.* The fee for a nonresident Class B bear harvest permit license is ~~\$120~~ \$98.25.

**SECTION 21.** 29.092 (2) (ky) of the statutes is created to read:

29.092 (2) (ky) *Resident farm owner bonus deer hunting permit.* There is no fee for a bonus deer hunting permit issued to a resident farm owner under s. 29.1075 (2m).

**SECTION 22.** 29.092 (2) (m) of the statutes is amended to read:

29.092 (2) (m) *Waterfowl hunting stamp.* The fee for a waterfowl hunting stamp is ~~\$5~~ \$6.75.

**SECTION 23.** 29.092 (2) (om) of the statutes is amended to read:

29.092 (2) (om) *Bear carcass tag.* There is no fee for a bear carcass tag issued with a ~~resident Class A bear harvest permit or nonresident bear harvest permit license~~.

**SECTION 24.** 29.092 (2) (or) of the statutes is created to read:

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29.092 (2) (or) *Bear back tag*. There is no fee for a back tag issued with a Class A bear license or a Class B bear license.

**SECTION 25.** 29.092 (3) (a) of the statutes is amended to read:

29.092 (3) (a) *Resident annual*. Except as provided in sub. (3v) (a) 2. and (b), the fee for a resident annual fishing license is ~~\$11.25~~ \$13.25.

**SECTION 26.** 29.092 (3) (b) of the statutes is amended to read:

29.092 (3) (b) *Resident annual husband and wife*. The fee for a resident annual husband and wife fishing license is ~~\$19.25~~ \$23.25.

**SECTION 27.** 29.092 (3) (c) of the statutes is amended to read:

29.092 (3) (c) *Resident 2–day sports fishing*. The fee for a resident 2–day sports fishing license is ~~\$7.25~~ \$9.25.

**SECTION 27d.** 29.092 (3) (e) of the statutes is created to read:

29.092 (3) (e) *Resident at Wisconsin Veterans Home at King*. There is no fee for an annual fishing license issued to a resident who is a member of the Wisconsin Veterans Home at King.

**SECTION 27g.** 29.092 (3) (f) of the statutes is amended to read:

29.092 (3) (f) *Resident disabled person*. The fee for an annual fishing license issued to a resident disabled person under s. 29.145 (1c) (a) or (b) is \$6.25.

**SECTION 27r.** 29.092 (3) (g) of the statutes is created to read:

29.092 (3) (g) *Resident disabled veteran*. The fee for an annual fishing license issued to a resident disabled veteran under s. 29.145 (1c) (c) is \$4.25.

**SECTION 28.** 29.092 (3) (h) of the statutes is amended to read:

29.092 (3) (h) *Nonresident annual*. The fee for a nonresident annual fishing license is ~~\$27.25~~ \$33.25.

**SECTION 29.** 29.092 (3) (i) of the statutes is amended to read:

29.092 (3) (i) *Nonresident annual family*. The fee for a nonresident annual family fishing license is ~~\$47.25~~ \$51.25.

**SECTION 30.** 29.092 (3) (j) of the statutes is amended to read:

29.092 (3) (j) *Nonresident 15–day*. The fee for a nonresident 15–day fishing license is ~~\$17.25~~ \$19.25.

**SECTION 31.** 29.092 (3) (k) of the statutes is amended to read:

29.092 (3) (k) *Nonresident 15–day family*. The fee for a nonresident 15–day family fishing license is ~~\$27.25~~ \$29.25.

**SECTION 32.** 29.092 (3) (L) of the statutes is amended to read:

29.092 (3) (L) *Nonresident 4–day*. The fee for a nonresident 4–day fishing license is ~~\$12.25~~ \$14.25.

**SECTION 33.** 29.092 (3) (m) of the statutes is amended to read:

29.092 (3) (m) *Nonresident 2–day sports fishing*. The fee for a nonresident 2–day sports fishing license is ~~\$7.25~~ \$9.25.

**SECTION 34.** 29.092 (3v) (a) 1. of the statutes is amended to read:

29.092 (3v) (a) 1. Resident small game hunting license, ~~\$3.25~~ \$5.25.

**SECTION 35.** 29.092 (3v) (a) 2. of the statutes is amended to read:

29.092 (3v) (a) 2. Resident annual fishing license, ~~\$4.25~~ \$6.25.

**SECTION 36.** 29.092 (3v) (b) of the statutes is amended to read:

29.092 (3v) (b) The fee for a resident annual fishing license issued to a resident aged 16 or 17 is ~~\$4.25~~ \$6.25.

**SECTION 37.** 29.092 (4) (a) of the statutes is amended to read:

29.092 (4) (a) *Resident sports license*. The minimum fee for a resident sports license is ~~\$36.25~~ \$41.25. Any applicant, at the applicant's option, may pay a greater or additional fee for this license.

**SECTION 38.** 29.092 (4) (am) of the statutes is amended to read:

29.092 (4) (am) *Nonresident sports license*. The minimum fee for a nonresident sports license is ~~\$222.25~~ \$248.25. Any applicant, at the applicant's option, may pay a greater or additional fee for this license.

**SECTION 39.** 29.092 (4) (b) of the statutes is amended to read:

29.092 (4) (b) *Resident conservation patron license*. The fee for a resident conservation patron license is ~~\$100~~ \$107.25. Any applicant, at the applicant's option, may pay a greater or additional fee for this license.

**SECTION 40.** 29.092 (4) (bn) of the statutes is amended to read:

29.092 (4) (bn) *Nonresident conservation patron license*. The fee for a nonresident conservation patron license is ~~\$523.25~~ \$572.25. Any applicant, at the applicant's option, may pay a greater or additional fee for this license.

**SECTION 41.** 29.092 (6) (a) of the statutes is amended to read:

29.092 (6) (a) *Resident trapping*. The fee for a resident trapping license is ~~\$14.25~~ \$17.25.

**SECTION 42.** 29.092 (7) (a) 4. of the statutes is amended to read:

29.092 (7) (a) 4. The license fee for each licensed boat or for fishing without a boat is ~~\$749.25~~ \$899.25 if issued for an effective period ending June 30, 1993, or any June 30 thereafter.

**SECTION 43.** 29.092 (7) (b) 5. of the statutes is amended to read:

29.092 (7) (b) 5. The license fee for each licensed boat or for fishing without a boat is ~~\$5,599.25~~ \$6,499.25 if issued for an effective period ending June 30, 1993, or any June 30 thereafter.

**SECTION 44.** 29.092 (13) (a) of the statutes is amended to read:

29.092 (13) (a) *Duplicate deer hunting license.* The fee for a duplicate resident deer hunting license or a non-resident deer hunting license is ~~\$6.50~~ \$10.25.

**SECTION 45.** 29.092 (13) (b) of the statutes is amended to read:

29.092 (13) (b) *Duplicate archer hunting, sports or conservation patron license.* The fee for a duplicate resident archer hunting license, nonresident archer hunting license, resident sports license, nonresident sports license, resident conservation patron license or nonresident conservation patron license is ~~\$6.50~~ \$10.25 if the duplicate license includes any deer tags and ~~\$4.25~~ \$7.25 if the duplicate license is issued after the open season for hunting deer and does not include any deer tags.

**SECTION 46.** 29.092 (13) (c) of the statutes is amended to read:

29.092 (13) (c) *Duplicate hunting license; other.* The fee for a duplicate hunting license not specified under par. (a) or (b) is ~~\$4.25~~ \$6.25.

**SECTION 47.** 29.092 (13) (cm) of the statutes is amended to read:

29.092 (13) (cm) (title) *Duplicate Class A bear harvest permit license.* The fee for a duplicate resident Class A bear harvest permit or a duplicate nonresident bear harvest permit license is \$13.

**SECTION 48.** 29.092 (13) (d) of the statutes is amended to read:

29.092 (13) (d) *Duplicate fishing license.* The fee for a duplicate fishing license is ~~\$4.25~~ \$6.25.

**SECTION 49.** 29.092 (13m) (a) of the statutes is amended to read:

29.092 (13m) (a) The processing fee for an application for a hunter's choice deer hunting permit, a bonus deer hunting permit, a wild turkey hunting license, a Class A bear license, a Canada goose hunting permit, a sharp-tailed grouse hunting permit, a bobcat hunting and trapping permit, an otter trapping permit or a fisher trapping permit is \$2.75.

**SECTION 50.** 29.092 (14) (a) of the statutes is amended to read:

29.092 (14) (a) *Surcharge generally.* In addition to the fees specified under subs. (2) (a) and (c) to (k), (3v) (a) 1. and (am) and (4) (a) and (am), a person who applies for a resident small game, resident deer, resident Class A or Class B bear, resident archer, nonresident annual small game, nonresident 5-day small game, nonresident deer, nonresident Class A or Class B bear, nonresident furbearing animal, nonresident archer license, resident sports license, or nonresident sports license shall pay a wildlife damage surcharge of \$1.

**SECTION 51.** 29.092 (14) (am) of the statutes is created to read:

29.092 (14) (am) *Surcharge for conservation patron license.* In addition to the fee specified under sub. (4) (b) or (bn), a person who applies for a conservation patron license shall pay a wildlife damage surcharge of \$2.

**SECTION 52.** 29.092 (14) (b) of the statutes is amended to read:

29.092 (14) (b) *Addition of surcharge.* The wildlife damage surcharge shall be added to the fee provided in sub. (2) (a) or (c) to (k), (3v) (a) 1. or (am) or (4) (a) or ~~(am), (b) or (bn).~~

**SECTION 53.** 29.093 (2) (cm) of the statutes is repealed.

**SECTION 54.** 29.1075 (1) of the statutes is renumbered 29.1075 (1m).

**SECTION 55.** 29.1075 (1b) of the statutes is created to read:

29.1075 (1b) DEFINITIONS. In this section:

(a) "Agricultural purpose" means beekeeping, dairying, egg production, feedlots, grazing, arboriculture, horticulture, floriculture, plant nurseries and green houses, raising of livestock, raising of poultry, aquaculture, fur farming or growing of vegetables, fruits, nuts, berries, grains, grass, sod, mint or seed crops.

(b) "Farm" means land that is used on a commercial basis for an agricultural purpose during the year during which the bonus deer hunting permit is valid. "Farm" does not include land that is enrolled in the conservation reserve program under 16 USC 3831 to 3836.

**SECTION 56.** 29.1075 (2m) of the statutes is created to read:

29.1075 (2m) RESIDENT FARM OWNER. If the department determines that for a deer management area the number of available bonus deer hunting permits for a single season will exceed the number of applications submitted, the department may authorize by rule the issuance of one or more bonus deer hunting permits to a resident without the resident having to pay any fee, including any processing fee, if the resident meets all of the following requirements:

(a) The resident is an owner of record or a vendee under a contract of a farm that is located in whole or in part in the deer management area or in whole or in part in an adjacent deer management area.

(b) The resident has been issued one bonus deer hunting permit for that season and for that deer management area for which the resident has paid the fee specified under s. 29.092 (2) (ku).

**SECTION 57.** 29.1085 (title) of the statutes is amended to read:

**29.1085 (title) Bear harvest permits licenses.**

**SECTION 58.** 29.1085 (1) of the statutes is renumbered 29.1085 (1m).

**SECTION 59.** 29.1085 (1b) of the statutes is created to read:

29.1085 (1b) DEFINITION. Notwithstanding s. 29.01 (8), in this section "hunt bear" means to shoot, shoot at, take, catch or kill a bear or pursue, with or without the use of dogs, a bear for the purpose of shooting, shooting at, taking, catching or killing the bear.

SECTION 60. 29.1085 (2) (title) of the statutes is repealed and recreated to read:

29.1085 (2) (title) LICENSES; PROHIBITIONS; AUTHORIZATION.

SECTION 61. 29.1085 (2) (a) of the statutes is repealed and recreated to read:

29.1085 (2) (a) *Prohibition.* Except as authorized under a Class A bear license or a Class B bear license and under sub. (2m), no person may do any of the following:

1. Hunt bear.
2. Assist a person in hunting bear by tracking bear, trailing bear or engaging in any other activity to locate bear.
3. Bait bear.
4. Train a dog to track bear, to trail bear or to otherwise engage in any activity that contributes to locating bear.

SECTION 62. 29.1085 (2) (am) of the statutes is created to read:

29.1085 (2) (am) *Evidence of bear hunting.* The fact that a person is observing a bear while possessing a firearm is not sufficient evidence to prove that the person holding the firearm is hunting bear.

SECTION 63. 29.1085 (2) (b) of the statutes is repealed.

SECTION 64. 29.1085 (2) (bg) of the statutes is created to read:

29.1085 (2) (bg) *Authorization; Class A bear license.* A Class A bear license authorizes a resident or nonresident holder of the license to hunt bear and to exercise all of the privileges of a Class B bear license.

SECTION 65. 29.1085 (2) (br) of the statutes is created to read:

29.1085 (2) (br) *Authorization; Class B bear license.* A Class B bear license authorizes a resident or nonresident holder of the license to do only the following:

1. Assist a holder of a Class A bear license in hunting bear by tracking bear, trailing bear or otherwise engaging in an activity that contributes to locating bear and that is authorized by rule by the department.
2. Bait bear.
3. Train a dog to track bear, to trail bear or to otherwise engage in an activity that contributes to locating bear and that is authorized by rule by the department.

SECTION 66. 29.1085 (2) (c) of the statutes is repealed.

SECTION 67. 29.1085 (2g) of the statutes is created to read:

29.1085 (2g) USE OF DOGS. While a person is using a dog to hunt bear or to engage in any of the activities specified in sub. (2) (br) 1. to 3., the person shall keep on his

or her person any tag required for the dog under s. 95.21 (2) (f), 174.053 (2) or 174.07 (1) (e).

SECTION 68. 29.1085 (2m) of the statutes is created to read:

29.1085 (2m) EXEMPTION. A person under the age of 12 years may engage in the activities authorized under sub. (2) (br) 1. to 3. without holding a Class B bear license.

SECTION 69. 29.1085 (3) (a) of the statutes is amended to read:

29.1085 (3) (a) A person who seeks a Class A or Class B bear harvest permit shall hold a bear hunting license valid for the applicable bear hunting season at the time of application and shall apply to the department on forms provided by the department. The department may specify information to be included in the application and other requirements and procedures for application.

SECTION 70. 29.1085 (3) (b) of the statutes is amended to read:

29.1085 (3) (b) (title) *Continuous Cumulative preference system; random selection.* If the number of qualified applications for Class A bear harvest permits licenses exceeds the number of available permits licenses, the department shall select applicants to be issued Class A bear harvest permits licenses based upon a continuous cumulative preference system. This system shall establish preference categories for those applicants who applied for but did not receive a who were not issued Class A bear licenses or bear harvest permit permits under s. 29.1085 (3) (b), 1993 stats., in the previous season, with the highest preference category for those who applied for but did not receive the permit in the most consecutive preceding seasons have the most preference points. The department shall give a preference point to each applicant who applies for a given season and who is not selected or who is selected but declines to pay the required fee for a Class A bear license. Applicants who fail to apply at least once during any 3 consecutive years shall lose all previously accumulated preference points. The department shall select at random the applicants to be issued Class A bear harvest permits licenses within each preference category.

SECTION 71. 29.1085 (3) (c) of the statutes is renumbered 29.1085 (3) (c) 1. and amended to read:

29.1085 (3) (c) 1. The department shall issue a notice of approval to those qualified applicants selected to receive a Class A bear harvest permit license. A person who receives a notice of approval and who pays the required fee as required by the department shall be issued a bear harvest permit the license.

SECTION 72. 29.1085 (4) of the statutes is amended to read:

29.1085 (4) USE OF FEES. Fees received from the issuance of bear harvest permits licenses under this section shall be paid into the conservation fund to be used for

administering bear hunting licenses and bear harvest permits and for bear management activities.

**SECTION 73.** 29.1085 (5) of the statutes is amended to read:

29.1085 (5) **CARCASS TAG.** The department shall issue a bear carcass tag to each person who is issued a Class A bear harvest permit license. A person who kills a bear shall immediately validate and attach the carcass tag to the bear. The carcass tag shall be attached and validated according to rules promulgated by the department.

**SECTION 74.** 29.1085 (5g) of the statutes is created to read:

29.1085 (5g) **BACK TAG.** (a) The department shall issue a back tag to each person who is issued a Class A bear license, and the department or county clerk shall issue a back tag to each person who is issued a Class B bear license. The back tag shall be in the form and numbered as required by the department.

(b) No person may hunt bear or engage in the activity specified in sub. (2) (br) 1. or 3. unless there is attached to the center of the person's coat, shirt, jacket or similar outermost garment where it can clearly be seen the back tag issued to the person under par. (a).

**SECTION 75.** 29.109 (title) of the statutes is repealed.

**SECTION 76.** 29.109 (1) (title) of the statutes is repealed.

**SECTION 77.** 29.109 (1) of the statutes is renumbered 29.1085 (3) (c) 2. and amended to read:

29.1085 (3) (c) 2. A ~~resident~~ Class B bear hunting license shall be issued subject to s. 29.09 by the department or by a county clerk to any resident applying who applies for this license and who pays the required fee.

**SECTION 78.** 29.109 (2) of the statutes is repealed.

**SECTION 79.** 29.109 (3) of the statutes is repealed.

**SECTION 80.** 29.114 of the statutes is repealed.

**SECTION 80m.** 29.145 (2) (c) of the statutes is created to read:

29.145 (2) (c) A resident annual fishing license is issued to any resident who is a member of the Wisconsin Veterans Home at King shall be issued at no charge.

**SECTION 81.** 29.1475 (2) of the statutes is amended to read:

29.1475 (2) **AUTHORIZATION; RESIDENT HUNTING, FISHING AND TRAPPING PRIVILEGES.** A resident conservation patron license confers upon the licensee all the combined privileges conferred by a resident small game hunting license, resident deer hunting license, resident wild turkey hunting license, ~~resident bear hunting license~~, resident archer hunting license, waterfowl hunting stamp, pheasant hunting stamp, a wild turkey hunting stamp, resident annual fishing license, sturgeon spearing license, an inland waters trout stamp, a Great Lakes trout and salmon stamp and trapping license.

**SECTION 82.** 29.1475 (2m) of the statutes is amended to read:

29.1475 (2m) **AUTHORIZATION; NONRESIDENT HUNTING AND FISHING PRIVILEGES.** A nonresident conservation patron license confers upon the licensee all the combined privileges conferred by a nonresident small game hunting license, nonresident deer hunting license, nonresident wild turkey hunting license, ~~nonresident bear hunting license~~, nonresident archer hunting license, waterfowl hunting stamp, pheasant hunting stamp, a wild turkey hunting stamp, nonresident annual fishing license, sturgeon spearing license, an inland waters trout stamp and a Great Lakes trout and salmon stamp.

**SECTION 83.** 29.245 (3) (b) 3. of the statutes is amended to read:

29.245 (3) (b) 3. To a person authorized by the department to conduct a game census or to observe bear for educational purposes.

**SECTION 84.** 29.245 (5) (b) 1. of the statutes is amended to read:

29.245 (5) (b) 1. To a peace officer on official business, an employe of the department on official business or a person authorized by the department to conduct a game census or to observe bear for educational purposes.

**SECTION 85.** 29.99 (11m) (a) of the statutes is amended to read:

29.99 (11m) (a) For shooting, shooting at, killing, taking, catching or possessing a bear without a valid Class A bear harvest permit license, or for possessing a bear which does not have a carcass tag attached or possessing a bear during the closed season, by a fine of not less than \$1,000 nor more than \$2,000 or by imprisonment for not more than 6 months or both for the first violation, or by a fine of not more than \$5,000 or imprisonment for not more than one year or both for any subsequent violation, and, in addition, the court shall revoke all hunting approvals issued to the person under this chapter and shall prohibit the issuance of any new hunting approval under this chapter to the person for 3 years.

**SECTION 86.** 29.99 (11m) (b) of the statutes is amended to read:

29.99 (11m) (b) Except as provided under par. (a), for the violation of any provision of this chapter or any department rule promulgated under this chapter relating to bear hunting, to the activities specified in s. 29.1085 (2) (br) 1. to 3., or to the validation of a bear carcass tag or registration of a bear, by a forfeiture of not more than \$1,000.

**SECTION 87.** 29.99 (11m) (c) of the statutes is created to read:

29.99 (11m) (c) Any person who is convicted of hunting bear or engaging in any of the activities under s. 29.1085 (2) (br) with a dog that is not in compliance with s. 29.1085 (2g) or the licensing requirements under s. 174.053 or 174.07 may have his or her Class A or Class B bear hunting license revoked; and if the license is revoked, no Class A or Class B bear hunting license may be

issued to the person for a period of 3 years after the date of conviction.

**SECTION 88. Nonstatutory provisions.**

(1) BEAR HUNTING APPROVALS. The department of natural resources shall treat bear hunting licenses issued under sections 29.109 and 29.114 of the statutes after March 31, 1997, and before the effective date of this subsection as Class B bear licenses issued under section 29.1085 of the statutes, as affected by this act, until the licenses expire on March 31, 1998. Holders of these licenses shall comply with section 29.1085 of the statutes, as affected by this act.

(2) REPORT ON FISH HATCHERY OPERATIONS. Before September 1, 1997, the department of natural resources shall submit a report that analyzes options for increased integration of private fish hatchery operations in the state fish stocking program to the governor, to the joint committee on finance, and to the chief clerk of each house for distribution to the appropriate standing committees in the manner provided under section 13.172 (3) of the statutes.

(3) REPORT ON FUNDING FOR FISH AND WILDLIFE ACCOUNT. Before January 1, 1998, the department of natural resources shall submit a report that analyzes options for alternative funding sources for the fish and wildlife account in the conservation fund to the governor, to the joint committee on finance, and to the chief clerk of each house for distribution to the appropriate standing committees in the manner provided under section 13.172 (3) of the statutes. The report shall include recommendations as to the preferable options for the alternative funding sources.

**SECTION 89. Initial applicability.**

(1) FISH AND GAME LICENSES AND STAMPS.

(a) The treatment of sections 29.092 (2) (a), (c), (e), (f), (g), (h), (j), (k) and (m), (3) (a), (b), (c), (e), (f), (g),

(h), (i), (j), (k), (L) and (m), (3v) (a) 1. and 2. and (b), (4) (a), (am), (b) and (bn), (6) (a), (7) (a) 4. and (b) 5. and (13) (a), (b), (c) and (d) and 29.145 (2) (c) of the statutes first applies to licenses and stamps issued on the effective date of this paragraph.

(b) The treatment of section 29.092 (2) (em) and (kd) of the statutes first applies to licenses issued on the effective date of this paragraph.

(2) WILDLIFE DAMAGE SURCHARGE. The treatment of section 29.092 (14) (am) and (b) of the statutes first applies to conservation patron licenses that are issued on the effective date of this subsection.

(3) BEAR HUNTING APPROVALS. The treatment of section 29.092 (2) (d), (i), (kg) and (kr) of the statutes first applies to bear hunting approvals issued on the effective date of this subsection.

**SECTION 90. Effective dates.** This act takes effect on April 1, 1997, or on the day after publication, whichever is later, except as follows:

(1) WILD TURKEY LICENSES. The treatment of sections 29.092 (2) (em) and (kd) of the statutes and SECTION 89 (1) (b) of this act take effect on July 1, 1997, or on the day after publication, whichever is later.

(2) BEAR HUNTING APPROVALS. The treatment of sections 29.01 (8), 29.09 (9m) (a) 8., 29.092 (2) (d), (i), (kg), (kr), (om) and (or), (13) (cm), (13m) (a) and (14) (a), 29.093 (2) (cm), 29.1085 (title), (1), (1b), (2) (title), (a), (am), (b), (bg), (br) and (c), (2g), (2m), (3) (a) and (b), (4), (5) and (5g), 29.109 (title), (1) (title), (2) and (3), 29.114, 29.1475 (2) and (2m) and 29.99 (11m) (a), (b) and (c) of the statutes and the renumbering and amendment of sections 29.1085 (3) (c) and 29.109 (1) of the statutes and SECTIONS 88 (1) and 89 (3) of this act take effect on October 15, 1997.