



State of Wisconsin  
2005 - 2006 LEGISLATURE

LRBs0241/2  
MGG:kjf:rs

**ASSEMBLY SUBSTITUTE AMENDMENT 1,  
TO 2005 ASSEMBLY BILL 633**

November 4, 2005 - Offered by Representative MUSSER.

1     **AN ACT** *to renumber and amend* 29.173 (2) (b); *to amend* 29.193 (2) (cr) 1.,  
2           29.194 (1) and 29.361 (2m); and *to create* 29.173 (2) (b) 1., 29.175, 29.563 (2)  
3           (a) 5k., 29.563 (2) (b) 3g. and 29.563 (12) (a) 1m. of the statutes; **relating to:**  
4           the establishment of a season for the hunting of deer while using a  
5           muzzle-loading firearm, the issuance of licenses authorizing hunting with  
6           muzzle-loading firearms, and granting-rule making authority.

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***Analysis by the Legislative Reference Bureau***

Under current law, the Department of Natural Resources (DNR) may issue special deer hunting permits and bonus deer hunting permits that allow the taking of additional deer of a sex or type not generally authorized under a deer hunting license. To issue these permits, DNR must find that the size or characteristics of the deer population require additional or special types of deer to be taken for proper game management.

This substitute amendment authorizes DNR to establish a special muzzle-loading deer hunting season for the hunting of antlerless deer if the same criteria for managing the deer population are present. For this special season, DNR must issue resident and nonresident muzzle-loading deer hunting licenses. The fees for these licenses are the same as those for regular resident and nonresident deer

hunting licenses. The substitute amendment requires that any special muzzle-loading deer hunting last nine days, with the last day occurring before November 1. DNR also must specify by rule the deer management areas for which these licenses are valid. If the hunter does not kill a deer during the special muzzle-loading season, the hunter may use the tag issued for the special season in the immediately following deer hunting season.

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

1           **SECTION 1.** 29.173 (2) (b) of the statutes is renumbered 29.173 (2) (b) 2. and  
2 amended to read:

3           29.173 (2) (b) 2. A qualified resident service member holding a current resident  
4 deer hunting license may hunt deer of either sex with ~~a~~ the appropriate firearm  
5 during any season open to hunting of deer with firearms that is established by the  
6 department. ~~In this paragraph, “qualified service member” means a member of the~~  
7 ~~armed forces who exhibits proof that he or she is a resident, is in active service with~~  
8 ~~the armed forces outside this state and is on furlough or leave. If the department~~  
9 ~~establishes a muzzle-loading deer hunting season under s. 29.175 (1), a qualified~~  
10 ~~resident service member holding a current resident deer hunting license may use the~~  
11 ~~license in lieu of a muzzle-loading deer hunting license to hunt antlerless deer with~~  
12 ~~a muzzle-loading firearm during the season.~~

13           **SECTION 2.** 29.173 (2) (b) 1. of the statutes is created to read:

14           29.173 (2) (b) 1. In this paragraph, “qualified resident service member” means  
15 a member of the armed forces who exhibits proof that he or she is a resident, is in  
16 active service with the armed forces outside this state, and is on furlough or leave.

17           **SECTION 3.** 29.175 of the statutes is created to read:

18           **29.175 Muzzle-loading deer hunting license. (1)** If the department finds  
19 that the size or characteristics of the deer population of this state require additional

1 deer be taken for game management, the department may establish a special  
2 muzzle-loading deer hunting season for the hunting of antlerless deer and issue  
3 muzzle-loading deer hunting licenses. The last day of the muzzle-loading deer  
4 hunting season established under this subsection shall start on a Saturday, shall last  
5 for 9 days, with the last day occurring before the November 1 of the year in which it  
6 is established. The department shall specify by rule the deer management areas for  
7 which these licenses are valid.

8 (2) If the department establishes a muzzle-loading deer hunting season under  
9 sub. (1), a muzzle-loading deer hunting license shall be issued, subject to s. 29.024,  
10 by the department to any person applying for this license.

11 (3) A muzzle-loading deer hunting license authorizes the hunting of antlerless  
12 deer with muzzle-loading firearms only during a season established under sub. (1).

13 (4) The department shall issue to each person who is issued a muzzle-loading  
14 deer hunting license a deer tag and a back tag. If the person does not kill a deer  
15 during the season established under sub. (1), the person may use the deer tag in  
16 connection with a current resident or nonresident deer hunting license during a  
17 hunting season open for hunting deer with muzzle-loading firearms that  
18 immediately follows the season for which the muzzle-loading deer hunting license  
19 was issued. The use of a tag under this subsection authorizes the killing of one  
20 antlerless deer in addition to the deer authorized to be killed under the authority of  
21 the resident or nonresident deer hunting license.

22 **SECTION 4.** 29.193 (2) (cr) 1. of the statutes is amended to read:

23 29.193 (2) (cr) 1. A person holding a current resident or nonresident deer  
24 hunting license and a Class A or Class C permit may hunt deer of either sex with  
25 a the appropriate firearm during any season open to hunting of deer with firearms

1 that is established by the department. If the department establishes a  
2 muzzle-loading deer hunting season under s. 29.175 (1), a person holding a current  
3 resident or nonresident deer hunting license and a Class A or Class C permit may  
4 use these approvals in lieu of a muzzle-loading deer hunting license to antlerless  
5 deer with a muzzle-loading firearm during the season.

6 **SECTION 5.** 29.194 (1) of the statutes is amended to read:

7 29.194 (1) CERTAIN RESIDENT LICENSES MAY BE ISSUED TO STUDENTS AND MEMBERS  
8 OF THE ARMED FORCES. Notwithstanding ss. 29.024 (2) and 29.228 (1) (a), the  
9 department shall issue a resident fishing license, resident small game hunting  
10 license ~~or~~, resident deer hunting license, or resident muzzle-loading deer hunting  
11 license to a qualified student or qualified member of the armed forces applying for  
12 the license. A qualified student is a person who exhibits proof that he or she is a  
13 registered full-time undergraduate student in residence at a public or private  
14 college or university located in this state and offering a bachelor's degree or that he  
15 or she is a citizen of a foreign country temporarily residing in this state while  
16 attending a high school located in this state or an agricultural short course at the  
17 University of Wisconsin System. A qualified member of the armed forces is a person  
18 who exhibits proof that he or she is in active service with the U.S. armed forces and  
19 that he or she is stationed in this state.

20 **SECTION 6.** 29.361 (2m) of the statutes is amended to read:

21 29.361 (2m) Any person may transport an antlerless deer killed under the  
22 authority of his or her hunter's choice, bonus, or other deer hunting permit or license  
23 on any highway, as defined s. 340.01 (22), in order to register the deer in the deer  
24 management area where the deer was killed or in an adjoining management area.

25 **SECTION 7.** 29.563 (2) (a) 5k. of the statutes is created to read:

