



State of Wisconsin  
2011 - 2012 LEGISLATURE



LRBs0212/1  
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**ASSEMBLY SUBSTITUTE AMENDMENT 1,  
TO 2011 ASSEMBLY BILL 311**

October 20, 2011 – Offered by Representative STEINEKE.

1     **AN ACT** *to renumber and amend* 29.591 (2); *to amend* 29.197 (3), 29.237 (1m),  
2           29.563 (2) (intro.), 29.563 (3) (intro.), 29.563 (6) (intro.), 29.597 (1) (a) and  
3           29.597 (1) (c); and *to create* 15.347 (21), 23.0916 (3m), 23.0917 (8) (f), 29.036,  
4           29.084, 29.563 (6) (a) 1m., 29.563 (6m), 29.591 (1) (am), 29.591 (2) (b), 29.597  
5           (1m), 29.597 (2) (c), 29.597 (2) (d) and 120.13 (30) of the statutes; **relating to:**  
6           creating a sporting heritage council; programs to encourage hunting, trapping,  
7           fishing, and outdoor recreation activities; access to land under the Warren  
8           Knowles-Gaylord Nelson stewardship program; reduced fees for certain  
9           hunting, trapping, and fishing approvals; high school credit under and  
10          administration of the hunter and trapper education programs; waiving fishing  
11          license requirements for weekend fishing events; sturgeon spearing license age  
12          requirements; and requiring the exercise of rule-making authority.

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

1           **SECTION 1.** 15.347 (21) of the statutes is created to read:

2           15.347 (21) SPORTING HERITAGE COUNCIL. (a) There is created in the department  
3 of natural resources a sporting heritage council consisting of the following members:

4           1. The secretary of natural resources, or his or her designee, who shall serve  
5 as chairperson.

6           2. Two members, appointed by the governor.

7           3. Two members, appointed by the speaker of the assembly, who may not be  
8 members of the same political party.

9           4. Two members, appointed by the senate majority leader, who may not be  
10 members of the same political party.

11           5. Five members, appointed by the secretary of natural resources from  
12 nominations provided by sporting organizations that have as their primary objective  
13 the promotion of hunting or trapping. Of the 5 members, one shall represent the  
14 interests of deer hunters, one shall represent the interests of bear hunters, one shall  
15 represent the interests of waterfowl hunters, one shall represent the interests of  
16 upland game hunters, and one shall represent the interests of furbearing animal  
17 hunters and trappers.

18           6. One member, appointed by the secretary of natural resources from  
19 nominations provided by a sporting organization that has as its primary objective the  
20 promotion of fishing.

21           7. Two members, appointed by the secretary of natural resources, each of whom  
22 has held a conservation patron license for 2 of the 3 license years preceding the date  
23 of the member's appointment.

1           8. One member, appointed by the executive committee of the conservation  
2 congress, who is a member of the conservation congress.

3           (b) The members of the sporting heritage council appointed under par. (a) 2. to  
4 8. shall be appointed for 3-year terms.

5           (c) The sporting heritage council shall meet at least 4 times each year.

6           **SECTION 2.** 23.0916 (3m) of the statutes is created to read:

7           23.0916 **(3m)** BOARD DETERMINATIONS. (a) Except as provided in par. (b), a  
8 determination by the natural resources board under sub. (2) (b) or (c) or (3) (b) or (c)  
9 with regard to public access on land or an easement requires 5 or more members of  
10 the natural resources board to concur in that determination if the land or easement  
11 was acquired on or after the effective date of this subsection .... [LRB inserts date].

12           (b) Paragraph (a) does not apply to a determination by the natural resources  
13 board with regard to public access on an easement, if the primary purpose of the  
14 easement is to provide public access to a navigable water on which public fishing is  
15 allowed.

16           **SECTION 3.** 23.0917 (8) (f) of the statutes is created to read:

17           23.0917 **(8)** (f) The department may not obligate moneys from the  
18 appropriation under s. 20.866 (2) (ta) to award a grant under sub. (3) or (4) unless  
19 the department first considers whether the grant will benefit local businesses and  
20 the economy of this state.

21           **SECTION 4.** 29.036 of the statutes is created to read:

22           **29.036 Sporting heritage council.** (1) The sporting heritage council shall  
23 study, and provide advice and make recommendations to the governor, the natural  
24 resources board, and the legislature about, issues relating to hunting, trapping,  
25 fishing, and other types of outdoor recreation activities including all of the following:

1 (a) Ways to improve the recruitment and retention of hunters, trappers, and  
2 anglers.

3 (b) Ways to improve the management and protection of the natural resources  
4 of this state for the purpose of hunting, trapping, fishing, and other types of outdoor  
5 recreation activities.

6 (c) Ways to encourage youth to participate in outdoor recreation activities  
7 including ways to implement outdoor recreation programs for youth.

8 (d) Ways to improve access to public and private land for hunting, trapping,  
9 fishing and other types of outdoor recreation activities.

10 (e) Ways to improve public access to lakes.

11 (f) Ways to increase the availability of public shooting ranges.

12 **(2)** The sporting heritage council shall prepare a biennial report on the status  
13 of the recruitment and retention of hunters, trappers, and anglers in this state. The  
14 sporting heritage council shall submit its initial report under this subsection no later  
15 than July 1, 2014, and shall submit subsequent reports no later than July 1 of each  
16 even-numbered year thereafter, to the governor, to the chairperson of the natural  
17 resources board, and to the chief clerk of each house of the legislature, for  
18 distribution to the appropriate standing committees under s. 13.172 (3).

19 **SECTION 5.** 29.084 of the statutes is created to read:

20 **29.084 Incentives for recruitment.** The department shall establish a  
21 program to recognize people who recruit others as hunters, trappers, and anglers.  
22 The program shall include a component under which a person who is issued his or  
23 her first hunting, trapping, or fishing approval in his or her lifetime may designate  
24 one person as the person who encouraged the applicant to obtain the license. The  
25 program shall provide for all of the following:

1           **(1)** A method for maintaining a record of persons designated as provided under  
2 this section.

3           **(2)** A method for issuing a credit to any resident who is designated as provided  
4 under this section a specified number of times, as determined by the department, in  
5 any license year. The method shall require the department to allow the recipient of  
6 the credit to apply the credit in a manner that reduces the fee for an approval that  
7 is listed under s. 29.563 (2) (a) 1., 2., 4. to 5g., or 7. to 9., (3) (a) 1., or (6) (a) 1. by  
8 one-half of the fee that would otherwise apply to the approval, rounded up to the  
9 nearest dollar, that reduces the fee specified in s. 29.563 (4) (a) 1. for a resident sports  
10 license by \$20, or that reduces the fee specified in s. 29.563 (4) (a) 2. for a resident  
11 conservation patron license by \$60. The department may not require a resident to  
12 be designated more than 5 times in a license year in order to be eligible for a credit  
13 under this subsection. In this subsection, "license year" means the period between  
14 April 1 and the following March 31.

15           **(3)** A method under which a person who is designated as provided under this  
16 section by more than 20 different people may be entered in a drawing for prizes  
17 awarded by the department.

18           **(4)** A method under which a person may donate a prize to the department to  
19 be awarded in a drawing under sub. (3).

20           **SECTION 6.** 29.197 (3) of the statutes is amended to read:

21           29.197 **(3)** ~~WEEKEND EVENT~~ EVENTS. In addition to any special event or program  
22 sponsored under sub. (2), the department shall, by rule, ~~for a~~ designate 2 special  
23 event ~~for one weekend~~ weekends per year, during which it shall waive the  
24 requirement that persons be issued fishing licenses and pay the applicable fees in  
25 order to fish in the waters of this state. The department shall designate the 3rd full

1 weekend in January as one of the special event weekends. The department shall, by  
2 rule, designate to which inland or outlying waters ~~this waiver~~ these waivers shall  
3 apply.

4 **SECTION 7.** 29.237 (1m) of the statutes is amended to read:

5 29.237 (1m) Subject to s. 29.024 and any limit imposed under s. 29.192 (3), a  
6 sturgeon spearing license shall be issued by the department to any person applying  
7 for this license who is at least 14 12 years old.

8 **SECTION 8.** 29.563 (2) (intro.) of the statutes is amended to read:

9 29.563 (2) HUNTING APPROVALS. (intro.) Except as provided in sub. (2m) ~~and,~~  
10 (2r), and (6m), the fees for hunting approvals are as follows:

11 **SECTION 9.** 29.563 (3) (intro.) of the statutes, as affected by 2009 Wisconsin Act  
12 364, is amended to read:

13 29.563 (3) FISHING APPROVALS. (intro.) Except as provided in subs. (3m) ~~and,~~  
14 (3r), and (6m), the fees for fishing approvals are as follows:

15 **SECTION 10.** 29.563 (6) (intro.) of the statutes is amended to read:

16 29.563 (6) APPROVALS FOR TRAPPING, FUR DEALERS AND TAXIDERMISTS. (intro.) ~~The~~  
17 Except as provided in sub. (6m), the fees for trapping, fur dealer, taxidermist and  
18 related approvals are as follows:

19 **SECTION 11.** 29.563 (6) (a) 1m. of the statutes is created to read:

20 29.563 (6) (a) 1m. Trapping issued to persons who are under 16 years of age:  
21 \$9.25.

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

23 29.563 (6m) REDUCED FEES FOR CERTAIN FIRST-TIME APPROVALS. (a) The fee for  
24 an approval that is listed under sub. (2) (a) 1., 2., 4. to 5g., or 7. to 9., (3) (a) 1., or (6)  
25 (a) 1. is \$4.25 if the approval is issued to a person who has not received that type of

1 approval, or has not been conferred the privileges of that type of approval under a  
2 license issued under s. 29.231 or 29.235, in any of the 10 years preceding the date of  
3 application.

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

10 **SECTION 13.** 29.591 (1) (am) of the statutes is created to read:

11 29.591 (1) (am) The department shall offer an online course of instruction  
12 under the hunter education program for persons who are at least 18 years of age.

13 **SECTION 14.** 29.591 (2) of the statutes is renumbered 29.591 (2) (am) and  
14 amended to read:

15 29.591 (2) (am) The department may appoint county, regional and statewide  
16 directors and categories of hunter education instructors necessary for the hunter  
17 education program and the bow hunter education program. These appointees are  
18 responsible to the department and shall serve on a voluntary basis without  
19 compensation. This paragraph does not apply to the online course of instruction  
20 under sub. (1) (am).

21 **SECTION 15.** 29.591 (2) (b) of the statutes is created to read:

22 29.591 (2) (b) 1. If the online course of instruction under the hunter education  
23 program requires field testing for a person to demonstrate successful completion of  
24 the course, the department shall make field testing available through each

1 department service center at least bimonthly for persons who are at least 18 years  
2 of age.

3 2. If the online course of instruction under the hunter education program  
4 requires a written test for a person to demonstrate successful completion of the  
5 course, the department shall offer the test at each department service center at least  
6 bimonthly to persons who are at least 18 years of age.

7 **SECTION 16.** 29.597 (1) (a) of the statutes is amended to read:

8 29.597 (1) (a) The department shall establish and supervise the administration  
9 of a trapper education program funded from the appropriations under s. 20.370 (1)  
10 (Lq) and (ma). The Except with respect to the online course of instruction under sub.  
11 (1m), the department shall enter into an agreement with an organization that has  
12 demonstrated ability and experience in the field of trapper education to assist in the  
13 establishment and administration of the program.

14 **SECTION 17.** 29.597 (1) (c) of the statutes is amended to read:

15 29.597 (1) (c) The trapper education program shall use certified instructors  
16 when providing the instruction on techniques of trapping fur-bearing animals. The  
17 department shall establish criteria and standards for certifying these instructors.  
18 This paragraph does not apply to the online course of instruction under sub. (1m).

19 **SECTION 18.** 29.597 (1m) of the statutes is created to read:

20 29.597 (1m) ONLINE COURSE OF INSTRUCTION. The department shall offer an  
21 online course of instruction under the trapper education program.

22 **SECTION 19.** 29.597 (2) (c) of the statutes is created to read:

23 29.597 (2) (c) 1. If the online course of instruction under the trapper education  
24 program requires field testing for a person to demonstrate successful completion of



1 the course, the department shall make field testing available through each  
2 department service center at least bimonthly.

3 2. If the online course of instruction under the trapper education program  
4 requires a written test for a person to demonstrate successful completion of the  
5 course, the department shall offer the test at each department service center at least  
6 bimonthly.

7 **SECTION 20.** 29.597 (2) (d) of the statutes is created to read:

8 29.597 (2) (d) Paragraphs (a) and (b) do not apply to the online course of  
9 instruction under the trapper education program.

10 **SECTION 21.** 120.13 (30) of the statutes is created to read:

11 120.13 (30) HUNTER EDUCATION PROGRAMS. May award 0.5 high school credit to  
12 a pupil who successfully completes while in the high school grades a course of  
13 instruction under the hunter education program or bow hunter education program  
14 under s. 29.591 or the trapper education program under s. 29.597. A school board  
15 may award credit to a pupil under this subsection for completion of only one program.

16 **SECTION 22. Nonstatutory provisions.**

17 (1) SPORTING HERITAGE COUNCIL; INITIAL STUDY REQUIREMENTS. Before June 30,  
18 2014, the sporting heritage council shall study each of the following:

19 (a) Options and recommendations for increasing access to land for hunting,  
20 trapping, and other types of outdoor recreation activities especially in all of the  
21 following areas of this state:

22 1. Areas with a high population density.

23 2. Areas with a percentage of land open for public hunting that is lower than  
24 the statewide average.

1 (b) Options and recommendations for simplifying hunting and trapping rules  
2 promulgated by the department of natural resources.

3 (2) SPORTING HERITAGE COUNCIL; INITIAL MEMBERSHIP. Notwithstanding the  
4 length of terms specified for the appointed members of the sporting heritage council  
5 under section 15.347 (21) (b) of the statutes, as created by this act, 4 of the initial  
6 members shall be appointed for terms expiring on July 1, 2013, 4 of the initial  
7 members shall be appointed for terms expiring on July 1, 2014, 4 of the initial  
8 members shall be appointed for terms expiring on July 1, 2015, and 3 of the initial  
9 members shall be appointed for terms expiring on July 1, 2016.

10 **SECTION 23. Initial applicability.**

11 (1) The treatment of section 120.13 (30) of the statutes first applies to courses  
12 of instruction taken in the hunter education program or bow hunter education  
13 program under section 29.591 of the statutes or the trapper education program  
14 under section 29.597 of the statutes during the first school year beginning after the  
15 effective date of this subsection.

16 **SECTION 24. Effective dates.** This act takes effect on the day after publication,  
17 except as follows:

18 (1) Except as provided in subsection (2), the treatment of sections 29.084 and  
19 29.563 (2) (intro.), (3) (intro.), (6) (intro.), and (6m) of the statutes takes effect on  
20 March 1, 2012.

21 (2) If this subsection takes effect after October 31, 2011, the treatment of  
22 sections 29.084 and 29.563 (2) (intro.), (3) (intro.), (6) (intro.), and (6m) of the statutes  
23 takes effect on March 1, 2013.

24 **(END)**