



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-1330/1
RNK:jld&wlj:ph

DOA:.....Kirby, BB0424 - Bonus deer permits for hunting to control chronic wasting disease

FOR 2013-2015 BUDGET -- NOT READY FOR INTRODUCTION

AN ACT ...; **relating to:** the budget.

Analysis by the Legislative Reference Bureau

NATURAL RESOURCES

FISH, GAME, AND WILD LIFE

Under current law, a person who holds a deer hunting license may also be issued a bonus deer hunting permit. A bonus deer hunting permit authorizes the person to take an additional deer of the sex or type specified by DNR by rule. Unless authorized by a DNR rule, a person may not obtain more than one bonus deer hunting permit in a single season.

This bill specifies an additional basis upon which DNR may issue a bonus deer hunting permit. Under the bill, DNR may issue a bonus deer hunting permit that allows a person to take an additional deer in a county or deer management area in which DNR has confirmed that a deer has tested positive for chronic wasting disease (CWD area). The bill provides that DNR may issue to a person more than one bonus deer hunting permit in a single season if the additional permit authorizes the person to take a deer in a CWD area.

This bill also authorizes DNR to promulgate rules to implement the recommendations contained in the 2012 final report of the assessment of this state's deer management plans and policies that was conducted under the terms of a contract between DOA and a recognized deer management expert.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

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

20.370 (1) (hs) *Chronic wasting disease management.* From the moneys received under ss. 29.181, 29.559 (1r), and 29.563 (13), except the moneys credited to the appropriation account under par. (hx), the amounts in the schedule for the management of, and testing for, chronic wasting disease under s. 29.063 (1).

SECTION 2. 20.370 (1) (hx) of the statutes is created to read:

20.370 (1) (hx) *Bonus deer permit fees; chronic wasting disease.* All moneys received to be credited to this appropriation account under s. 29.181 (3) for the management of, and testing for, chronic wasting disease under s. 29.063 (1).

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 3. 20.370 (5) (fq) of the statutes is amended to read:

20.370 (5) (fq) *Wildlife damage claims and abatement.* All moneys received under ss. 29.181, 29.559 (1r), and 29.563 (13) and not appropriated under par. (fr) and subs. (1) (hs), (hx), and (Ls) and (5) (fs) to provide state aid for the wildlife damage abatement program under s. 29.889 (5) (c) and the wildlife damage claim program under s. 29.889 (7) (d), for county administration costs under s. 29.889 (2) (d), and for payments under s. 29.89.

SECTION 4. 29.040 of the statutes is created to read:

29.040 Deer management report rules. The department may promulgate rules to implement the recommendations contained in the 2012 final report of the assessment of this state's deer management plans and policies that was conducted

under the terms of a contract between the department of administration and a recognized deer management expert.

SECTION 5. 29.181 (2) of the statutes is renumbered 29.181 (2) (a) (intro.) and amended to read:

29.181 (2) (a) (intro.) A bonus deer hunting permit shall authorize the holder of the bonus deer hunting permit to ~~take an additional deer of the sex or type specified by the department on the permit.~~ do any of the following:

(c) Except as authorized by rule or as provided under par. (d), a person may not apply for or be issued more than one bonus deer hunting permit in a single season.

SECTION 6. 29.181 (2) (a) 1. of the statutes is created to read:

29.181 (2) (a) 1. Take an additional deer of the sex or type specified by the department on the permit.

SECTION 7. 29.181 (2) (a) 2. of the statutes is created to read:

29.181 (2) (a) 2. Take an additional deer in a county or deer management area in which the department has confirmed that a deer has tested positive for chronic wasting disease.

SECTION 8. 29.181 (2) (d) of the statutes is created to read:

29.181 (2) (d) A person may be issued more than one bonus deer hunting permit in a single season if each bonus deer hunting permit authorizes the person to take deer only in a county or deer management area in which a deer has tested positive for chronic wasting disease.

SECTION 9. 29.181 (2m) (b) of the statutes is amended to read:

29.181 (2m) (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. 29.563 (2) (c) 1. or 1m.

SECTION 10. 29.181 (3) of the statutes is created to read:

29.181 (3) USE OF MONEY FROM FEES. From the moneys received from the sale of bonus deer hunting permits issued that authorize the taking of deer as provided under sub. (2) (a) 2., the department shall credit an amount equal to \$5 times the number of those bonus deer hunting permits issued to the appropriation under s. 20.370 (1) (hx).

SECTION 11. 29.181 (4) of the statutes is created to read:

29.181 (4) RULES. The department shall promulgate rules that establish the fee for a bonus deer hunting permit issued under sub. (2) (a) 2. The fee established in the rule shall be at least \$5.

SECTION 12. 29.563 (2) (c) 1. of the statutes is amended to read:

29.563 (2) (c) 1. Bonus deer issued for the purpose specified in s. 29.181 (2) (a) 1.: \$11.25.

SECTION 13. 29.563 (2) (c) 1m. of the statutes is created to read:

29.563 (2) (c) 1m. Bonus deer issued for the purpose specified in s. 29.181 (2) (a) 2.: the amount determined by the department by rule under s. 29.181 (4).

SECTION 14. 29.563 (2) (d) of the statutes is renumbered 29.563 (2) (d) 1. and amended to read:

29.563 (2) (d) 1. *Nonresident permit.* Bonus deer issued for the purpose specified in s. 29.181 (2) (a) 1.: \$19.25.

SECTION 15. 29.563 (2) (d) 2. of the statutes is created to read:

29.563 (2) (d) 2. Bonus deer issued for the purpose specified in s. 29.181 (2) (a) 2.: the amount determined by the department by rule under s. 29.181 (4).

SECTION 16. 29.563 (14) (c) 4. of the statutes is amended to read:

29.563 (14) (c) 4. Each bonus deer hunting permit issued for which a fee is charged under s. 29.563 (2) (c) 1. or 1m. or (d): 75 cents.

SECTION 9132. Nonstatutory provisions; Natural Resources.

(1) BONUS DEER HUNTING PERMIT FEE RULES. The department of natural resources may use the procedure under section 227.24 of the statutes to promulgate rules under sections 29.040 and 29.181 (4) of the statutes, as created by this act. Notwithstanding section 227.24 (1) (c) and (2) of the statutes, emergency rules promulgated under this subsection remain in effect until June 30, 2015, or the date on which permanent rules take effect, whichever is sooner. Notwithstanding section 227.24 (1) (a), (2) (b), and (3) of the statutes, the department is not required to provide evidence that promulgating a rule under this subsection as an emergency rule is necessary for the preservation of the public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection.

(END)