



**WISCONSIN LEGISLATIVE COUNCIL
AMENDMENT MEMO**

2005 Assembly Bill 586

**Assembly Substitute
Amendment 1 and Senate
Amendment 1**

Memo published: January 24, 2006

Contact: John Stolzenberg, Chief of Research Services (266-2988)

Current law sets the minimum age for hunting at 12 years of age. Also, a child under the age of 12 may possess a firearm only if enrolled in a hunter's education class and carrying a firearm to or from the class, cased, unloaded, and under the supervision of a parent or guardian, or handling a firearm in a hunter's education class under supervision of the instructor. A child age 12 or 13 may currently hunt if accompanied by a parent or guardian. A child age 14 or 15 may hunt if accompanied by a parent or guardian or if the child holds a hunter's education certificate.

Assembly Bill 586 reduces the minimum hunting age to 10 years and provides that a child age 10 or 11 may hunt only if accompanied by a parent, guardian, or designee of the parent or guardian who is 18 years of age or older. The adult must remain within arm's-length of the child, the adult must hold the same hunting license as the child, the adult must have a hunter's safety certificate, and the adult and child may have only one weapon between them. The bill also allows the designee of a parent or guardian to accompany the child to or from hunter education classes, and allows a child age 12 to 15 to be accompanied by a designee of the parent or guardian when the child is in possession of a firearm or hunting. The bill changes the statutes regarding bear hunting to allow a child 10 years of age or older to assist in trailing bear, training dogs, or baiting bear.

Assembly Substitute Amendment 1 changes the minimum age for hunting to eight years and requires a child age 8 to 11 to hold a hunting approval and be accompanied by a "mentor" who meets the requirements of the statute. A mentor must be the parent or guardian of the child, or an adult (age 18 or older) designated by the parent or guardian. The mentor for a person age 18 or older is not required to be a parent, guardian, or designee. The mentor must stay within arm's reach of the hunter, must hold any hunting approval, must be 18 years of age or older, must hold a hunter's education certificate (unless not required by law to have one to hunt), may have only one weapon between the mentor and the hunter, and the mentor may only accompany a single hunter. The substitute amendment requires the Department of Natural Resources to distribute a pamphlet on hunter's safety for use by mentors, particularly those who are not required to have taken a hunter's safety course. A mentor may also accompany a child who is hunting and is age 12 or 13, or a child who is hunting and is age 14 or 15 and

does not have a hunter's education certificate, or an older person who does not have a hunter's education certificate but is otherwise required to have the certificate to hunt, in any two license years.

The substitute amendment authorizes a person who is 12 years of age or older and is hunting on family-owned land in a situation where no license is required to use a crossbow as well as a bow and arrow or a firearm. The substitute amendment allows a child age eight or older to apply for a bear license preference. Under the substitute amendment, the Department of Natural Resources is required to prepare a report on the effect of the bill on the recruitment of new hunters and distribute the report to the Legislature by June 1, 2008. The provisions in the substitute amendment related to hunting approvals are made effective on March 10, 2006 to correspond with the new license year.

Senate Amendment 1 is a conforming amendment. 2005 Wisconsin Act 55 directs the Department of Natural Resources to charge the same fee for certain hunting approvals issued to 12- to 17-year old nonresidents, who have a resident parent, that it charges to residents. Consistent with the other treatment of laws relating to the minimum age for hunting in Assembly Substitute Amendment 1 to Assembly Bill 586, Senate Amendment 1 amends the Act 55 provision to apply the resident fee to 8- to 17-year old nonresidents.

Legislative History

Assembly Substitute Amendment 1 was adopted by the Assembly Natural Resources Committee and the bill was recommended for passage, as amended, on December 13, 2005, each by a vote of Ayes, 12; Noes, 2.

On January 11, 2006, the Senate Committee on Natural Resources and Transportation introduced and adopted Senate Amendment 1 by a vote of Ayes, 5; Noes, 0, and recommended concurrence in Assembly Bill 586, as amended, by a vote of Ayes, 4; Noes, 1.

JES:ksm:tlu