



2015 SENATE BILL 359

October 29, 2015 – Introduced by Senators MOULTON and HARSDORF, cosponsored by Representatives QUINN, ROHRKASTE, A. OTT, HORLACHER, PETRYK, ALLEN, KNODL, MASON, TITTL, MILROY, GANNON, EDMING, KLEEFISCH, T. LARSON, NERISON and BORN. Referred to Committee on Sporting Heritage, Mining, and Forestry.

1 **AN ACT to renumber and amend** 29.331 (1); **to amend** 29.331 (5) (a) and 29.597
2 (6) (a); and **to create** 29.331 (1) (b), 29.331 (5) (am) and 29.596 of the statutes;
3 **relating to:** a trapping mentorship program, restrictions on taking or
4 appropriating a trap or its contents, and requirements for tagging traps.

Analysis by the Legislative Reference Bureau

This bill creates a trapping mentorship program and creates exceptions to the general prohibition against taking or appropriating a trap belonging to another person.

Under current law, with certain exceptions, no person may obtain a hunting or trapping license, permit, or other approval (approval) from the Department of Natural Resources (DNR) unless the person first completes a relevant hunter education or trapper education program. Upon successful completion of the hunter education program, DNR issues a hunter education certificate of accomplishment (hunter education certificate) and upon successful completion of the trapper education program, DNR issues a trapper education certificate of accomplishment (trapper education certificate).

Current law exempts a hunter who is participating in an authorized hunting mentorship program from the general requirement to obtain a hunter education certificate. No hunter education certificate is required if the hunter is hunting with a qualified mentor, the hunter is at least ten years old, the hunter holds a valid hunting approval, and the hunter remains within arm's reach of the qualified mentor at all times when hunting.

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This bill creates a trapping mentorship program that is similar to the hunting mentorship program. Under the bill, a person may trap an animal other than a bobcat, fisher, otter, or wolf without obtaining a trapper education certificate if the person is trapping with a qualified mentor, the trapper holds a valid trapping approval, and the trapper is accompanied by the qualified mentor at all times when trapping. The bill allows a qualified mentor to take more than one person trapping at a time if the mentor determines that he or she can adequately and safely serve as a mentor for all of the persons he or she takes trapping at one time. The bill also specifies that a person trapping with a mentor may assist the mentor in trapping any animal for which the mentor holds the appropriate trapping approval. The bill does not establish a minimum age requirement for a trapper to be mentored under the trapping mentorship program.

Current law generally prohibits a person from taking or appropriating a trap belonging to another person or the contents of that trap. This bill creates exceptions to this general prohibition by providing that a person may take a trap belonging to another person or the contents of that trap if the person placing the trap gives permission to the other person to take that action and the person placing the trap is not trapping a bobcat, fisher, otter, or wolf. The exception also applies to persons trapping bobcat, fisher, otter, or wolf in the course of participation in the trapping mentorship program.

Current law requires each trap used under a trapping license to be tagged with a metal stamp containing certain identifying information. This bill allows more than one licensed trapper to operate a trap. The bill provides that, if the trap is operated by more than one trapper, the trap must be tagged with the metal stamp of each trap operator.

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

1 **SECTION 1.** 29.331 (1) of the statutes is renumbered 29.331 (1) (a) and amended
2 to read:

3 29.331 (1) (a) Each Except as provided under par. (b), each trap used under a
4 trapping license shall be tagged with a metal tag stamped with the name and address
5 or customer identification number of the operator of the trap. If a trap is operated
6 by more than one licensed trapper, the trap shall be tagged with the metal stamp of
7 each operator of the trap. All untagged traps shall be seized and confiscated, and the

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1 owner or person using or attending the untagged traps shall be punished as provided
2 under s. 29.971 (4) and (12).

3 **SECTION 2.** 29.331 (1) (b) of the statutes is created to read:

4 29.331 (1) (b) Each trap used by a person who is trapping with a qualified
5 mentor as provided under s. 29.596 shall be tagged with a metal tag stamped with
6 the name and address or customer identification number of either the person using
7 the trap or of the qualified mentor.

8 **SECTION 3.** 29.331 (5) (a) of the statutes is amended to read:

9 29.331 (5) (a) ~~No~~ Except as provided in par. (am), no person may molest, take
10 or appropriate a trap belonging to another person when the trap is lawfully placed.
11 ~~No person may~~ or take or appropriate the animal or contents of any lawfully placed
12 trap belonging to another person.

13 **SECTION 4.** 29.331 (5) (am) of the statutes is created to read:

14 29.331 (5) (am) A trapper holding a valid trapping approval may take a trap
15 belonging to another person or take the animal or contents of a lawfully placed trap
16 belonging to another person if the trapper was given permission to engage in the
17 conduct by the person who placed the trap and either of the following applies:

- 18 1. The person who placed the trap is not trapping a bobcat, fisher, otter, or wolf.
19 2. The person placed the trap while serving as, or being mentored by, a qualified
20 mentor under s. 29.596 and the person who placed the trap is trapping a bobcat,
21 fisher, otter, or wolf.

22 **SECTION 5.** 29.596 of the statutes is created to read:

23 **29.596 Trapping mentorship program.** (1) A person may trap an animal
24 other than a bobcat, fisher, otter, or wolf without obtaining a certificate of
25 accomplishment under s. 29.597 if all of the following apply:

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1 (a) At all times when trapping, the person is accompanied by a mentor who
2 meets the qualifications under sub. (2).

3 (b) The person holds an approval that authorizes trapping.

4 **(2)** No person may serve as a qualified mentor for a trapper unless the person
5 meets all of the following requirements:

6 (a) The person is 18 years of age or older.

7 (b) The person is the parent or guardian of the person for whom he or she is
8 serving as a mentor or is authorized by the parent or guardian to serve as a mentor.
9 This requirement does not apply to a person serving as a mentor for a person who
10 is 18 years of age or older.

11 (c) At all times when serving as a mentor, the person accompanies the person
12 for whom he or she is serving as a mentor.

13 (d) The person holds a valid certificate of accomplishment issued under s.
14 29.597.

15 (e) The person holds a current valid trapping approval.

16 **(3)** A mentor under this section may take more than one person trapping at a
17 time if the mentor determines that he or she can adequately and safely serve as a
18 mentor for all of the persons he or she takes trapping at one time.

19 **(4)** This section does not prohibit a person who is trapping with a qualified
20 mentor under this section from assisting that mentor in trapping any animal for
21 which the mentor holds the appropriate trapping approval.

22 **(5)** The requirements under subs. (1) (b) and (2) (e) do not apply to a person who
23 is authorized to trap without a trapping approval under s. 29.337.

24 **SECTION 6.** 29.597 (6) (a) of the statutes is amended to read:

