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(FORM UPDATED: 08/11/2010)

WISCONSIN STATE LEGISLATURE ...
PUBLIC HEARING - COMMITTEE RECORDS

2009-10

(session year)

Senate

(Assembly, Senate or Joint)

Committee on ... Transportation, Tourism,
Forestry, and Natural Resources (SC-TTFNR)

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
(**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
(**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

* Contents organized for archiving by: Mike Barman (LRB) (June/2012)

Senate

Record of Committee Proceedings

Committee on Transportation, Tourism, Forestry, and Natural Resources

Assembly Bill 86

Relating to: authorizing hunting of certain game with a crossbow by nonresidents who have attained the age of 65 years.

By Representatives Hubler, Ziegelbauer, Berceau, Vruwink, Gunderson, Townsend, Murtha, Molepske Jr., Bies, M. Williams and Ballweg; cosponsored by Senators Holperin, Lehman, Vinehout, Schultz and Lassa.

June 22, 2009 Referred to Committee on Transportation, Tourism, Forestry, and Natural Resources.

July 16, 2009 **PUBLIC HEARING HELD**

Present: (7) Senators Holperin, Sullivan, Plale, Hansen, Leibham, Kedzie and Grothman.

Absent: (0) None.

Appearances For

- Mary Hubler — 75th Assembly District

Appearances Against

- None.

Appearances for Information Only

- Tom VanHaren — Wisconsin Department of Natural Resources

Registrations For

- Scott Meyer — Wisconsin Bear Hunters Association

Registrations Against

- None.

Registrations for Information Only

- None.

September 3, 2009 **EXECUTIVE SESSION HELD**

Present: (7) Senators Holperin, Sullivan, Plale, Hansen, Leibham, Kedzie and Grothman.

Absent: (0) None.

Moved by Senator Sullivan, seconded by Senator Plale that **Assembly Bill 86** be recommended for concurrence.

Ayes: (7) Senators Holperin, Sullivan, Plale, Hansen, Leibham, Kedzie and Grothman.

Noes: (0) None.

CONCURRENCE RECOMMENDED, Ayes 7, Noes 0

Elizabeth Novak
Committee Clerk



Department of Natural Resources

TESTIMONY - AB 86

USE OF A CROSSBOW BY NONRESIDENTS WHO HAVE ATTAINED THE AGE OF 65

By: Tom Van Haren - Conservation Warden

April 29, 2009 (Assembly) & July 16, 2009 (Senate)

Thank you Chair Holperin and members of the committee.

My name is Tom Van Haren, I am a Conservation Warden with the Department of Natural Resources, Bureau of Law Enforcement.

I am appearing today on behalf of our department for informational purposes.

Crossbows first became legal to use for hunting 30 years ago in 1979. (1977 Wis. Act 232). This authority was initially only provided to Residents who were hunting under the authority of an Archery license and who obtained a Crossbow Permit.

For the first 10 years, to qualify for a Crossbow permit, a person simply needed to have a doctor sign an application which stated the applicant was: “unable to operate a manually pulled bow with a 30 lb. draw weight, because of a permanent physical disability.”

About 20 years ago (1988), new standards were developed by the departments Disabled Advisory Council and adopted by the legislature.

An applicant has since that time been required to meet certain specific measurable standards based on tests conducted by a physical therapist in order to be eligible for a crossbow permit. A person missing an arm, hand or index or middle finger on the draw and release hand automatically qualifies.

A little over 17 years ago (Dec 1991), the authority provided by the Class A, B and C Disabled hunting permits was expanded to also authorize hunting with a crossbows. Class A permits are available to certain persons with Heart disease, Lung disease, or who are unable to walk unassisted. Class B permits are available to individuals with temporary disabilities caused by injuries or surgery, and Class C permits are available to those who are visually handicapped.

The authority to use crossbows under these permits however was also initially limited to Residents only. Nonresidents became eligible to use a crossbow if they held a Class A, B or C disabled hunting permit about 10 Years ago, effective 1-1-1999.

Since December 1, 2001, (01 Wis. Act 18) - Resident Senior Citizens have been allowed to use crossbows for hunting without no need to be disabled or obtain a Permit. If any of these nondisabled residents, moves out of state, they can no longer use a crossbow to hunt in this state, not even if they had been legally using one since 2001.

In 2008, the Wis. Cons. Congress asked an advisory question at their spring hearing, as to whether or not a Nonresident Senior Citizen should be allowed to use crossbows for hunting the same as a Resident Senior Citizen. The vote was 3,295 in Support & 2,059 opposed, passing in 65 Counties.

The department has not observed any law enforcement or safety problems associate with allowing the use of crossbows for Resident Senior Citizens, and does not foresee any such problems created as a result of the provisions of this bill. Passing this legislation would likely result in some decrease in the number of applications for disabled hunting permits by non-residents, saving time for staff who must review and issue these permits, as well as money for the applicants who would no longer need to pay for medical exams.





Mary Hubler

State Representative

July 16, 2009

Hubler Testimony on Assembly Bill 86 – Crossbow Hunting
Senate Committee on Transportation, Tourism, Forestry
and Natural Resources

Dear Chairman Holperin and committee members:

Thank you for receiving my testimony. I have re-introduced this bill at the request of a former state resident who loves to come back to Wisconsin to fish and hunt. Since introducing it, I have heard from other hunters who favor its passage.

Non-resident hunters are important to our state's economy and to our efforts to control the size of our deer herd.

My former constituent pointed out that Wisconsin **resident** bow hunters who are older than 65 may hunt certain game, including deer, with a crossbow. **Non-resident** archers of the same age are barred from using crossbows in Wisconsin.

This is the very rough equivalent of selling fishing licenses to non-residents but barring them from using spinning rods. The crossbow is a tool available to qualified residents. Equally qualified non-residents are barred from using that tool.

I believe generally that those who are willing to pay for non-resident licenses should have equivalent rights under those licenses to state residents. I think that holders of non-resident archer licenses who are 65 and older ought to be permitted to hunt with crossbows, too.

Wisconsin should do everything it can to attract non-resident hunters for the reasons I cited earlier.

Assembly Bill 86 would grant non-resident archers older than 65 the right to hunt with crossbows, as residents of that age may do now.

The Assembly passed this bill by unanimous voice vote on June 18 of this year.

The bill's predecessor, 2007 AB 602, was also passed by the Assembly on a voice vote in March 2008. The Senate Committee on the Environment and Natural Resources failed to act on the bill in time for passage.

I hope that the members of the present committee favor the bill and that Chairman Holperin moves quickly to schedule the bill for executive action.

Thank you.



**BIG GAME STUDY COMMITTEE
ADVISORY QUESTIONS**

AB 86
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QUESTION 46: Use of Archery Equipment with a Gun Deer License

Currently, the Gun Deer License only allows you to use a rifle, shotgun, muzzleloader or pistol during the firearm deer seasons.

- Do you support legislation that would modify the Gun Deer License to allow the use of Archery Equipment during the regular firearm deer seasons?

46. Yes _____ No _____

QUESTION 47: Either-Sex Carcass Tag for Youth Deer Hunters

Currently, the Junior Gun Deer License includes one Gun Buck Deer Carcass Tag valid in any unit statewide and one Antlerless Deer Carcass Tag valid in Earn-A-Buck and Herd Control Units. In an effort to provide youth hunters with added opportunities to harvest a deer, their Gun Buck Deer Carcass Tag could be made to be an Either Sex Carcass Tag valid statewide.

Junior Gun Deer License holders would still receive one Antlerless Deer Carcass Tag valid in Earn-A-Buck and Herd Control Units. Junior Gun Deer License holders would still be required to shoot an Antlerless Deer first in Earn-A-Buck Units.

- Do you support the Department of Natural Resources take action to correct this situation by changing the Gun Buck Deer Carcass Tag that is currently issued with a Junior Gun Deer License to an Either Sex Deer Carcass Tag valid in any unit state wide?

47. Yes _____ No _____

X

QUESTION 48: Use of Crossbows for Non-Residents 65 Years of Age or Older

Currently, state statues allow resident and non-resident disabled hunters issued a Class A, B or C Disabled Permit or a Crossbow Permit, and resident hunters 65 years of age or older are allowed to use a crossbow during the archery hunting season provided they have an archery license. Non-Residents 65 years of age or older cannot legally use a crossbow unless they possess a disabled or special crossbow permit. In order to make the law the same for both resident and non-resident seniors, legislation would have to be passed to allow non-residents 65 years of age or older to use a crossbow.

- Do you support legislation that would allow non-residents hunters 65 years of age or older to use a crossbow during the archery season provided they have an Archery License?

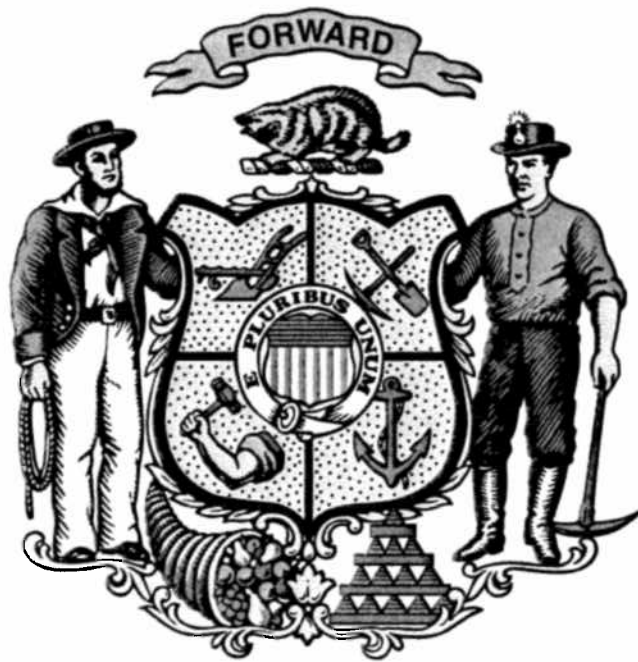
48. Yes _____ No _____

2008 DNR Spring Rule Hearings - WCC County Meetings
 Summary of Results
 Statewide by Question

3:06 PM 04/15/2008

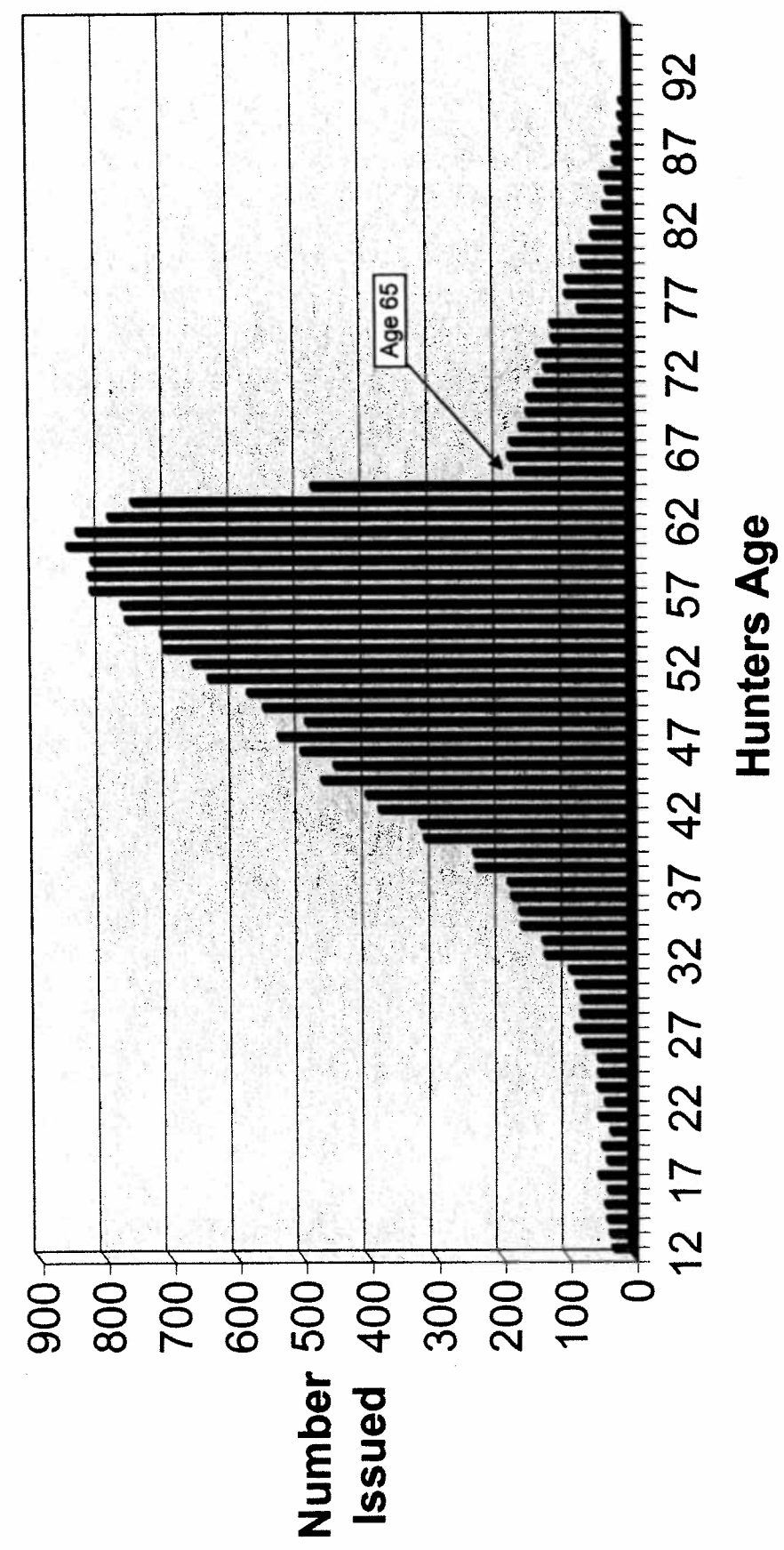
Question	Question Description	Votes Yes	Votes No	Majority	Counties Approving	Counties Rejecting	Counties Tie vote	Counties Not Voting
38	SAND LAKE WALLEYE REGULATIONS	1878	590	Yes	70	0	1	1
39	BIG PORTAGE LAKE BASS REGULATIONS	1286	828	Yes	41	24	6	1
40	SPARKLING LAKE GAME FISH REGULATIONS	1471	611	Yes	63	5	3	1
41	PRESQUE ISLE CHAIN BASS REGULATIONS	1249	842	Yes	44	21	6	1
42	STAR LAKE BASS REGULATIONS	1290	864	Yes	40	21	10	1
43	LONG LAKE TROUT REGULATION CHANGES	1528	737	Yes	64	6	3	0
44	LEGALIZE RIFLES FOR DEER HUNTING IN SHAWANO COUNTY	3227	870	Yes	71	1	0	0
45	LEGALIZE RIFLES FOR DEER HUNTING IN DUNN COUNTY	3158	779	Yes	71	0	1	0
46	USE OF ARCHERY EQUIPMENT WITH A GUN DEER LICENSE	3428	1859	Yes	64	8	0	0
47	EITHER-SEX CARCASS TAG FOR YOUTH DEER HUNTERS	4200	1028	Yes	72	0	0	0
48	USE OF CROSSBOWS FOR NON-RESIDENTS 65 YEARS OF AGE OR OLDER	3295	2059	Yes	65	6	1	0
49	TRANSFER OF EARNA-A-BUCK STICKERS TO A YOUTH	3954	1388	Yes	70	2	0	0
50	QUARTERING OF DEER BEFORE REMOVAL FROM THE FIELD	3540	1921	Yes	63	9	0	0
51	DEER STAMP FOR DEER RESEARCH	1433	4087	No	3	89	0	0
52	STATEWIDE DEER FEEDING & BAITING BAN	3092	2878	Yes	43	25	4	0
53	VOLUNTEER SHARPSHOOTER PROGRAM	3680	1631	Yes	67	4	1	0
54	PROHIBITION ON SHINING FROM PUBLIC ROADS	2805	2848	No	30	38	4	0
55	USE OF PISTOL CARTRIDGES IN RIFLES FOR DEER IN SHOTGUN ONLY AREAS	2693	2359	Yes	48	22	2	0
56	LEGALIZE COLONY TRAPS	2603	1849	Yes	57	13	2	0
57	BOBCAT SEASON STRUCTURE	2521	1933	Yes	49	23	0	0
58	COMMERCIAL HARVEST OF YELLOW PERCH ON LAKE MICHIGAN	3093	1145	Yes	69	3	0	0
59	PROTECTION OF PRIVATE PROPERTY ON PUBLIC LAND	4416	995	Yes	71	1	0	0
60	PROPOSED MISSISSIPPI RIVER CORRIDOR 345 KV POWER LINE STUDY	3063	800	Yes	69	3	0	0
61	DISCONTINUE CLOSING OF MANAGED FOREST LAW (MFL) LANDS	1763	3631	No	7	65	0	0
62	REVIEW URBAN DEER SHOOTING PERMIT PROCEDURES	3577	857	Yes	71	0	1	0
63	ELIMINATE THE BARBLESS HOOK REQUIREMENT FOR TROUT SEASON	2388	2105	Yes	47	25	0	0
64	NON-RESIDENT STUDENT TURKEY LICENSE	2657	2393	Yes	40	28	4	0
65	PHONE IN TURKEY REGISTRATION	3817	1452	Yes	67	5	0	0
66	PANFISH LIMIT ON LOON LAKE, ASHLAND COUNTY	1730	940	Yes	58	11	3	0
67	TRANSPORTATION OF INVASIVE SPECIES	3538	1487	Yes	69	3	0	0
68	FISHING REGULATIONS BETWEEN KINGS AND GRANDFATHER DAMS	1632	1070	Yes	56	11	5	0
69	BASS SIZE LIMIT ON BIG SISSABAGAMA LAKE, SAWYER COUNTY	2062	607	Yes	70	1	1	0
70	WALLEYE BAG LIMIT ON MILWAUKEE RIVER	1761	822	Yes	65	4	3	0
71	WOLF MANAGEMENT	4848	772	Yes	72	0	0	0





AB 86 folder

All Disabled Permits Issued 2004-2008 that Authorize Use of Crossbows



All Disabled Permits Issued that Allow Use of Crossbows

2004		2005		2006		2007		2008*		Total	
Age	Number	Age	Number	Age	Number	Age	Number	Age	Number	Age	Total by Age
12	2	12	10	12	7	12	5	12	5	12	29
13	7	13	8	13	5	13	9	13	4	13	33
14	5	14	7	14	7	14	5	14	5	14	37
15	8	15	8	15	8	15	13	15	3	15	40
16	5	16	8	16	10	16	7	16	8	16	36
17	11	17	8	17	13	17	11	17	8	17	51
18	5	18	7	18	8	18	9	18	8	18	37
19	10	19	5	19	12	19	6	19	12	19	45
20	3	20	10	20	11	20	4	20	4	20	32
21	8	21	9	21	11	21	14	21	9	21	51
22	6	22	4	22	10	22	12	22	8	22	40
23	14	23	10	23	13	23	10	23	5	23	52
24	15	24	9	24	9	24	5	24	13	24	51
25	6	25	11	25	16	25	10	25	6	25	51
26	14	26	14	26	17	26	20	26	8	26	73
27	16	27	19	27	21	27	19	27	10	27	85
28	17	28	19	28	18	28	12	28	11	28	77
29	14	29	9	29	23	29	19	29	11	29	76
30	17	30	9	30	29	30	18	30	11	30	84
31	18	31	16	31	17	31	26	31	17	31	94
32	36	32	26	32	21	32	25	32	23	32	131
33	30	33	24	33	33	33	24	33	23	33	134
34	39	34	32	34	46	34	31	34	19	34	167
35	38	35	28	35	43	35	37	35	23	35	169
36	41	36	40	36	41	36	34	36	25	36	181
37	28	37	34	37	40	37	55	37	29	37	186
38	69	38	38	38	42	38	46	38	40	38	235
39	57	39	47	39	50	39	42	39	42	39	238
40	54	40	76	40	79	40	68	40	35	40	312
41	65	41	89	41	69	41	70	41	47	41	320
42	102	42	71	42	76	42	72	42	59	42	380
43	75	43	103	43	71	43	87	43	63	43	399
44	77	44	95	44	111	44	104	44	79	44	466
45	85	45	99	45	96	45	103	45	64	45	447
46	79	46	88	46	106	46	124	46	100	46	497
47	99	47	99	47	123	47	104	47	106	47	531
48	90	48	103	48	112	48	105	48	79	48	489
49	99	49	103	49	120	49	138	49	93	49	553
50	120	50	109	50	125	50	110	50	113	50	577
51	111	51	131	51	145	51	140	51	110	51	637
52	129	52	152	52	139	52	122	52	118	52	660
53	137	53	138	53	151	53	161	53	116	53	703
54	120	54	123	54	159	54	165	54	141	54	708
55	147	55	152	55	153	55	165	55	144	55	761
56	162	56	138	56	165	56	154	56	148	56	767
57	153	57	152	57	184	57	194	57	131	57	814
58	141	58	154	58	191	58	182	58	149	58	817
59	126	59	165	59	183	59	175	59	163	59	812
60	152	60	143	60	164	60	218	60	171	60	848
61	143	61	172	61	189	61	168	61	162	61	834
62	135	62	159	62	190	62	159	62	143	62	786
63	142	63	152	63	153	63	168	63	136	63	751
64	80	64	82	64	113	64	108	64	96	64	479
65	29	65	39	65	45	65	38	65	22	65	173
66	43	66	38	66	44	66	36	66	22	66	183
67	28	67	44	67	38	67	35	67	35	67	180
68	38	68	36	68	37	68	29	68	26	68	166
69	35	69	28	69	28	69	36	69	28	69	155
70	29	70	35	70	40	70	36	70	14	70	154
71	29	71	34	71	24	71	34	71	21	71	142
72	24	72	29	72	28	72	29	72	18	72	128
73	29	73	20	73	38	73	33	73	19	73	139
74	20	74	26	74	34	74	25	74	11	74	116
75	24	75	29	75	30	75	21	75	14	75	118
76	14	76	15	76	17	76	17	76	13	76	76
77	18	77	19	77	25	77	24	77	10	77	96
78	18	78	17	78	19	78	23	78	17	78	94
79	14	79	13	79	22	79	13	79	7	79	69
80	14	80	13	80	17	80	18	80	14	80	76
81	11	81	13	81	9	81	11	81	11	81	55
82	12	82	13	82	12	82	9	82	7	82	53
83	7	83	9	83	9	83	5	83	6	83	36
84	9	84	5	84	3	84	6	84	9	84	32
85	5	85	12	85	10	85	7	85	7	85	41
86	3	86	6	86	6	86	3	86	3	86	21
87	4	87	6	87	6	87	4	87	2	87	22
88	1	88	1	88	4	88	3	88	1	88	10
89	3	89	1	89	5	89	3	89	1	89	13
90	1	90	5	90	3	90	2	90	0	90	11
91	1	91	1	91	0	91	0	91	0	91	2
92	0	92	0	92	0	92	0	92	0	92	0
93	0	93	1	93	1	93	0	93	0	93	2
94	0	94	0	94	1	94	0	94	0	94	1
95	0	95	0	95	0	95	1	95	0	95	1
Total		3825		4003		4511		3496		20228	

Under 50
 6909

 Age 50-54
 3285

 Age 55-59
 3971

 Age 60-64
 3698
 Under 65
 17863

 65 and over
 2365

* 2008 does not include full year statistics