



2005 SENATE BILL 189

April 27, 2005 - Introduced by Senators LEIBHAM, DECKER, A. LASEE, OLSEN and STEPP, cosponsored by Representatives GUNDERSON, KESTELL, AINSWORTH, ALBERS, BALLWEG, GARD, GRONEMUS, HUNDERTMARK, KRAWCZYK, KREIBICH, LAMB, F. LASEE, LOTHIAN, McCORMICK, MEYER, MONTGOMERY, MUSSER, OTT, PETROWSKI, PETTIS, PRIDEMORE, SUDER, TOWNS, VAN ROY, VOS, VRUWINK and M. WILLIAMS. Referred to Committee on Natural Resources and Transportation.

1 **AN ACT** *to amend* 29.024 (2) (d); and *to create* 29.180 of the statutes; **relating**
2 **to:** the transfer of natural resources approvals, preference points, and
3 preference categories and granting rule-making authority.

Analysis by the Legislative Reference Bureau

Under current law, certain licenses and permits are issued by the Department of Natural Resources (DNR) based on a random or preference selection system, including otter and fisher trapping permits, bonus deer hunting permits, Canada goose hunting permits, Class A bear licenses, wild turkey hunting licenses, and elk hunting licenses. The preference selective system for a wild turkey hunting license, for example, provides that resident landowners are in the first preference category, residents who applied in a previous season are in the second preference category, all other residents are in the third preference category, qualified nonresident landowners are in the fourth preference category, and all other nonresidents are in the fifth preference category.

This bill allows a person who is selected under one of these random or preference selective systems to designate a minor to exercise the privilege to hunt or trap granted by the permit or license if the person dies before using the license. If the person who has applied for the permit or licensee dies before receipt of the permit or license, the designated minor may apply for that permit or license and the deceased person's preference would apply. If the person who received a permit or license dies on at least the day prior to the beginning of that hunting or trapping season, the designated minor may apply for the permit or license.

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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:

1 **SECTION 1.** 29.024 (2) (d) of the statutes is amended to read:

2 29.024 (2) (d) Except as provided under s. 29.180, 29.182 (4), 29.184 (6m), or
3 29.519 (2) (d) or by rule, no person may transfer his or her approval or permit the use
4 of any approval by any other person.

5 **SECTION 2.** 29.180 of the statutes is created to read:

6 **29.180 Transfers upon death. (1)** In this section:

7 (a) “Approval” means any of the following approvals that the department issues
8 to the resident or nonresident under a random or preference selection system:

- 9 1. Hunter’s choice deer hunting permit.
- 10 2. Bonus deer hunting permit.
- 11 3. Bobcat hunting or trapping permit.
- 12 4. Otter trapping permit.
- 13 5. Fisher trapping permit.
- 14 6. Canada goose hunting permit.
- 15 7. Wild turkey hunting license.
- 16 8. Sharp-tailed grouse hunting permit.
- 17 9. Class A bear license.
- 18 10. Elk hunting license.
- 19 11. Sturgeon spearing license.

20 (b) “Family” means the parents and any siblings.

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1 (c) "Minor" means a person who is eligible to receive an approval or permit and
2 is under 18 years of age.

3 (2) At the time of application for an approval, or at any time after an application
4 is submitted, the applicant may designate, on a form approved by the department,
5 the primary minor, and alternative minors in order of preference, who shall have the
6 right to apply for a transfer under sub. (3) of an approval, preference points, or
7 preference categories. If the person dies before he or she designates a minor under
8 this subsection, the person's spouse, or if there is no spouse, the oldest member of the
9 person's family, may designate the minor as provided under this subsection.

10 (3) (a) If a person who has applied for an approval dies before receipt of an
11 approval, the minor designated under sub. (2) may apply to the department to have
12 the department transfer the application and any preference points or preference
13 categories related to an approval that the deceased person was entitled to under the
14 preference selective system.

15 (b) An application for the transfer of the preference points or preference
16 categories of a deceased person must be submitted within one year of the person's
17 death, but any transferred preference points or preference categories may only apply
18 to the applicable hunting or trapping season that begins not less than 30 days after
19 the submittal of the application for the transfer of the preference points or preference
20 categories.

21 (c) If a person who has received an approval dies before the first day of the
22 applicable hunting or trapping season, the minor designated under sub. (2) may
23 apply to the department for the transfer of the approval.

24 (d) An application for the transfer of an approval of a deceased person must be
25 submitted within one year of the person's death.

