



2009 SENATE BILL 481

January 25, 2010 – Introduced by Senators HOLPERIN, DECKER, WIRCH, A. LASEE, PLALE, GROTHMAN, TAYLOR and SCHULTZ, cosponsored by Representatives MILROY, DANOU, GUNDERSON, VRUWINK, TAUCHEN, SUDER, BIES, MURSAU, NERISON, PETROWSKI, A. WILLIAMS, RIPP and FRISKE. Referred to Committee on Transportation, Tourism, Forestry, and Natural Resources.

1 **AN ACT to repeal** 29.164 (1), 29.164 (2) (c) (title), 29.164 (3), 29.164 (3m), 29.164
2 (4), 29.179 (1) (a) 7., 29.180 (1) (a) 7., 29.183 (1) (g) and 29.553 (1) (f); **to**
3 **renumber and amend** 29.164 (2) (c) 1., 29.164 (2) (c) 2. and 29.164 (2) (d); **to**
4 **amend** 29.024 (6) (a) (intro.), 29.179 (4), 29.194 (1) (a), 29.559 (1) (c), 29.563 (2)
5 (f), 29.563 (2) (g), 29.563 (14) (a) 1., 29.563 (14) (c) 3. and 29.563 (14) (c) 6.; **to**
6 **repeal and recreate** 29.164 (2) (title) and 29.164 (2) (a); and **to create** 29.024
7 (6) (ac), 29.164 (2) (ag), 29.164 (2m) (title), 29.164 (2m) (a) 3., 29.164 (4g) and
8 29.164 (4r) of the statutes; **relating to:** wild turkey hunting approvals; the
9 regulation of the hunting of wild turkey; and granting rule-making authority.

Analysis by the Legislative Reference Bureau

Wild turkey hunting licenses, stamps, and tags

Under current law, to hunt wild turkey, a person must be issued a wild turkey hunting license with an accompanying hunting stamp and tag. In issuing the licenses, the Department of Natural Resources (DNR) must use a preference system which gives preferences to residents over nonresidents if the number of license applicants exceeds the number of wild turkey tags that are available for a particular season. Under the system, qualified resident landowners receive first preference.

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To qualify for the landowner preference, a landowner must own at least 50 acres of land in a single parcel in an established wild turkey hunting zone.

Second preference is for residents who in a previous season applied for but were not issued licenses, and all other residents receive third preference. Qualified nonresident landowners receive fourth preference, and all other nonresidents receive fifth preference. To implement this system, DNR allocates a given number of tags.

This bill eliminates the preference system. Instead, the bill requires that DNR issue a wild turkey hunting license and accompanying stamp and tag to each resident or nonresident who applies for the license. The tag issued with the license is valid for the entire state. Under current law, the tag issued with a license under the preference system is limited to a specific wild turkey hunting zone.

Under current law, if the number of tags exceeds the number of licenses applied for, DNR may issue license holders additional tags. Under the bill, DNR may issue additional tags if it determines that is necessary to manage the wild turkey population. Under current law and under the bill, a fee is charged for the additional tags, with nonresidents paying a higher fee. The bill does not change the amount of the fee.

Wild turkey hunting zones; hunting seasons and hours

Under current rules promulgated by DNR, there is a fall turkey hunting season and a spring hunting season. Also, under these rules, the state is divided into seven wild turkey hunting zones. This bill codifies these provisions in the statutes. Additionally, the bill codifies the starting and ending dates and hunting hours for the spring season that are currently in the rules.

Other provisions

Under current law, a student who is not a permanent resident of this state but who is a full-time student at a college or university in this state that offers an associate or bachelor's degree (eligible student) may be issued a resident fishing, small game hunting, or deer hunting license instead of a corresponding nonresident fishing or hunting license. The fees for these types of resident licenses are lower than those for the nonresident licenses. This bill allows eligible students to qualify as state residents for purposes of issuing wild turkey hunting licenses, stamps, and tags, resulting in their paying the lower fees for the licenses and tags.

The bill also requires DNR to promulgate a rule that allows for the registration of wild turkey carcasses over the telephone or by using the Internet. Under current law, a hunter must bring the carcass to one of the registration stations operated by DNR.

For further information see the ***state and local*** 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:

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1 **SECTION 1.** 29.024 (6) (a) (intro.) of the statutes is amended to read:

2 29.024 (6) (a) (intro.) In Except as provided in par. (ac), in issuing approvals
3 under this section chapter, the department may do any of the following for each type
4 of approval:

5 **SECTION 2.** 29.024 (6) (ac) of the statutes is created to read:

6 29.024 (6) (ac) The department and each person appointed or under contract
7 with the department to issue hunting approvals shall issue all of the types of wild
8 turkey hunting approvals specified in this section.

9 **SECTION 3.** 29.164 (1) of the statutes is repealed.

10 **SECTION 4.** 29.164 (2) (title) of the statutes is repealed and recreated to read:

11 29.164 (2) (title) LICENSES; STAMPS; TAGS.

12 **SECTION 5.** 29.164 (2) (a) of the statutes is repealed and recreated to read:

13 29.164 (2) (a) *Issuance.* Subject to s. 29.024, the department shall issue a wild
14 turkey hunting license, wild turkey hunting stamp, and a wild turkey hunting tag
15 to each qualified resident or nonresident who applies for the license. The license,
16 stamp, and tag shall be valid for either the spring or fall hunting season as
17 established under sub. (4g) (b). The tag issued under this paragraph shall be valid
18 in all 7 wild turkey hunting zones established under sub. (4g) (a).

19 **SECTION 6.** 29.164 (2) (ag) of the statutes is created to read:

20 29.164 (2) (ag) *Additional tags.* 1. The department may issue tags in addition
21 to those issued under par. (a) for years in which the department finds that the size
22 or characteristics of the wild turkey population of this state require, for proper game
23 management, that additional tags are necessary. The department shall charge the
24 applicable fee specified in s. 29.563 (2) (f) or (g) for each additional tag issued under

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1 this paragraph. Each additional tag issued under this paragraph shall be valid for
2 hunting in a specific wild turkey hunting zone.

3 2. The department shall promulgate rules that establish standards for
4 determining the number of additional tags to be issued.

5 **SECTION 7.** 29.164 (2) (c) (title) of the statutes is repealed.

6 **SECTION 8.** 29.164 (2) (c) 1. of the statutes is renumbered 29.164 (2m) (a) (intro.)
7 and amended to read:

8 29.164 (2m) (a) (intro.) No person may hunt wild turkey unless ~~he or she~~ all
9 of the following apply:

10 1. The person has a valid wild turkey hunting license and a valid wild turkey
11 hunting stamp attached to or imprinted on the person's wild turkey hunting license
12 in the manner required by the rule promulgated under s. 29.024 (5) (a) 3.

13 **SECTION 9.** 29.164 (2) (c) 2. of the statutes is renumbered 29.164 (2m) (a) 2. and
14 amended to read:

15 29.164 (2m) (a) 2. ~~If the department establishes a wild turkey hunting zone~~
16 ~~where or a season time period during which wild turkey hunting is permitted, no~~
17 ~~person may hunt wild turkeys in that wild turkey hunting zone or during that season~~
18 ~~time period unless the person has a wild turkey hunting license and a valid wild~~
19 ~~turkey hunting stamp as required under subd. 1. and unless the~~ The person has a
20 wild turkey hunting tag that is valid for that zone and that time period the wild
21 turkey hunting season during which the person is hunting.

22 **SECTION 10.** 29.164 (2) (d) of the statutes is renumbered 29.164 (2m) (b) and
23 amended to read:

24 29.164 (2m) (b) *Exception.* Any person holding a senior citizen recreation card
25 or a conservation patron license is exempt from the requirements under par. (e) ~~if the~~

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1 ~~person has received a notice of approval under sub. (3) (e) and the person is exempt~~
2 ~~from paying the fee for the wild turkey hunting license (a) 1.~~

3 **SECTION 11.** 29.164 (2m) (title) of the statutes is created to read:

4 29.164 **(2m)** (title) APPROVALS REQUIRED.

5 **SECTION 12.** 29.164 (2m) (a) 3. of the statutes is created to read:

6 29.164 **(2m)** (a) 3. If the person is hunting under the authority of an additional
7 tag issued under sub. (2) (ag), the person is hunting in the wild turkey hunting zone
8 for which the tag is issued.

9 **SECTION 13.** 29.164 (3) of the statutes is repealed.

10 **SECTION 14.** 29.164 (3m) of the statutes is repealed.

11 **SECTION 15.** 29.164 (4) of the statutes is repealed.

12 **SECTION 16.** 29.164 (4g) of the statutes is created to read:

13 29.164 **(4g)** HUNTING ZONES; HUNTING SEASONS AND HOURS ESTABLISHED. (a) Seven
14 wild turkey hunting zones are established in this state. The boundaries of each zone
15 shall be the same as those promulgated by the department by rule that are in effect
16 on the effective date of this paragraph [LRB inserts date], and may not be
17 subsequently modified by the department. The department shall publish a map of
18 these zones as part of ch. NR 10, Wis. Adm. Code.

19 (b) A spring wild turkey hunting season and a fall wild turkey hunting season
20 are established for each year. The spring hunting season shall begin on the
21 Wednesday that is nearest to April 15 and shall continue every day for 6 consecutive
22 weeks. The hours for wild turkey hunting during the spring hunting season shall
23 be the same as those promulgated by the department by rule that are in effect on the
24 effective date of this paragraph [LRB inserts date], and may not be subsequently
25 modified by the department.

SENATE BILL 481**SECTION 17**

1 **SECTION 17.** 29.164 (4r) of the statutes is created to read:

2 29.164 (4r) REGISTRATION OF WILD TURKEY CARCASSES. The department shall
3 establish by rule a procedure under which wild turkey carcasses may be presented
4 to the department at specific registration stations or may be registered online using
5 the Internet or by telephoning the department. The procedure for telephoning or
6 using the Internet shall require that the person who possesses the wild turkey
7 carcass state in which wild turkey hunting zone the wild turkey was killed.

8 **SECTION 18.** 29.179 (1) (a) 7. of the statutes is repealed.

9 **SECTION 19.** 29.179 (4) of the statutes is amended to read:

10 29.179 (4) RETENTION OF PREFERENCE POINTS. Notwithstanding ss. ~~29.164 (3)~~
11 ~~(e)~~, 29.177 (5) (b), 29.184 (6) (b), and 29.192 (4) a minor who is transferred an
12 approval under this section shall retain all preference points that he or she has
13 previously accumulated for that type of approval.

14 **SECTION 20.** 29.180 (1) (a) 7. of the statutes is repealed.

15 **SECTION 21.** 29.183 (1) (g) of the statutes is repealed.

16 **SECTION 22.** 29.194 (1) (a) of the statutes is amended to read:

17 29.194 (1) (a) Notwithstanding ss. 29.024 (2) and 29.228 (1) (a), the department
18 shall issue a resident fishing license, resident small game hunting license or resident
19 deer hunting license to a qualified student applying for the license. Notwithstanding
20 s. 29.024 (2), the department shall treat a qualified student as a resident for purposes
21 of determining the student's eligibility for and cost of obtaining a wild turkey hunting
22 approval under s. 29.164. A qualified student is a person who exhibits proof that he
23 or she is a registered full-time student who is present in this state attending a public
24 or private college or university that is located in this state and that offers an associate
25 degree or a bachelor's degree or that he or she is a citizen of a foreign country

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1 temporarily residing in this state while attending a high school located in this state
2 or an agricultural short course at the University of Wisconsin System.

3 **SECTION 23.** 29.553 (1) (f) of the statutes is repealed.

4 **SECTION 24.** 29.559 (1) (c) of the statutes is amended to read:

5 29.559 (1) (c) Any person, including the department, who issues a wild turkey
6 hunting tag under s. 29.164 ~~(4) (b) (2) (ag)~~ or a sturgeon hook and line tag under s.
7 29.2285 (3) (b) shall collect, in addition to the statutory fee, and an issuing fee for each
8 tag that the person is issued. A person appointed under s. 29.024 (6) (a) 2., 3., or 4.
9 may retain 15 cents for each issuing fee of each tag to compensate for services in
10 issuing the tag.

11 **SECTION 25.** 29.563 (2) (f) of the statutes is amended to read:

12 29.563 (2) (f) *Resident tags.* Each additional wild turkey hunting tag issued
13 to a resident under s. 29.164 ~~(4) (b) (2) (ag)~~: \$9.75.

14 **SECTION 26.** 29.563 (2) (g) of the statutes is amended to read:

15 29.563 (2) (g) *Nonresident tags.* Each additional wild turkey hunting tag
16 issued to a nonresident under s. 29.164 ~~(4) (b) (2) (ag)~~: \$14.75.

17 **SECTION 27.** 29.563 (14) (a) 1. of the statutes, as affected by 2009 Wisconsin Act
18 28, is amended to read:

19 29.563 (14) (a) 1. The processing fee for applications for approvals under the
20 cumulative preference systems for the hunter's choice deer hunting permit, bonus
21 deer hunting permit, ~~wild turkey hunting license~~, Class A bear license, Canada goose
22 hunting permit, sharp-tailed grouse hunting permit, otter trapping permit, fisher
23 trapping permit or sturgeon fishing permit: \$2.75.

24 **SECTION 28.** 29.563 (14) (c) 3. of the statutes is amended to read:

