

2005 DRAFTING REQUEST

Bill

Received: **06/17/2005**

Received By: **rkite**

Wanted: **As time permits**

Identical to LRB:

For: **Mark Pettis (608) 267-2365**

By/Representing: **Mark Patronsky**

This file may be shown to any legislator: **NO**

Drafter: **rnelson2**

May Contact:

Addl. Drafters:

Subject: **Nat. Res. - fish and game
Criminal Law - miscellaneous**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Pettis@legis.state.wi.us**

Carbon copy (CC:) to: **mark.patronsky@legis.state.wi.us**

Pre Topic:

No specific pre topic given

Topic:

Authorizing retrieval of a hunting dog on private property

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	rkite 06/29/2005 mglass 06/29/2005			_____			
/P1	rnelson2 07/01/2005	kfollett 07/28/2005	rschlue 07/28/2005	_____	lemery 07/28/2005		
/P2	rkite 08/09/2005	kfollett 08/09/2005	rschlue 08/09/2005	_____	lnorthro 08/09/2005		

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	rkite 08/15/2005	kfollett 08/17/2005	rschluet 08/17/2005	_____	mbarman 08/17/2005	sbasford 08/17/2005	

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	08/15/2005	08/17/2005	08/17/2005	_____	08/17/2005		

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11gf
8/17

Handwritten signature and initials
P135-CA

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FE Sent For:

1P2 kjf
8/9
745-CH

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By/Representing: **Mark Patronsky, LC**

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May Contact:

Addl. Drafters:

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Criminal Law - miscellaneous**

Extra Copies:

*Melissa Schmidt
(intern in LC) - send
extra copy to Mark P., LC*

Submit via email: **YES**

Requester's email: **Rep.Pettis@legis.state.wi.us**

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/?	rkite	1P/1kf 7/28	<i>[Signature]</i> 7/15 LC	<i>[Signature]</i> 7/28/05			

FE Sent For:

<END>



State of Wisconsin
2005 - 2006 LEGISLATURE

LRB-3227/P1

8/2

RPM...LTS
kgf

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Gen

1 AN ACT ...; relating to: creating an exception to the trespass statute for retrieval
2 of hunting dogs.

Analysis by the Legislative Reference Bureau

This is a preliminary draft; An analysis will be provided in a later draft.

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

3 SECTION 1. 943.13 (4m) (d) of the statutes is created to read:
4 943.13 (4m) (d) A person entering property solely for the purpose of retrieving
5 a hunting dog if all of the following apply:

- 6 1. The person enters on foot and without a firearm, bow and arrow, or crossbow.
- 7 2. The person immediately leaves the property after retrieving the dog.

8 SECTION 2. 943.13 (4m) (dm) of the statutes is created to read:

9 943.13 (4m) (dm) For purposes of par. (d), a person is presumed to have entered
10 property solely for the purpose of retrieving a hunting dog if the person or someone

SECTION 2

1 the person delegates made a reasonable attempt to contact the sheriff's department
2 located in the same county as the land entered in par. (d) to inform the department
3 that a person ^{was} ~~is~~ entering the land for this purpose.

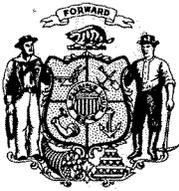
4 (END)

the

8/3 Redraft 3227/P,
Kimber
Rep Petts
Subst "authorities"
for sheriff's dept.
↓
Redraft ~~made~~ to /1

8/3 Robin - Kimber in Rep Petts' office called to request that this bill be redrafted to a /1. The change is to replace the term "sheriff's dept" on p. 2. with "authorities." I didn't feel comfortable doing DNR/criminal trespass stuff, & they were OK waiting until you got back.

P.S. I talked to Ronnie Kimber at length about the problem w/ using "authorities" & suggested they look at definitions of "law enforcement officers."



(soon)
State of Wisconsin
2005 - 2006 LEGISLATURE

P2
LRB-3227/P1

RPN:kjf:es + RNK

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Regen

1 AN ACT *to create* 943.13 (4m) (d) and 943.13 (4m) (dm) of the statutes; **relating**
2 **to:** creating an exception to the trespass statute for retrieval of hunting dogs.

Analysis by the Legislative Reference Bureau

This is a preliminary draft. An analysis will be provided in a later version.

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

Insert
1-3 →

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10 property solely for the purpose of retrieving a hunting dog if the person or someone

1 the person delegates made a reasonable attempt to contact the sheriff's department
2 ~~located in the same county as~~ the land entered in par. (d) to inform the ~~department~~
3 ~~law enforcement agency~~
4 that the person was entering the land for this purpose.

(END)

a law enforcement agency that has jurisdiction over

**2005-2006 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-3227/P2ins.
RNK:.....

INSERT 1-3

✓
SECTION 1. 943.13 (1e) (bg) of the statutes is created to read:

943.13 (1e) (bg) "Law enforcement agency" means a local governmental unit of one or more persons employed for the purpose of preventing and detecting crime and enforcing state laws or local ordinances, employees of which unit are authorized *to make* ~~to make~~ arrests for crimes while acting within the scope of their authority.

8-11-05

Kimber in Pettis office:
LRB - 3227/P2

redraft in final form



(soon)

State of Wisconsin
2005 - 2006 LEGISLATURE

RM run
1
LRB-3227/P2
RPN&RNK:kj/rs

stays

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

repeal

1 AN ACT *to create* 943.13 (1e) (bg), 943.13 (4m) (d) and 943.13 (4m) (dm) of the
2 statutes; **relating to:** creating an exception to the trespass statute for retrieval
3 of hunting dogs.

Analysis by the Legislative Reference Bureau

(This is a preliminary draft. An analysis will be provided in a later version.)

insert
Analysis →

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

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7 and enforcing state laws or local ordinances, employees of which unit are authorized
8 to make arrests for crimes while acting within the scope of their authority.

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11 a hunting dog if all of the following apply:

2005-2006 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3227/1ins.
RNK:.....

property

Insert Analysis

Generally under current trespass law, subject to a number of exemptions, a person who enters the land of another, without permission, is subject to a Class B forfeiture. Among the persons who are currently exempt from the trespass law are persons authorized to enter land to remove a wild animal and hunters who enter land that is required to be open for hunting. This bill creates an additional exemption for a person who enters property solely for the purpose of retrieving a hunting dog if the person enters on foot and without a firearm, bow and arrow, or crossbow and if the person immediately leaves the property after retrieving the dog. Under the bill, a person is presumed to have entered the property solely for the purpose of retrieving a hunting dog if the person or someone the person delegates made a reasonable attempt to contact a law enforcement agency that has jurisdiction over the land entered to inform that agency that the person was entering the land for this purpose.

property

property

property

Basford, Sarah

From: Pettis, Mark
Sent: Wednesday, August 17, 2005 1:52 PM
To: LRB.Legal
Subject: Draft review: LRB 05-3227/1 Topic: Authorizing retrieval of a hunting dog on private property

It has been requested by <Pettis, Mark> that the following draft be jacketed for the ASSEMBLY:

Draft review: LRB 05-3227/1 Topic: Authorizing retrieval of a hunting dog on private property

Barman, Mike

From: Barman, Mike
Sent: Wednesday, August 31, 2005 5:09 PM
To: Rep.Pettis; Liedl, Kimberly
Subject: LRB 05-3227/1 (un-introduced) (attached - requested by Kim)

Attachments: 05-3227/1



05-32271.pdf (14
KB)

Mike Barman (Senior Program Assistant)
State of Wisconsin - Legislative Reference Bureau
Legal Section - Front Office
1 East Main Street, Suite 200
Madison, WI 53703
(608) 266-3561 / mike.barman@legis.state.wi.us