

2009 DRAFTING REQUEST

Bill

Received: **04/14/2009**

Received By: **rkite**

Wanted: **As time permits**

Identical to LRB:

For: **Russell Decker (608) 266-2502**

By/Representing: **Pat Walsh**

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

Drafter: **rkite**

May Contact:

Addl. Drafters:

Subject: **Nat. Res. - fish and game**

Extra Copies:

Submit via email: **YES**

Requester's email: **Sen.Decker@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Group deer hunting changes and firearm restrictions

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 04/15/2009	jdyer 04/16/2009		_____			
/1			jfrantze 04/16/2009	_____	cduerst 04/16/2009		
/2	rkite 05/14/2009	jdyer 05/14/2009	rschluet 05/14/2009	_____	sbasford 05/14/2009	cduerst 05/15/2009	

FE Sent For:

<END>

↳ Not
Needed

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/?	rkite 04/15/2009	jdye 04/16/2009		_____			
/1		1/2 5/14 jld	jfrantze 04/16/2009		eduerst 04/16/2009		

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<END>

Handwritten signatures and initials including 'JF' and '5/14'.

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/?	rkite	1 4/16 jkd	jk	4/16			

FE Sent For:

<END>

STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

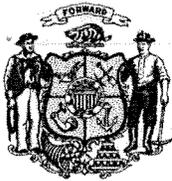
4-14-09

Per Pat in Sen Decker's office

combine into one draft:

LRB 1075; 1084; 2523

but - eliminate the "arm's reach"
requirement in 1084



State of Wisconsin
2009 - 2010 LEGISLATURE

RM not run

2681/1

LRB 2523/1

RNK/jld/md

Stays

2009 BILL

In
4/15

✓

regen. cat.

1 AN ACT *to repeal* 29.324 (1) (a) and 29.324 (2) (a); *to consolidate, renumber*
2 *and amend* 29.324 (1) (intro.) and (b) and 29.324 (2) (intro.) and (b); and *to*
3 *amend* 29.324 (3) of the statutes; **relating to:** group deer hunting
4 requirements. *and restrictions on placing, possessing, or transporting
a firearm, bow, or crossbow in or on a vehicle*

¶ This bill makes changes to the current law regulating hunting by persons in a group.

Analysis by the Legislative Reference Bureau

Current law provides that, if two or more persons are hunting in a group and each of those persons holds a deer hunting license and is hunting with a firearm ~~group deer hunting party~~ *then one of the members of the group deer hunting party* may kill a deer for another member of the group deer hunting party under certain circumstances. Those circumstances require that the person for whom the deer is killed must possess a current unused deer carcass tag authorized for use on that deer and also require that the person who kills the deer must be in contact with the person for whom the deer is killed. This bill eliminates the requirement that the member of the group deer hunting party who kills the deer must be in contact with the person for whom the deer is killed.

Insert Analysis A

Current law also requires a person who kills a deer for another member of a group deer hunting party to ensure that a member of the group deer hunting party attaches a current deer carcass tag to the deer without delay. This bill requires the person who ~~killed the deer~~ *kills a* to inform another member of the group deer hunting party *his or her* *for another member of any qualifying group deer hunting party*

qualifying

kills a *for another member of any qualifying group deer hunting party*

BILL

Insert Analysis B

of the kill and to ensure that the informed member attaches his or her deer carcass tag to the deer within one hour after the deer is killed.

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

SECTION 1. 29.324 (1) (intro.) and (b) of the statutes are consolidated, renumbered 29.324 (1) and amended to read:

29.324 (1) In this section: (b) "Group, group deer hunting party" means 2 or more hunters hunting in a group ~~all using firearms~~, each of whom holds an individual license to hunt deer.

SECTION 2. 29.324 (1) (a) of the statutes is repealed.

SECTION 3. 29.324 (2) (intro.) and (b) of the statutes are consolidated, renumbered 29.324 (2) and amended to read:

29.324 (2) Any member of a group deer hunting party may kill a deer for another member of the group deer hunting party if both of the following conditions exist: (b) ~~The~~ the person for whom the deer is killed possesses a current unused deer carcass tag which is authorized for use on the deer killed.

The members of which are all using firearms

SECTION 4. 29.324 (2) (a) of the statutes is repealed.

SECTION 5. 29.324 (3) of the statutes is amended to read:

29.324 (3) A person who kills a deer under sub. (2) shall ensure that inform a member of his or her group deer hunting party ~~without delay~~ of the kill and shall ensure that the member attaches ~~a~~ his or her current validated deer carcass tag to the deer in the manner specified under s. 29.347 (2). ~~The person who kills the deer may not leave the deer unattended until after it is tagged~~ within one hour after the deer is killed.

insert 2-13

insert 2-20

(END)

2009-2010 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2681/1ins.
RNK:.....

INSERT ANALYSIS A

This bill also extends certain hunting privileges to persons who hunt in a group and who all use a bow and arrow. The bill provides that a member of such a group may kill a deer for another member of the group if that deer is an antlerless deer and if the person for whom the antlerless deer is killed possesses a current unused deer carcass tag authorized for use on that deer.

INSERT ANALYSIS B

This bill also creates a new exception to general restrictions on possessing or transporting a firearm, bow, or crossbow in or on a vehicle. Under current law, with certain exceptions, no person may place, possess, or transport (place) a firearm, bow, or crossbow in or on a vehicle unless: 1) for a firearm, the firearm is unloaded and completely enclosed in a case that is made for the purpose of containing a firearm; or 2) for a bow or crossbow, the bow or crossbow is either unstrung or enclosed in a carrying case. This bill provides that an unloaded firearm need not be in a case, and a bow or crossbow need not be unstrung or in a case, if the firearm, bow, or crossbow are placed in a vehicle that is stationary.

INSERT 2-13

1
2
3
4
5
6
7

SECTION 1. 29.324 (2m) of the statutes is created to read:

29.324 (2m) Any member of a group deer hunting party, the members of which are all using bows and arrows, may kill an antlerless deer for another member of the group deer hunting party if the person for whom the antlerless deer is killed possesses a current unused deer carcass tag that is authorized for use on the antlerless deer killed.

2009 BILL

Insert 2-20

1 AN ACT *to renumber and amend* 167.31 (2) (b); and *to create* 167.31 (2) (b) 3.
2 and 167.31 (2) (b) 4. of the statutes; **relating to:** restrictions on placing,
3 possessing, or transporting a firearm, bow, or crossbow in or on a vehicle.

Analysis by the Legislative Reference Bureau

Current law provides, with certain exceptions, that no person may place, possess, or transport (place) a firearm, bow, or crossbow in or on a vehicle unless: 1) for a firearm, the firearm is unloaded and completely enclosed in a case that is made for the purpose of containing a firearm; or 2) for a bow or crossbow, the bow or crossbow is either unstrung or enclosed in a carrying case.

This bill creates two new exceptions to the requirement that a firearm be encased and that a bow or crossbow be unstrung or in a carrying case when they are in or on a vehicle. The bill provides that an unloaded firearm need not be in a case, and a bow or crossbow need not be unstrung or in a case, if the firearm, bow, or crossbow are placed in a stationary vehicle or, if the vehicle is not stationary, are placed in a location in the vehicle that is beyond arm's reach of the operator and the occupants of the vehicle.

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

4 SECTION 1. 167.31 (2) (b) ^x of the statutes is renumbered 167.31 (2) (b) (intro.)
5 and amended to read:



BILL

1 167.31 (2) (b) (intro.) Except as provided in sub. (4), no person may place,
 2 possess, or transport a firearm, bow, or crossbow in or on a vehicle, unless the any
 3 of the following apply: applies

4 1. If the person has a firearm, the firearm is unloaded and is encased ~~or unless~~
 5 the.

6 2. If the person has a bow or crossbow, the bow or crossbow is unstrung or is
 7 enclosed in a carrying case.

8 **SECTION 2.** 167.31 (2) (b) 3. of the statutes is created to read:

9 167.31 (2) (b) 3. The firearm, bow, or crossbow are beyond arm's reach of the
 10 operator and occupants of the vehicle when the vehicle is not stationary.

11 **SECTION 3.** 167.31 (2) (b) 4. of the statutes is created to read:

12 167.31 (2) (b) 4. ^{3.} The vehicle is stationary. ✓

(END)

(end ins)

STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

5/8/09

Per Pat Walsh in Decker's office

Redraft instructions

elemental requirement that unloaded firearm
in vehicle must be encased



2009 BILL

In
5/14

Regen

1 AN ACT *to repeal* 29.324 (1) (a) and 29.324 (2) (a); *to renumber and amend*
2 167.31 (2) (b); *to consolidate, renumber and amend* 29.324 (1) (intro.) and
3 (b) and 29.324 (2) (intro.) and (b); *to amend* 29.324 (3); and *to create* 29.324
4 (2m) and 167.31 (2) (b) 3. of the statutes; **relating to:** group deer hunting
5 requirements and restrictions on placing, possessing, or transporting a
6 firearm, bow, or crossbow in or on a vehicle. ✓

Analysis by the Legislative Reference Bureau

This bill changes to the current law regulating hunting by persons in a group. Current law provides that, if two or more persons are hunting in a group and each of those persons holds a deer hunting license and is hunting with a firearm, then one of the members of the group deer hunting party may kill a deer for another member of the group deer hunting party under certain circumstances. Those circumstances require that the person for whom the deer is killed must possess a current unused deer carcass tag authorized for use on that deer and also require that the person who kills the deer must be in contact with the person for whom the deer is killed. This bill eliminates the requirement that the member of the group deer hunting party who kills the deer must be in contact with the person for whom the deer is killed.

This bill also extends certain hunting privileges to persons who hunt in a group and who all use a bow and arrow. The bill provides that a member of such a group may kill a deer for another member of the group if that deer is an antlerless deer and

BILL

✓ expands the exceptions

if the person for whom the antlerless deer is killed possesses a current unused deer carcass tag authorized for use on that deer.

Current law also requires a person who kills a deer for another member of a qualifying group deer hunting party to ensure that a member of the group deer hunting party attaches a current deer carcass tag to the deer without delay. This bill requires a person who kills a deer for another member of any qualifying group deer hunting party to inform another member of his or her group deer hunting party of the kill and to ensure that the informed member attaches his or her deer carcass tag to the deer within one hour after the deer is killed.

eliminates the requirement ✓

This bill also creates a new exception to general restrictions on possessing or transporting a firearm, bow, or crossbow in or on a vehicle. Under current law, with certain exceptions, no person may place, possess, or transport (place) a firearm, bow, or crossbow in or on a vehicle unless: 1) for a firearm, the firearm is unloaded and completely enclosed in a case that is made for the purpose of containing a firearm; or 2) for a bow or crossbow, the bow or crossbow is either unstrung or enclosed in a carrying case. This bill provides that an unloaded firearm ~~need not be in a case, and a bow or crossbow need not be unstrung or in a case, if the firearm, bow, or crossbow are placed in a vehicle that is stationary.~~

placed in a vehicle ✓

provided that it is loaded.

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

1 SECTION 1. 29.324 (1) (intro.) and (b) of the statutes are consolidated,
2 renumbered 29.324 (1) and amended to read:

3 29.324 (1) In this section: ~~(b) "Group, "group deer hunting party"~~ means 2 or
4 more hunters hunting in a group ~~all using firearms~~, each of whom holds an
5 individual license to hunt deer.

6 SECTION 2. 29.324 (1) (a) of the statutes is repealed.

7 SECTION 3. 29.324 (2) (intro.) and (b) of the statutes are consolidated,
8 renumbered 29.324 (2) and amended to read:

9 29.324 (2) Any member of a group deer hunting party, the members of which
10 are all using firearms, may kill a deer for another member of the group deer hunting
11 party if both of the following conditions exist: ~~(b) The the person for whom the deer~~

✓ against shooting a firearm, bolt, or arrow from a vehicle.

NO #

The bill also provides that the prohibitions^s against the placement of a firearm, bow, or crossbow in a vehicle do not apply if the vehicle is stationary. The bill does not change the current law prohibition

BILL

1 is killed possesses a current unused deer carcass tag which is authorized for use on
2 the deer killed.

3 **SECTION 4.** 29.324 (2) (a) of the statutes is repealed.

4 **SECTION 5.** 29.324 (2m) of the statutes is created to read:

5 29.324 (2m) Any member of a group deer hunting party, the members of which
6 are all using bows and arrows, may kill an antlerless deer for another member of the
7 group deer hunting party if the person for whom the antlerless deer is killed
8 possesses a current unused deer carcass tag that is authorized for use on the
9 antlerless deer killed.

10 **SECTION 6.** 29.324 (3) of the statutes is amended to read:

11 29.324 (3) A person who kills a deer under sub. (2) or (2m) shall ~~ensure that~~
12 inform a member of his or her group deer hunting party ~~without delay of the kill and~~
13 shall ensure that the member attaches ~~a~~ his or her current validated deer carcass
14 tag to the deer in the manner specified under s. 29.347 (2). ~~The person who kills the~~
15 ~~deer may not leave the deer unattended until after it is tagged~~ within one hour after
16 the deer is killed.

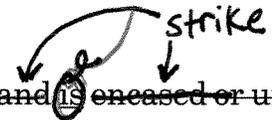
17 **SECTION 7.** 167.31 (2) (b) of the statutes is renumbered 167.31 (2) (b) (intro.)
18 and amended to read:

19 167.31 (2) (b) (intro.) Except as provided in sub. (4), no person may place,
20 possess, or transport a firearm, bow, or crossbow in or on a vehicle, unless the any
21 of the following applies:

22 1. If the person has a firearm, the firearm is unloaded and ~~is~~ ~~encased~~ or unless
23 the

24 2. If the person has a bow or crossbow, the bow or crossbow is unstrung or is
25 enclosed in a carrying case.

strike



Duerst, Christina

From: Warren, Linda
Sent: Friday, May 15, 2009 10:03 AM
To: LRB.Legal
Subject: Draft Review: LRB 09-2681/2 Topic: Group deer hunting changes and firearm restrictions

Please Jacket LRB 09-2681/2 for the SENATE.