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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**
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INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
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- 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**

Senate

Record of Committee Proceedings

Committee on Transportation, Tourism, Forestry, and Natural Resources

Senate Bill 222

Relating to: group deer hunting requirements and restrictions on placing, possessing, or transporting a firearm, bow, or crossbow in or on a vehicle.

By Senators Decker, Holperin, Hansen, Hopper, Taylor and Grothman; cosponsored by Representatives Jorgensen, Petrowski, Spanbauer and Zigmunt.

May 26, 2009 Referred to Committee on Transportation, Tourism, Forestry, and Natural Resources.

May 28, 2009 **PUBLIC HEARING HELD**

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

Absent: (0) None.

Appearances For

- Russ Decker — 29th Senate District
- Jolene Plautz — U.S. Sportsment Alliance
- Greg Kazmierski, Waukesha — Safari Club International Wisconsin Chapter
- Dean Hamilton — WI State Chapter National Wild Turkey Federation
- Al Lobner, Milladore — Wisconsin Bear Hunters Association
- Jeff Geitner, Sun Prairie — Wisconsin Hunters United
- Jeff Nass — Wisconsin Firearm Owners, Ranges, Clubs, and Educators

Appearances Against

- David Mahoney, Madison — Dane County Sheriff
- George Meyer, Madison — Wisconsin Wildlife Federation
- David Beth — Badger State Sheriffs
- Barbara Tillman — Rock County Sheriff
- Jeff Wiswell — Deputy Sheriffs Association

Appearances for Information Only

- None.

Registrations For

- Alita Lobner — Wisconsin Bear Hunters Association

Registrations Against

- Jim Palmer — Wisconsin Professional Police Association
- Jayne Meyer — Chair Harvey and the Wisconsin Conservation Congress

- Alice O'Connor — Wisconsin Chiefs of Police Association
- Chief Doug Pettit — WI Chiefs of Police Association, Legislative Chair

Registrations for Information Only

- None.

February 4, 2010

EXECUTIVE SESSION HELD

- Present: (6) Senators Holperin, Sullivan, Hansen, Leibham, Kedzie and Grothman.
 Absent: (1) Senator Plale.

February 4, 2010

PUBLIC HEARING HELD

- Present: (6) Senators Holperin, Sullivan, Hansen, Leibham, Kedzie and Grothman.
 Absent: (1) Senator Plale.

Appearances For

- Jeff Perlewitz, Waukesha
- Peter Jungblah, Greenfield
- Al Lobner, Milladore — Wisconsin Bear Hunters Association
- Dean Hamilton — WI State Chapter National Wild Turkey Federation
- Jeff Nass — WI Firearm owners, ranges, club educators
- Scott Meyer, Gleason — Wisconsin Bear Hunters Association
- Greg Kazmierski, Waukesha — Safari Club International Wisconsin Chapter
- Sheriff Daniel Trawicki, Waukesha
- Russ Decker — 29th Senate District

Appearances Against

- Will Sandstrom, Madison
- Tom VanHaren — Wisconsin Department of Natural Resources
- George Meyer, Madison — Wisconsin Wildlife Association

Appearances for Information Only

- Bob Hatrenberger, Long Lake

Registrations For

- Michael Neuens — New Berlin Police
- Bob Welch — Hunters Rights Coalition
- Bob Welch — Wisconsin Bear Hunters Association
- Jim Palmer — Wisconsin Professional Police Association

Registrations Against

- Jennifer Giegerich, Madison — Wisconsin League of Conservation Voters

Registrations for Information Only

- None.

February 11, 2010

EXECUTIVE SESSION HELD

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

Absent: (0) None.

Moved by Senator Hansen, seconded by Senator Sullivan that **Senate Substitute Amendment 2** be recommended for adoption.

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

Noes: (0) None.

ADOPTION OF SENATE SUBSTITUTE AMENDMENT 2 RECOMMENDED,
Ayes 7, Noes 0

Moved by Senator Hansen, seconded by Senator Kedzie that **Senate Bill 222** be recommended for passage as amended.

Ayes: (6) Senators Holperin, Sullivan, Plale, Hansen, Kedzie and Grothman.

Noes: (1) Senator Leibham.

PASSAGE AS AMENDED RECOMMENDED, Ayes 6, Noes 1

Elizabeth Novak
Committee Clerk

JACKET COPY

SENATE BILL 222

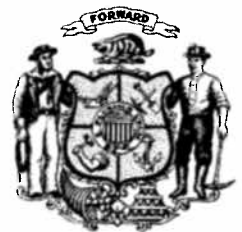
An Act to repeal 29.324 (1) (a) and 29.324 (2) (a); to renumber and amend 167.31 (2) (b); to consolidate, renumber and amend 29.324 (1) (intro.) and (b) and 29.324 (2) (intro.) and (b); to amend 29.324 (3); and to create 29.324 (2m) and 167.31 (2) (b) 3. of the statutes; relating to: group deer hunting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

Introduced on 26-MAY-2009.

Introduced by Senators **Decker, Holperin, Hansen, Hopper** and **Taylor**; cosponsored by Representatives **Jorgensen, Petrowski, Spanbauer** and **Zigmunt**.



WISCONSIN STATE LEGISLATURE





WISCONSIN LEGISLATIVE COUNCIL

*Terry C. Anderson, Director
Laura D. Rose, Deputy Director*

TO: MEMBERS OF THE SENATE COMMITTEE ON TRANSPORTATION, TOURISM,
FORESTRY, AND NATURAL RESOURCES

FROM: Larry Konopacki, Staff Attorney

RE: Senate Substitute Amendment __ to 2009 Senate Bill 222 (LRBs0276/1)

DATE: February 10, 2010

Senate Substitute Amendment __ to 2009 Senate Bill 222 (LRBs0276/1) would do all of the following:

Group Deer Hunting

- Eliminate the requirement that members of a group deer hunting party must be in voice or visual contact.
- Extend the time in which a group member may tag a deer to within one hour of the kill.
- Eliminate the requirement that the hunter that kills a deer may not leave it unattended between the time of the kill and the time that another member of the hunting group tags the deer.
- Require the person who kills the deer to contact the person in the group deer hunting party who will tag the deer as soon as is practicable.
- Allow a deer to be field dressed before being tagged by a group member.

Unencased Firearms, Bows, and Crossbows

- Bows and crossbows: Remove the restriction that a bow or crossbow that is not unstrung must be encased to be in or on a stationary or moving vehicle, as long as the bow or crossbow is not armed with an arrow or bolt.

- Firearms in stationary, unoccupied vehicles: Allow the placement of an unencased, unloaded firearm in or on a stationary, unoccupied vehicle if the firearm is, and was manufactured to be, at least 26" in length.
- Firearms transported in vehicles: Allow the transport of an unloaded, unencased firearm in or on a vehicle if:
 - The firearm is, and was manufactured to be, at least 26" in length.
 - The transport occurs during an open hunting season in which the person transporting the firearm is licensed to hunt, and the firearm transported is authorized for use in that hunting season.
 - The transport occurs no earlier than 60 minutes before sunrise no later than 60 minutes after sunset.
 - The transport occurs only while travelling to or from a site the person intends to hunt or has lawfully hunted that day.
 - Except during the regular nine-day regular deer firearm season, the firearm is in the bed of a pickup truck that contains no passengers, in the closed trunk of a vehicle, or if the vehicle does not have a trunk, in the rearmost area of a vehicle that is not used, or intended to be used, for seating.
- These exemptions for unencased firearms would not apply on school grounds.
- These exemptions for unencased firearms, bows, and crossbows would apply to all-terrain vehicles and snowmobiles.

If you have any questions, please feel free to contact me directly at the Legislative Council staff offices.

LAK:ksm





SB 222
folder

NATIONAL CONFERENCE of STATE LEGISLATURES

The Forum for America's Ideas

7700 East First Place Denver, CO 80230
phone (303) 364-7700 fax (303) 364-7800
www.ncsl.org

MEMORANDUM

TO: Patrick Walsh – Wisconsin State Senate

FROM: Jennifer A.D. Smith – Policy Specialist – National Conference of State Legislatures

DATE: 13 December 2004

RE: Casing of Guns and Bows

Please find following states that require guns and bows to be cased when transported. If you have any questions, or should you need any additional information, please feel free to contact me at 303.856.1379 or at jennifer.smith@ncsl.org.

Colo. Rev. Stat. Ann. §33-14-117

Hunting, carrying weapons on snowmobiles – prohibitions.

(1) It is unlawful for any person to:

- (a) Hunt any wildlife from a snowmobile;
- (b) Operate or ride on any snowmobile with any firearm in his possession, unless such firearm is unloaded and enclosed in a carrying case or inserted in a scabbard, or with any bow unless it is unstrung or cased, but this paragraph (b) shall not apply to any person to whom the division of wildlife has issued a permit for the control of predators such as coyotes, foxes, bobcats, and the like;
- (c) Pursue, drive, or otherwise intentionally disturb or harass any wildlife by use of a snowmobile, but this paragraph (c) shall not prevent any person from using a snowmobile to protect his crops and other property.

(2) Permits to use snowmobiles for the control of predators such as coyotes, foxes, bobcats, and the like may be issued by the division of wildlife or its district wildlife managers at no charge to persons applying therefor whose purpose is to protect livestock and other wildlife. A notice of issuance of any such permit shall be given to the division by the division of wildlife.

(3) Any person who violates subsection (1) of this section is guilty of a class 2 petty offense and, upon conviction, shall be punished by a fine as follows:

- (a) For a violation of paragraph (a) of subsection (1) of this section, two hundred dollars;
- (b) For a violation of paragraph (b) of subsection (1) of this section, fifty dollars; and

(c) For a violation of paragraph (c) of subsection (1) of this section, two hundred dollars.

Hi. Rev. Stat. Ann. §134-6

Carrying or use of firearm in the commission of a separate felony; place to keep firearms; loaded firearms; penalty.

(a) It shall be unlawful for a person to knowingly carry on the person or have within the person's immediate control or intentionally use or threaten to use a firearm while engaged in the commission of a separate felony, whether the firearm was loaded or not, and whether operable or not; provided that a person shall not be prosecuted under this subsection where the separate felony is:

(1) A felony offense otherwise defined by this chapter;

(2) The felony offense of reckless endangering in the first degree under section 707-713;

(3) The felony offense of terroristic threatening in the first degree under section 707-716(1)(a), 707-716(1)(b), and 707-716(1)(d); or

(4) The felony offenses of criminal property damage in the first degree under section 708-820 and criminal property damage in the second degree under section 708-821 and the firearm is the instrument or means by which the property damage is caused.

(b) It shall be unlawful for a person to knowingly possess a firearm with the intent to facilitate the commission of a felony offense involving the distribution of a controlled substance, whether the firearm was loaded or not, and whether operable or not.

(c) Except as provided in sections 134-5 and 134-9, all firearms and ammunition shall be confined to the possessor's place of business, residence, or sojourn; provided that it shall be lawful to carry unloaded firearms or ammunition or both in an enclosed container from the place of purchase to the purchaser's place of business, residence, or sojourn, or between these places upon change of place of business, residence, or sojourn, or between these places and the following: a place of repair; a target range; a licensed dealer's place of business; an organized, scheduled firearms show or exhibit; a place of formal hunter or firearm use training or instruction; or a police station. "Enclosed container" means a rigidly constructed receptacle, or a commercially manufactured gun case, or the equivalent thereof that completely encloses the firearm.

(d) It shall be unlawful for any person on any public highway to carry on the person, or to have in the person's possession, or to carry in a vehicle any firearm loaded with ammunition; provided that this subsection shall not apply to any person who has in the person's possession or carries a pistol or revolver and ammunition therefor in accordance with a license issued as provided in section 134-9.

(e) Any person violating subsection (a) or (b) shall be guilty of a class A felony. Any person violating this section by carrying or possessing a loaded firearm or by carrying or possessing a loaded or unloaded pistol or revolver without a license issued as provided in section 134-9 shall be guilty of a class B felony. Any person violating this section by carrying or possessing an unloaded firearm, other than a pistol or revolver, shall be guilty of a class C felony.

A conviction and sentence under subsection (a) or (b) shall be in addition to and not in lieu of any conviction and sentence for the separate felony; provided that the sentence imposed under subsection (a) or (b) may run concurrently or consecutively with the sentence for the separate felony.

(f) Any vehicle used in the commission of an offense under subsection (d) shall be forfeited to the State, subject to the notice and hearing requirements of chapter 712A.

(g) For the purposes of this section:

"Controlled substance" shall be as defined in section 329-1.

"Distribution" means the selling, transferring, prescribing, giving or delivering to another, or the leaving, bartering, or exchanging with another, or the offering or agreeing to do the same.

Colo. Rev. Stat. Ann. §33-14-117

Hunting, carrying weapons on snowmobiles – prohibitions.

(1) It is unlawful for any person to:

(a) Hunt any wildlife from a snowmobile;

(b) Operate or ride on any snowmobile with any firearm in his possession, unless such firearm is unloaded and enclosed in a carrying case or inserted in a scabbard, or with any bow unless it is unstrung or cased, but this paragraph (b) shall not apply to any person to whom the division of wildlife has issued a permit for the control of predators such as coyotes, foxes, bobcats, and the like; ...

Ill. Comp. Stat. Ann. ch. 625, §40/5-6

Other Prohibition.

A. No person, except persons permitted by law, shall operate or ride any snowmobile with any firearm in his possession unless it is unloaded and enclosed in a carrying case, or any bow unless it is unstrung in a carrying case.

B. No person shall operate any snowmobile emitting pollutants in accordance with standards established pursuant to the Environmental Protection Act.

C. No person shall deposit from a snowmobile on the snow, ice, or ground surface, trash, glass, garbage, insoluble material, or other offensive matter.

D. No person shall use a snowmobile to take, pursue or intentionally harass or disturb wildlife as defined in Section 1.2t of the Wildlife Code, except such restriction shall not apply to any person acting to protect livestock from predatory animals.

(Source: P.A. 82-629.)

Mich. Comp. Laws Ann. §324.40111

Taking animal from in or upon vehicle; transporting or possessing firearm in or upon vehicle; transporting bow in or upon vehicle; written permission to hunt or discharge firearm.

(1) Except as otherwise provided in this part or in a department order authorized under section 40107, a person shall not take an animal from in or upon a vehicle.

(2) Except as otherwise provided in this part or in a department order authorized under section 40107, a person shall not transport or have in possession a firearm in or upon a vehicle, unless the firearm is unloaded in both barrel and magazine and enclosed in a case, carried in the trunk of a vehicle, or unloaded in a motorized boat.

(3) Except as otherwise provided in this part, a person shall not transport or have in possession a bow in or upon a vehicle, unless the bow is unstrung, enclosed in a case, or carried in the trunk of a vehicle.

(4) A person shall not hunt or discharge a firearm within 150 yards of an occupied building, dwelling, house, residence, or cabin, or any barn or other building used in connection with a farm operation, without obtaining the written permission of the owner, renter, or occupant of the property.

History: Add. 1995, Act 57, Imd. Eff. May 24, 1995

Popular Name: Act 451

Mich. Comp. Laws Ann. §324.43513

Carrying, transporting, or possessing firearm, bow and arrow, or crossbow, without hunting license; carrying or possessing unloaded weapon.

(1) A person may carry, transport, or possess a firearm, a bow and arrow, or a crossbow without a hunting license while at or going to and from a recognized rifle or target range, trap, or skeet shooting ground, or archery range if the firearm or bow and arrow or crossbow, while being carried or transported, is as follows:

(a) The firearm is unloaded in both barrel and magazine and either enclosed in a case or carried in the trunk of a vehicle.

(b) The bow or crossbow is unstrung, enclosed in a case, or carried in the trunk of a vehicle.

(2) Regardless of whether the person has a license or it is open season for the taking of game, a person may carry, transport, possess or discharge a firearm, a bow and arrow, or a crossbow if all of the following apply:

(a) The person is not taking or attempting to take game but is engaged in 1 or more of the following activities:

(i) Target practice using an identifiable, artificially constructed target or targets.

(ii) Practice with silhouettes, plinking, skeet, or trap.

(iii) Sighting-in the firearm, bow and arrow, or crossbow.

(b) The person is, or is accompanied by or has the permission of, either of the following:

(i) The owner of the property on which the activity under subdivision (a)(i), (ii), or (iii) is taking place.

(ii) The lessee of that property for a term of not less than 1 year.

(c) The owner or lessee of the property does not receive remuneration for the activity under subdivision (a)(i), (ii), or (iii).

(3) A person may carry or possess an unloaded weapon at any time if the person is traveling to or from or participating in an historical reenactment.

History: Add. 1995, Act 57, Imd. Eff. May 24, 1995 ;-- Am. 1996, Act 585, Eff. Mar. 1, 1997 ;-- Am. 1998, Act 129, Eff. Mar. 23, 1999

Popular Name: Act 451

Minn. Stat. §97B.045

Transportation of firearms.

Subdivision 1. Restrictions. A person may not transport a firearm in a motor vehicle unless the firearm is:

(1) unloaded and in a gun case expressly made to contain a firearm, and the case fully encloses the firearm by being zipped, snapped, buckled, tied, or otherwise fastened, and without any portion of the firearm exposed;

(2) unloaded and in the closed trunk of a motor vehicle; or

(3) a handgun carried in compliance with sections 624.714 and 624.715.

Subd. 2. Exception for disabled persons. The restrictions in subdivision 1 do not apply to a disabled person if:

(1) the person possesses a permit under section 97B.055, subdivision 3;

(2) the person is participating in a hunt sponsored by a nonprofit organization under a permit from the commissioner or is hunting on property owned or leased by the person; and

(3) the firearm is not loaded in the chamber until the vehicle is stationary, or is a hinge action firearm with the action open until the vehicle is stationary.

HIST: 1986 c 386 art 2 s 10; 1993 c 269 s 12

Minn. Stat. §97B.051

Transportation of archery bows.

Except as specified under section 97B.055, subdivision 2, a person may not transport an archery bow in a motor vehicle unless the bow is:

- (1) unstrung;
- (2) completely contained in a case; or
- (3) in the closed trunk or rear-most enclosed portion of a motor vehicle that is not accessible

from the passenger compartment.

HIST: 1986 c 386 art 2 s 11; 2000 c 428 s 1; 2000 c 473 s 8

Neb. Rev. Stat. Ann. §60-6,342

Snowmobiles; carrying firearms; hunting; unlawful.

It shall be unlawful for any person to shoot, take, hunt, or kill or attempt to shoot, take, hunt, or kill any wild animal or bird from or with a snowmobile or for any person to carry or possess any shotgun or rimfire rifle while operating or riding on a snowmobile, or for any person to carry or possess any firearm, bow and arrow, or other projectile device on a snowmobile unless such bow and arrow or projectile device is enclosed in a carrying case or such firearm is unloaded and enclosed in a carrying case.

W. Va. Code Ann. §20-2-5

Unlawful methods of hunting and fishing and other unlawful acts.

Except as authorized by the director, it is unlawful at any time for any person to:

... (9) Have in his or her possession a loaded firearm or a firearm from the magazine of which all shells and cartridges have not been removed, in or on any vehicle or conveyance, or its attachments, within the state, except as may otherwise be provided by law or regulation. Except as hereinafter provided, between five o'clock postmeridian of one day and seven o'clock antemeridian, eastern standard time of the day following, any unloaded firearm, being lawfully carried in accordance with the foregoing provisions, shall be so carried only when in a case or taken apart and securely wrapped. During the period from the first day of July to the thirtieth day of September, inclusive, of each year, the foregoing requirements relative to carrying certain unloaded firearms are permissible only from eight-thirty o'clock postmeridian to five o'clock antemeridian, eastern standard time: Provided, That the time periods for carrying unloaded and uncased firearms are extended for one hour after the postmeridian times and one hour before the antemeridian times established above if a hunter is preparing to or in the process of transporting or transferring the firearms to or from a hunting site, campsite, home or other place of abode; ...

Wis. Stat. Ann. §167.31

Safe use and transportation of firearms and bows.

... (2) Prohibitions; motorboats and vehicles; highways and roadways.

(a) Except as provided in sub. (4), no person may place, possess or transport a firearm, bow or crossbow in or on a motorboat with the motor running, unless the firearm is unloaded or unless the bow or crossbow is unstrung or is enclosed in a carrying case.

(b) Except as provided in sub. (4), no person may place, possess or transport a firearm, bow or crossbow in or on a vehicle, unless the firearm is unloaded and encased or unless the bow or crossbow is unstrung or is enclosed in a carrying case.

(c) Except as provided in sub. (4), no person may load or discharge a firearm or shoot a bolt or an arrow from a bow or crossbow in or from a vehicle.

(d) Except as provided in sub. (4) (a), (bg), (cg), (e), and (g), no person may discharge a firearm or shoot a bolt or an arrow from a bow or crossbow from or across a highway or within 50 feet of the center of a roadway.

(e) A person who violates pars. (a) to (d) is subject to a forfeiture of not more than \$100.

(3) Prohibitions; aircraft.

(a) Except as provided in sub. (4), no person may place, possess or transport a firearm, bow or crossbow in or on an aircraft, unless the firearm is unloaded and encased or unless the bow or crossbow is unstrung or is enclosed in a carrying case.

(b) Except as provided in sub. (4), no person may load or discharge a firearm or shoot a bolt or an arrow from a bow or crossbow in or from an aircraft.

(c) A person who violates par. (a) or (b) shall be fined not more than \$1,000 or imprisoned not more than 90 days or both.

(4) Exceptions.

(a) Subsections (2) and (3) do not apply to any of the following who, in the line of duty, place, possess, transport, load or discharge a firearm in, on or from a vehicle, motorboat or aircraft or discharge a firearm from or across a highway or within 50 feet of the center of a roadway:





2009 BILL 222

w/notes

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 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

2

BILL

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.

③ This bill also expands the exceptions 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 eliminates the requirement that an unloaded firearm placed in a vehicle be in a case. The bill also provides that the prohibitions 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 against shooting a firearm, bolt, or arrow from a vehicle.

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

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:

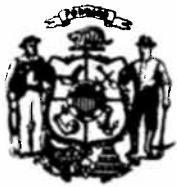
11 29.324 (3) A person who kills a deer under sub. (2) or (2m) shall ~~ensure that~~
12 inform a member of his or her group deer hunting party ~~without delay of the kill and~~
13 shall ensure that the member attaches -a- his or her current validated deer carcass
14 tag to the deer in the manner specified 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 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.



URS

**SENATE SUBSTITUTE AMENDMENT ,
TO 2009 SENATE BILL 222**

w/Notes

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

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

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

8 29.324 (2) Any member of a group deer hunting party may kill a deer for
9 another member of the group deer hunting party if both of the following conditions
10 exist: (b) ~~The~~ the person for whom the deer is killed possesses a current unused deer
11 carcass tag which is authorized for use on the deer killed.

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

(b) also?

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

2 29.324 (3) A person who kills a deer under sub. (2) shall ensure ~~that a~~ inform
3 the member of his or her group deer hunting party without delay attaches a for whom
4 the deer was killed of the kill. The member of the group deer hunting party for whom
5 the deer was killed shall attach his or her current validated deer carcass tag to the
6 deer in the manner specified under s. 29.347 (2) within 15 minutes after the deer is
7 killed. The person who kills the deer may not leave the deer unattended until after
8 it is tagged.

?
30?

9 SECTION 4. 167.31 (4) (bh) of the statutes is created to read:

10 167.31 (4) (bh) Subsection (2) (b) does not prohibit a person who is legally
11 hunting from placing, ^{OR} possessing, ~~or transporting~~ an unloaded and unencased
12 firearm in or on a vehicle if all of the following apply:

- 13 1. The vehicle is parked more than 50 feet from the center of a roadway.
- 14 2. The vehicle is not parked on a street.

15 SECTION 5. 167.31 (4) (bj) of the statutes is created to read:

16 167.31 (4) (bj) Subsection (2) (b) does not prohibit a person from placing,
17 possessing, or transporting an unloaded and unencased firearm in the closed trunk
18 of a vehicle or in the unoccupied bed of a pickup truck.

19 SECTION 6. 167.31 (4) (bm) of the statutes is created to read:

20 167.31 (4) (bm) Subsection (2) (b) does not apply to a person who places,
21 possesses, or transports a firearm, bow, or crossbow in or on a vehicle if all of the
22 following conditions are met:

- 23 1. The person is legally hunting.
- 24 2. The vehicle does not have a motor.

Combine 2+3

1 3. The vehicle is not attached to a vehicle that has a motor or is attached to an
2 unoccupied vehicle that has a motor.

3 { 4. The vehicle is parked on private property.

4 { 5. The vehicle is located more than 50 feet from the center of any roadway.

5 (END)

167.31 (2)(^c ~~b~~) needs to be modified too...