

SENATE BILL 75 (LRB -1821)

An Act to create 29.016 of the statutes; relating to: prohibiting the Department of Natural Resources from establishing certain restrictions on hunting antlered deer and regulating the establishment of fall open seasons for hunting deer with firearms. (FE) 2011

04-27. S. Introduced by Senators **Moulton, Kedzie, Cowles, S. Fitzgerald, Galloway, Harsdorf, Lasee, Hopper, Olsen, Grothman and Kapanke**; cosponsored by Representatives **Tiffany, Mursau, Bernier, Endsley, Jacque, Kerkman, Kestell, Kleefisch, Krug, T. Larson, Litjens, Nygren, J. Ott, Petryk, Pridemore, Rivard, Severson, Spanbauer and Steinbrink**.

04-27. S. Read first time and referred to committee on Natural Resources and Environment 239

05-04. S. Fiscal estimate received.

05-05. S. Public hearing held.

05-11. S. Executive action taken.

05-11. S. Report passage recommended by committee on Natural Resources and Environment, Ayes 6, Noes 1 267

05-11. S. Available for scheduling.

05-13. S. Senator Wanggaard added as a coauthor 276

05-16. S. Placed on calendar 5-17-2011 pursuant to Senate Rule 18(1) 280

05-17. S. Read a second time 286

05-17. S. Ordered to a third reading 286

05-17. S. Rules suspended 286

05-17. S. Read a third time and **passed** 286

05-17. S. Ordered immediately messaged 286

05-17. A. Received from Senate 339

05-17. A. Read first time and referred to committee on Natural Resources 339

06-21. A. Executive action taken.

08-02. A. Report concurrence recommended by committee on Natural Resources, Ayes 10, Noes 5 470

08-02. A. Referred to committee on Rules 470

10-12. A. Placed on calendar 10-18-2011 by committee on Rules.

10-18. A. Rules suspended to withdraw from calendar and take up 569

10-18. A. Read a second time 569

10-18. A. Assembly amendment 1 offered by Representatives Clark, Milroy, Molepske Jr, Hulseby and Roys (**LRB a1661**) 569

10-18. A. Assembly amendment 1 laid on table, Ayes 62, Noes 35 569

10-18. A. Assembly amendment 2 offered by Representatives Clark, Milroy, Molepske Jr and Hulseby (**LRB a1662**) 570

10-18. A. Assembly amendment 2 laid on table, Ayes 59, Noes 38 570

10-18. A. Assembly amendment 3 offered by Representatives Roys, Clark, Bewley, Danou, Bernard Schaber, Vruwink and Seidel (**LRB a1647**) 570

10-18. A. Assembly amendment 3 laid on table, Ayes 61, Noes 36 570

10-18. A. Ordered to a third reading 570

10-18. A. Rules suspended 570

10-18. A. Read a third time and **concurred in**, Ayes 64, Noes 33 570

10-18. A. Ordered immediately messaged 571

10-19. S. Received from Assembly concurred in.

SB

**2011
ENROLLED BILL**

11en S B-75

ADOPTED DOCUMENTS:

Orig **Engr** **SubAmdt**

11-1821/1

Amendments to above (if none, write "NONE"): None

Corrections - show date (if none, write "NONE"): None

Topic Rel

10-19-11
Date

JR Miller
Enrolling Drafter



State of Wisconsin
2011 - 2012 LEGISLATURE



LRB-1821/1
RNK:jld:md

2011 SENATE BILL 75

April 27, 2011 - Introduced by Senators MOULTON, KEDZIE, COWLES, S. FITZGERALD, GALLOWAY, HARSDORF, LASEE, HOPPER, OLSEN, GROTHMAN and KAPANKE, cosponsored by Representatives TIFFANY, MURSAU, BERNIER, ENDSLEY, JACQUE, KERKMAN, KESTELL, KLEEFISCH, KRUG, T. LARSON, LITJENS, NYGREN, J. OTT, PETRYK, PRIDEMORE, RIVARD, SEVERSON, SPANBAUER and STEINBRINK. Referred to Committee on Natural Resources and Environment.

1 **AN ACT to create** 29.016 of the statutes; **relating to:** prohibiting the Department
2 of Natural Resources from establishing certain restrictions on hunting antlered
3 deer and regulating the establishment of fall open seasons for hunting deer
4 with firearms.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Natural Resources (DNR) is required to establish open and closed seasons for fish and game and to establish conditions that conserve the fish and game supply and that ensure opportunities for good fishing, hunting, and trapping. Current law authorizes DNR to exercise this authority for the entire state, for any specified county, or for any lake or stream.

This bill prohibits DNR from requiring a person who holds a deer hunting license to kill an antlerless deer before killing the person's first antlered deer under that license. It also places restrictions on DNR's authority to establish open seasons for hunting deer with firearms (deer firearm season). The bill generally prohibits DNR from establishing a fall deer firearm season that begins before the Saturday immediately preceding the fourth Thursday in November (early season). Under the bill, the prohibition does not apply if DNR promulgates a rule that limits hunting during the early season to certain groups of people, including persons who are under 16 years of age or persons who are learning to hunt. The prohibition also does not apply if DNR establishes the early season because the early season is necessary to control the spread of chronic wasting disease or other disease in deer, the early season is limited to hunting only antlerless deer, the closing date for the early season

SENATE BILL 75

is on or before October 15, and the rule authorizing the early season expires 270 days after the effective date of the rule.

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.** 29.016 of the statutes is created to read:

2 **29.016 Department authority; deer hunting seasons and license**
3 **restrictions.** (1) The department may not do any of the following:

4 (a) Require a person who holds a license that authorizes the hunting of deer to
5 take an antlerless deer before the person may take the person's first antlered deer
6 under that license.

7 (b) Except as provided in sub. (2), establish a fall open season for hunting deer
8 with firearms that begins before the Saturday immediately preceding the 4th
9 Thursday in November.

10 (2) Subsection (1) (b) does not prohibit the department from promulgating a
11 rule that establishes a fall open season for hunting deer with firearms that begins
12 before the Saturday immediately preceding the 4th Thursday in November if any of
13 the following applies:

14 (a) The department limits the open season to hunting deer by any of the
15 following persons:

- 16 1. Persons who are under 16 years of age.
- 17 2. Persons who hold a Class A, Class B, or Class C permit under s. 29.193 (2).
- 18 3. Persons who are learning to hunt.

