

2013 DRAFTING REQUEST

Bill

Received: 5/29/2013 Received By: rkite
Wanted: As time permits Same as LRB:
For: Neal Kedzie (608) 266-2635 By/Representing: Dan Johnson
May Contact: Drafter: rkite
Subject: Nat. Res. - fish and game Addl. Drafters:
Extra Copies:

Submit via email: YES
Requester's email: Sen.Kedzie@legis.wisconsin.gov
Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Ordinances regulating hunting with a bow or crossbow

Instructions:

Same as 2013 AB 8; incorporate AA 1 and AA 3

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 5/29/2013	wjackson 6/3/2013	phenry 6/3/2013	_____			
/1				_____	sbasford 6/3/2013	sbasford 6/3/2013	

FE Sent For:

↳ Not Needed

<END>

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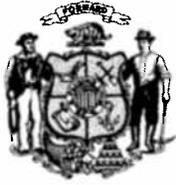
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/?	rkite	1 wlj 6/3	6/3 ph	JK ph			

FE Sent For:

<END>

Wanted Mon. 6/3



State of Wisconsin
2013 - 2014 LEGISLATURE



Run not run
2472/11

LRB-0582/19

RNK:wjl:rs

stays

2013 ASSEMBLY BILL 8

In 5/29

February 1, 2013 - Introduced by Representatives KLEEFISCH and T. LABSON, cosponsored by Senators KEDZIE and S. FITZGERALD. Referred to Committee on Natural Resources and Sporting Heritage.

regener. cat

1 AN ACT to renumber and amend 29.038 (3); to amend 29.301 (1) (b) and 29.301
2 (1) (c); and to create 29.038 (3) (b) of the statutes; relating to: restrictions on
3 hunting within a specified distance of hospitals, sanatoriums, or school grounds
4 and restrictions imposed by local governmental units on hunting with a bow
5 and arrow or crossbow.

Analysis by the Legislative Reference Bureau

Current law generally prohibits a local governmental unit from enacting or adopting any ordinance or restriction (restriction) that regulates hunting, fishing, trapping, or management of wild animals except on land the local governmental unit owns or leases or unless state law specifically authorizes the local governmental unit to enact or adopt such restriction. Current statutes also specify that a local governmental unit may enact or adopt a restriction that has an incidental effect on hunting, fishing, or trapping, but only if the primary purpose is to further public health or safety.

This bill provides, with an exception, ^{exceptions} that a local governmental unit may not enact or adopt a restriction that prohibits hunting with a bow and arrow or crossbow within the jurisdiction of that local governmental unit. Under ^{one} the exception provided in the bill, a local governmental unit may prohibit a person from hunting with a bow and arrow or crossbow within a specified distance, not to exceed 100 yards, of a building used for human occupancy that is located on another person's land. The bill specifies that the enacted or adopted restriction must provide that it does not apply

ASSEMBLY BILL 8

INS. Analysis

if the person who owns the land on which the building is located allows the hunter to hunt with a bow and arrow or crossbow within the specified distance of the building.

Under current law, no person may hunt within 1,700 feet of a hospital, sanatorium, or the grounds of a school. This bill specifies that this prohibition applies only to a person who is hunting with a firearm.

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

1 **SECTION 1.** 29.038 (3) of the statutes is renumbered 29.038 (3) (a) and amended
2 to read:

3 29.038 (3) (a) ~~A~~ Except as provided in par. (b), a local governmental unit may
4 enact an ordinance or adopt a regulation, resolution or other restriction that has an
5 incidental effect on hunting, fishing or trapping, but only if the primary purpose is
6 to further public health or safety.

7 **SECTION 2.** 29.038 (3) (b) of the statutes is created to read:

8 29.038 (3) (b) 1. In this paragraph:

9 a. "Building" means a permanent structure used for human occupancy and
10 includes a manufactured home, as defined in s. 101.91 (2).

11 b. "Restriction" means an ordinance, regulation, resolution, or other restriction
12 enacted or adopted by a local governmental unit.

13 2. Except as provided in subd. 3., a local governmental unit may not enact or
14 adopt a restriction that prohibits a person from hunting with a bow and arrow or
15 crossbow within the jurisdiction of that local governmental unit.

16 3. A local governmental unit may enact or adopt a restriction prohibiting a
17 person from hunting with a bow and arrow or crossbow within a specified distance,

18 not to exceed 100 yards, from a building located on another person's land. A
19 restriction enacted or adopted under this subdivision shall provide that the

INS. 2-17

subd. 3.a.

ASSEMBLY BILL 8

1 restriction does not apply if the person who owns the land on which the building is
2 located allows the hunter to hunt within the specified distance of the building.

3 **SECTION 3.** 29.301 (1) (b) of the statutes is amended to read:

4 29.301 ~~(1)~~ (b) No person may hunt with a firearm within 1,700 feet of any
5 hospital, sanatorium or the grounds of any school. The department may designate
6 the form for or furnish signs designating the restricted area. No person may be
7 convicted of a violation of this paragraph unless the restricted area is designated by
8 the signs.

9 **SECTION 4.** 29.301 (1) (c) of the statutes is amended to read:

10 29.301 ~~(1)~~ (c) Notwithstanding par. (b), this subsection does not prohibit
11 hunting with a firearm in a school forest if the school board allows hunting with a
12 firearm under s. 120.13 (38).

13 (END)

FWS.
3-12



State of Wisconsin
2013 - 2014 LEGISLATURE



LRBa0333/1
RNK:jld:rs

**ASSEMBLY AMENDMENT 3,
TO ASSEMBLY BILL 8**

INSERTS

May 2, 2013 - Offered by Representatives MILROY and KLEEFISCH.

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At the locations indicated, amend the bill as follows:

1. Page 2, line 16: delete lines 16 and 17 and substitute:

3. A local governmental unit may enact or adopt a restriction that does any of the following:

a. Prohibits a person from hunting with a bow and arrow or crossbow within a specified distance.

2. Page 2, line 19: delete "subdivision" and substitute "subd. 3. a.".

3. Page 3, line 2: after that line insert:

b. Requires a person who hunts with a bow and arrow or crossbow to discharge the arrow or bolt from the respective weapon toward the ground.

(END)

INS.
2-17

INS.
3-12

2013-2014 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2472/1ins.
RNK:.....

INSERT ANALYSIS

mod The bill also allows a local governmental unit to require a person who hunts with a bow and arrow or crossbow to discharge the arrow or bolt from the respective weapon toward the ground.

Rose, Stefanie

From: Johnson, Dan
Sent: Monday, June 03, 2013 9:26 AM
To: LRB.Legal
Subject: Draft Review: LRB -2472/1 Topic: Ordinances regulating hunting with a bow or crossbow

Please Jacket LRB -2472/1 for the SENATE.