#### 2019 DRAFTING REQUEST

Bill

For:

Rob Stafsholt (608) 266-7683

Drafter:

emueller

By:

Matthew

Secondary Drafters:

Date:

1/29/2019

May Contact:

Same as LRB:

Submit via email:

YES

Requester's email: Carbon copy (CC) to: Rep.Stafsholt@legis.wisconsin.gov

eric.mueller@legis.wisconsin.gov marc.shovers@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Prohibit local government from regulating certain firearm discharges

**Instructions:** 

Redraft 2017 LRB-5755/p2

**Drafting History:** 

Vers.	<u>Drafted</u>	Reviewed	Submitted	Jacketed	Required
/?	emueller 1/29/2019	anienaja 1/29/2019			
/P1			lparisi 1/29/2019		
/1	emueller 2/13/2019	anienaja 2/7/2019	dwalker 2/7/2019		
/2		anienaja 2/13/2019	mbarman 2/13/2019	mbarman 2/26/2019	

FE Sent For:

<**END**>

> Not Needed

#### Mueller, Eric

From: Sent:

Spencer, Matthew Tuesday, January 29, 2019 9:50 AM

To: Cc: Mueller, Eric

Subject:

Taylor, Chad 2017 LRB 5755/P2

Morning Eric,

Can I get a re-draft of LRB 5755. Sen. Craig will be taking the lead in the Senate. Chad Taylor from his office is CC'ed on this email.

Thanks,

**Matthew Spencer** Office of Representative Rob Stafsholt



# RESEARCH APPENDIX Drafting History Reproduction Request Form

Drafting Attorneys: Please complete form below and give to Mike Barman (lead PA).					
Requested by	GUM				
Date	1/29/19				
*Note: Except for companion bills, both drafts should have same requester.					
Ĭ	Please transfer the drafting file for:				
2017 LRB	5755	For Rep./Sen.	Stafshold		
To the drafting file for:					
2019 LRB	1760	For Rep./Sen.	Statshold		
OR					
	Please copy the drafting file for:		·		
2019 LRB	/	For Rep./Sen.	20		
And place it in the drafting file for:					
2019 LRB		For Rep./Sen.	A MA		
Companion bills?	☐ YES*	□ NO			
*If yes, the transfer or copy of the file was authorized by whom in the original requester's office?					

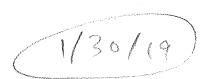


#### State of Misconsin 2017 - 2018 LEGISLATURE

LRB-5755/P2 1700/PEVM.cdc/amn/cjs

## PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION







- 1 AN ACT to renumber and amend 66.0409 (3) (b); and to create 66.0409 (3) (b)
- 3. of the statutes; **relating to:** local regulation of certain firearm discharges.

#### Analysis by the Legislative Reference Bureau

Under current law, no political subdivision may have more stringent regulation than is provided in state statutes of the sale, purchase, purchase delay, transfer, ownership, use, keeping, possession, bearing, transportation, licensing, permitting, registration, or taxation of a firearm. Current law also specifies that this limitation does not prohibit a municipality from restricting the discharge of a firearm.

Under this bill, a municipal restriction on the discharge of a firearm may not be enforced against a discharge of a firearm that involves the use of only blanks and that is part of a funeral for which military honors are provided or of military honors provided at a cemetery on Memorial Day or Veterans Day or at a veterans memorial site.

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

- 3 **Section 1.** 66.0409 (3) (b) of the statutes is renumbered 66.0409 (3) (b) 1. and
- 4 amended to read:

66.0409 (3) (b) 1. Nothing in this section prohibits a city, village or town that
is authorized to exercise village powers under s. 60.22 (3) from enacting an ordinance
or adopting a resolution that restricts the discharge of a firearm. Any
2. Notwithstanding subd. 1., any ordinance or resolution that restricts the
discharge of a firearm does not apply and may not be enforced if the actor's conduct
is justified or, had it been subject to a criminal penalty, would have been subject to
a defense described in s. 939.45.
SECTION 2. 66.0409 (3) (b) 3. of the statutes is created to read:
% 66.0409 (3) (b) 3. Notwithstanding subd. 1., any ordinance or resolution that
restricts the discharge of a firearm that involves the use of only blanks and that is
part of any of the following does not apply and may not be enforced:
a. A funeral for which military funeral honors are provided.
b. Military honors provided at a cemetery on Memorial Day or Veterans Day.
c. Military honors provided at a veterans memorial site.
(END)

#### Mueller, Eric

From:

Spencer, Matthew

Sent:

Wednesday, February 06, 2019 2:29 PM

To:

Mueller, Eric

Subject:

Re: Draft review: LRB -1700/P1

How about "local regulation of honorary military firearm discharges"

If that works, we'll take a /1.

Sent via the Samsung Galaxy S9+, an AT&T 4G LTE smartphone

----- Original message -----

From: "Mueller, Eric" < Eric. Mueller@legis.wisconsin.gov>

Date: 2/6/19 1:45 PM (GMT-06:00)

To: "Spencer, Matthew" < Matthew. Spencer@legis.wisconsin.gov>

Subject: RE: Draft review: LRB -1700/P1

Matthew,

Is "local regulation of honorary firearm discharges" okay for the title? I think mentioning local regulation provides a little more complete explanation of what the bill does.

If so, do you want a /p2 now or should I wait until you have other changes or are ready for an introducible version?

Eric Mueller

Attorney, Legislative Reference Bureau

Phone: (608)261-7032

eric.mueller@legis.wisconsin.gov

From: Spencer, Matthew < Matthew. Spencer@legis.wisconsin.gov>

Sent: Wednesday, February 06, 2019 9:55 AM

To: Mueller, Eric < Eric. Mueller@legis. wisconsin.gov>

Subject: FW: Draft review: LRB -1700/P1

Eric,

Is there any way we can change the relating to clause? Something like, Honorary firearm discharges. If you have questions, 7-9431

From: Rep.Stafsholt

Sent: Thursday, January 31, 2019 8:45 AM

To: Spencer, Matthew < Matthew.Spencer@legis.wisconsin.gov>

Subject: FW: Draft review: LRB -1700/P1

Sharlene Konkel

Legislative Assistant Representative Rob Stafsholt 29<sup>th</sup> Assembly District (608)266-7683

From: LRB.Legal < <a href="mailto:lrblegal@legis.wisconsin.gov">lrblegal@legis.wisconsin.gov</a> Sent: Tuesday, January 29, 2019 4:35 PM

**To:** Rep.Stafsholt < Rep.Stafsholt@legis.wisconsin.gov >

Subject: Draft review: LRB -1700/P1

Following is the PDF version of draft LRB -1700/P1.



1

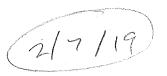
3

### State of Misconsin 2019 - 2020 LEGISLATURE

LRB-1700/P1 / ( EVM:amn



#### PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION



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3. of the statutes; relating to: local regulation of certain firearm discharges.

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- 4 amended to read:

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2	is authorized to exercise village powers under s. 60.22 (3) from enacting an ordinance
3	or adopting a resolution that restricts the discharge of a firearm. Any
4	2. Notwithstanding subd. 1., any ordinance or resolution that restricts the
5	discharge of a firearm does not apply and may not be enforced if the actor's conduct
6	is justified or, had it been subject to a criminal penalty, would have been subject to
7	a defense described in s. 939.45.
8	<b>Section 2.</b> 66.0409 (3) (b) 3. of the statutes is created to read:
9	66.0409 (3) (b) 3. Notwithstanding subd. 1., any ordinance or resolution that
10	restricts the discharge of a firearm that involves the use of only blanks and that is
11	part of any of the following does not apply and may not be enforced:
12	a. A funeral for which military funeral honors are provided.
13	b. Military honors provided at a cemetery on Memorial Day or Veterans Day.
14	c. Military honors provided at a veterans memorial site.
15	(END)

#### Mueller, Eric

From:

Taylor, Chad

Sent:

Tuesday, February 12, 2019 2:36 PM

To:

Spencer, Matthew; Mueller, Eric

Subject:

RE: Draft review: LRB -1700/P1

Eric:

Senator Craig agrees with Rep. Stafsholt and would like bill to include all funerals and events honoring:

- 1. Active/Retired/Deceased Military Service Members
- 2. Law Enforcement Officers
- 3. Professional Fire Fighters

If you have any questions or additional thoughts, please let us know. Thank you for all your assistance.

Regards,

Chad Taylor

Chad Taylor Office of State Senator David Craig 28<sup>th</sup> Senate District State of Wisconsin (608) 266-5400

From: Spencer, Matthew < Matthew. Spencer@legis.wisconsin.gov>

Sent: Tuesday, February 12, 2019 2:20 PM

**To:** Mueller, Eric <Eric.Mueller@legis.wisconsin.gov> **Cc:** Taylor, Chad <Chad.Taylor@legis.wisconsin.gov>

Subject: RE: Draft review: LRB -1700/P1

Eric,

I think we're going to be sending the bill jacket back to you. Can we get a /2 that includes Enforcement Officials, Fight Fighters, and Military personnel.

From: Spencer, Matthew < Matthew. Spencer@legis.wisconsingov>

Sent: Wednesday, February 6, 2019 2:29 PM

To: Mueller, Eric < <a href="mailto:Eric.Mueller@legis.wisconsin.gov">Eric.Mueller@legis.wisconsin.gov</a>

Subject: Re: Draft review: LRB -1700/P1

How about "local regulation of honorary military firearm discharges"

If that works, we'll take a /1.

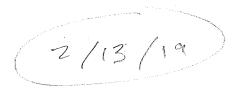


### State of Misconsin 2019 - 2020 LEGISLATURE

LRB-1700/1) /2 EVM:amn



#### **2019 BILL**



- AN  $\operatorname{ACT}$  to renumber and amend 66.0409 (3) (b); and to create 66.0409 (3) (b)
- 3. of the statutes; **relating to:** local regulation of honorary military firearm discharges.

#### Analysis by the Legislative Reference Bureau

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

**SECTION 1.** 66.0409 (3) (b) of the statutes is renumbered 66.0409 (3) (b) 1. and

amended to read:

Correct of former

Correct of former

An event honoring a member as the military

law enforcement officer for fire fights

Fire Fighter.

#### BILL

1	66.0409 (3) (b) 1. Nothing in this section prohibits a city, village or town that				
2	is authorized to exercise village powers under s. $60.22(3)$ from enacting an ordinance				
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12	a. A funeral for which military funeral honors are provided.				
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14	c. Military honors provided at a veterans memorial site.				
15	(END)				
	content former				
	An event including a Funered, hovering of member				
	of the notitions for the contract of the				
	of the natitions, law enforcement offices, or professional				

#### Barman, Mike

From:

Spencer, Matthew

Sent:

Tuesday, February 26, 2019 10:53 AM

To:

LRB.Legal

Subject:

Draft Review: LRB -1700/2

Please Jacket LRB -1700/2 for the ASSEMBLY.