

1999 DRAFTING REQUEST

Bill

Received: **09/8/98**

Received By: **gibsom**

Wanted: **As time permits**

Identical to LRB:

For: **Frank Boyle (608) 266-0640**

By/Representing: **Mary Lou**

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

Drafter: **gibsom**

May Contact:

Alt. Drafters:

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

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Ban on hunting bear with dogs

Instructions:

Same as 97-0453 (AB 182) but note that there have been changes in the bear hunting permit provisions

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>
/1	gibsom 09/8/98	gilfokm 10/30/98	hhagen 10/30/98	_____	lrb_docadmin 10/30/98		State
/2	gibsom 11/2/98	chanaman 11/4/98	lpaasch 11/4/98	_____	lrb_docadmin 11/4/98	lrb_docadminState 02/11/99	

FE Sent For:

(2/16/99
/2)

<END>

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/?	gibsom		# 10/30	# 10/30			

FE Sent For:

<END>



1999 B50

KSJ+
PK

1997 ASSEMBLY BILL 182

March 13, 1997 - Introduced by Representatives BOYLE, NASS, R. YOUNG, GOETSCH and TRAVIS, cosponsored by Senator GROBSCHMIDT. Referred to Committee on Natural Resources.

INSERT ANL

dogs running bear and

re-gen cat

- 1 AN ACT to amend 29.03 (8) and 29.05 (8) (b); and to create 29.254 of the statutes;
- 2 relating to: prohibiting the use of dogs in the hunting of bear.

Analysis by the Legislative Reference Bureau

Under rules promulgated by the department of natural resources, a person hunting bear may use a group of up to 6 dogs to pursue bear. This bill prohibits the use of dogs to bear hunting and prohibits the training of hunting dogs for hunting bear. Current law authorizes a conservation warden to kill a dog found running deer if necessary to protect the deer from injury or death. This bill expands this authorization to cover a dog found running bear. The bill also makes a dog running bear a public nuisance, thereby giving the state, a local unit of government or a person the right to file suit to abate the nuisance.

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:

- 3 SECTION 1. 29.03 (8) of the statutes is amended to read:
- 4 29.03 (8) Any dog found running bear or deer, except farm-raised deer, at any
- 5 time, or used in violation of this chapter.

for hunting
that purpose

1 ~~SECTION 2. 29.05 (8) (b) of the statutes is amended to read.~~

2 29.05 (8) (b) Any perishable property seized by the department or its wardens
3 may be sold at the highest available price, and the proceeds of the sale turned into
4 court to await disposition of the proceeds as the court directs. A conservation warden
5 or other officers charged with the enforcement of the laws dealing with the
6 conservation of the natural resources of the state may kill a dog found running,
7 injuring, causing injury to, or killing any bear or deer, other than farm-raised deer,
8 or destroying game birds, their eggs or nests, if immediate action is necessary to
9 protect the bear or deer or game birds, their nests or eggs, from injury or death.

10 SECTION 3. 29.254 of the statutes is created to read:

~~INSERT 2-8~~

11 **29.254 Use of dogs for bear hunting.** No person may use dogs in the process
12 of hunting bear or train dogs to hunt bear.

INSERT 2-12

13 (END)

1999-2000 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0052/lins
MGG.....

including and prohibits the training of dogs for that purpose
may
INS 2 - 12

Under current law, a person holding a bear hunting license may use a dog to hunt bear or train a dog for that purpose. ~~This bill prohibits the use of dogs for hunting bear and their training for that purpose.~~

2.12

1 SECTION 1. 29.184 (1) of the statutes is amended to read: *INS 2 - 12*

2 29.184 (1) DEFINITION. Notwithstanding s. 29.001 (42), in this section "hunt
3 bear" means to shoot, shoot at, take, catch or kill a bear or pursue, ~~with or without~~
4 ~~the use of dogs,~~ a bear for the purpose of shooting, shooting at, taking, catching or
5 killing the bear.

6 rcHistory: 1985 a. 270; 1997 a. 1 ss. 57 to 74, 77; 1997 a. 27, 191; 1997 a. 248 ss. 255 to 269; Stats. 1997 s. 29.184; 1997 a. 249 ss. 28 to 32; s. 13.93 (2) (c).

7 SECTION 2. 29.184 (2) (a) of the statutes is renumbered 29.184 (2).

8 SECTION 3. 29.184 (2) (b) of the statutes is repealed.

9 SECTION 4. 29.184 (3) (a) 4. of the statutes is repealed.

10 SECTION 5. 29.184 (3) (br) 3. of the statutes is repealed.

11 SECTION 6. 29.184 (4) of the statutes is repealed.

12 SECTION 7. 29.184 (4m) of the statutes is created to read:

13 29.184 (4m) USE OF DOGS PROHIBITED. No person may use a dog to hunt bear
14 or train a dog to track bear, to trail bear or to otherwise engage in an activity that
15 contributes to locating bear.

16 SECTION 8. 29.184 (5) (a) of the statutes is amended to read:

17 29.184 (5) (a) A person under the age of 12 years may engage in the activities
18 authorized under sub. (3) (br) 1. ~~to 2.~~ *and 2.* without holding a Class B bear license.

19 rcHistory: 1985 a. 270; 1997 a. 1 ss. 57 to 74, 77; 1997 a. 27, 191; 1997 a. 248 ss. 255 to 269; Stats. 1997 s. 29.184; 1997 a. 249 ss. 28 to 32; s. 13.93 (2) (c)

20 SECTION 9. 29.184 (5) (b) of the statutes is amended to read:

21 29.184 (5) (b) If a disabled person holds either a Class A or a Class B bear
22 license, a person who accompanies and assists the disabled person may engage in the

*Ins 2-12
contd*

(3) (br) Land 2.

1 activities authorized under sub. (2) (br) 1. to 3. ~~(3) (br) 1. to 3.~~ without holding
2 a Class B bear license.

NOTE: NOTE: The correct cross-reference is shown in brackets. Corrective legislation is pending. NOTE:

rcHistory: 1985 a. 270; 1997 a. 1 ss. 57 to 74, 77; 1997 a. 27, 191; 1997 a. 248 ss. 255 to 269; Stats. 1997 s. 29.184; 1997 a. 249 ss. 28 to 32; s. 13.93 (2) (c).

3 **SECTION 10. 29.184 (9) (b) of the statutes is amended to read:**

4 29.184 (9) (b) No person may hunt bear or engage in the activity specified in
5 sub. (3) (br) 1. ^{plain space} ~~or~~ ^{Land 2.} unless there is attached to the center of the person's coat, shirt,
6 jacket or similar outermost garment where it can clearly be seen the back tag issued
7 to the person under par. (a).

rcHistory: 1985 a. 270; 1997 a. 1 ss. 57 to 74, 77; 1997 a. 27, 191; 1997 a. 248 ss. 255 to 269; Stats. 1997 s. 29.184; 1997 a. 249 ss. 28 to 32; s. 13.93 (2) (c)

8 **SECTION 11. 29.921 (7) of the statutes is amended to read:**

9 29.921 (7) DOGS INJURING WILDLIFE. A warden may kill a dog found running,
10 injuring, causing injury to, or killing, any ^{bear or} deer, other than farm-raised deer, or
11 destroying game birds, their eggs or nests, if immediate action is necessary to protect
12 the ^{bear or} deer or game birds, ^{or} their nests or eggs, from injury or death.

rcHistory: 1997 a. 248 ss. 98 to 102, 708 to 710.

13 **SECTION 12. 29.927 (8) of the statutes is amended to read:**

14 29.927 (8) Any dog found running ^{bear or} deer, except farm-raised deer, at any time,
15 or used in violation of this chapter.

rcHistory: 1977 c. 443; 1983 a. 192 s. 303 (6); 1985 a. 36, 1993 a. 169; 1995 a. 79; 1997 a. 248 s. 93; Stats. 1997 s. 29.927.

16 **SECTION 13. 29.971 (11m) (b) of the statutes is amended to read:**

17 29.971 (11m) (b) Except as provided under par. (a), for the violation of any
18 provision of this chapter or any relating to bear hunting, to the activities specified
19 in s. 29.184 (3) (br) 1. to 3. ^{and 2.} ~~or~~ or to the validation of a bear carcass tag or registration
20 of a bear, by a forfeiture of not more than \$1,000.

rcHistory: 1975 c. 365 ss. 45, 50; 1979 c. 34, 150, 175, 190, 355; 1981 c. 20, 236, 243, 391; 1983 a. 27; 1983 a. 80 s. 9; 1983 a. 114 s. 9; 1983 a. 192, 209, 419, 520, 538, 1985 a. 29, 36, 270, 271, 272, 289, 332; 1987 a. 379; 1989 a. 190, 336; 1991 a. 39, 269; 1993 a. 137; 1995 a. 59, 79; 1997 a. 1, 27; 1997 a. 248 ss. 714 to 722, Stats. 1997 s. 29.971; 1997 a. 283 ss. 20 to 23; s. 13.93 (2) (c).

21 **SECTION 14. 29.971 (11m) (c) of the statutes is ~~amended to read.~~**

RP;

(end of ins. 2-12)

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1

1 **29.971 (11m) (c)** Any person who is convicted of hunting bear or engaging in
2 any of the activities under s. 29.184 (3) (br) with a dog that is not in compliance with
3 s. 29.184 (4) or the licensing requirements under s. 174.053 or 174.07 may have his
4 or her Class A or Class B bear hunting license revoked; and if the license is revoked,
5 no Class A or Class B bear hunting license may be issued to the person for a period
6 of 3 years after the date of conviction.

rcHistory: 1975 c. 365 ss 45, 50; 1979 c. 34, 150, 175, 190, 355; 1981 c. 20, 236, 243, 391; 1983 a. 27; 1983 a. 80 s. 9; 1983 a. 114 s. 9; 1983 a. 192, 209, 419, 520, 538, 1985 a. 29, 36, 270, 271, 272, 289, 332; 1987 a. 379; 1989 a. 190, 336; 1991 a. 39, 269; 1993 a. 137; 1995 a. 59, 79; 1997 a. 1, 27; 1997 a. 248 ss. 714 to 722; Stats. 1997 s. 29.971; 1997 a. 283 ss. 20 to 23; s. 13.93 (2) (c).



2000

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D-N

1999 BILL

no-gun cat (WPOs: proof catable w/ draft, his cat. issue (right.)

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BILL

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This draft needed to be redrafted solely to correct ^{the error} ~~an~~ ^{an error} in the phrase at the top of the bill (which was ~~was~~ caused by a computer programming problem). The substance of the draft is identical to the prior version.

MM

005d

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0052/2dn
MGG:ksh&pk:lp

November 4, 1998

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Mary Gibson-Glass
Senior Legislative Attorney
267-3215

**SUBMITTAL
FORM**

**LEGISLATIVE REFERENCE BUREAU
Legal Section Telephone: 266-3561
5th Floor, 100 N. Hamilton Street**

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and **sign** on the appropriate line(s) below.

Date: 11/4/98

To: Representative Boyle

Relating to LRB drafting number: LRB-0052

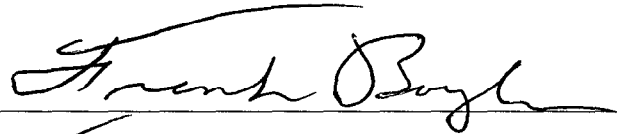
Topic

Ban on hunting bear with dogs

Subject(s)

Nat. Res. - fish and game

1. **JACKET** the draft for introduction



in the **Senate** _____ or the **Assembly** (check only one). Only the requester under whose name the drafting request is entered in the LRB's drafting records may authorize the draft to be submitted. Please allow one day for the preparation of the required copies.

2. **REDRAFT.** See the changes indicated or attached _____.

A revised draft will be submitted for your approval with changes incorporated.

3. Obtain **FISCAL ESTIMATE NOW**, prior to introduction _____.

If the analysis indicates that a fiscal estimate is required because the proposal makes an appropriation or increases or decreases existing appropriations or state or general local government fiscal liability or revenues, you have the option to request the fiscal estimate prior to introduction. If you choose to introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon introduction. It takes about 10 days to obtain a fiscal estimate. Requesting the fiscal estimate prior to introduction retains your flexibility for possible redrafting of the proposal.

If you have any questions regarding the above procedures, please call 266-3561. If you have any questions relating to the attached draft, please feel free to call me.

Mary Gibson-Glass, Senior Legislative Attorney
Telephone: (608) 267-3215