

1999 ASSEMBLY BILL 661

January 19, 2000 – Introduced by Representatives JOHNSRUD, PORTER, BOYLE, OLSEN, OWENS, KLUSMAN, HAHN and KREUSER, cosponsored by Senators BAUMGART, SCHULTZ, RUDE and BURKE, by request of Department of Natural Resources. Referred to Committee on Natural Resources.

1 **AN ACT to renumber** 29.314 (2); **to amend** 29.314 (title), 29.314 (2) (title), 29.314
 2 (3) (title), 29.314 (3) (a), 29.314 (4) (title), 29.314 (4) (a), 29.314 (5) (title), 29.314
 3 (5) (a), 29.314 (5) (b) 4. and 29.314 (6); and **to create** 29.314 (1) (bm), 29.314 (2)
 4 (a) (title), 29.314 (2) (b), 29.314 (3) (b) 4., 29.314 (4) (b) 4. and 29.314 (5) (b) 3m.
 5 of the statutes; **relating to:** using night vision equipment while hunting or
 6 possessing a weapon.

Analysis by the Legislative Reference Bureau

Under current law, with certain exceptions, no person may use, or possess with intent to use, a light for the purpose of shining wild animals while the person is hunting or in possession of a firearm, bow and arrow or crossbow. A person is shining an animal if the person is casting rays of light on an area for the purpose of illuminating, locating or attempting to illuminate or locate wild animals. Current law also prohibits a person from using or possessing with intent to use a light for shining wild animals between 10 p.m. and 7 a.m. from September 15 to December 31, regardless of whether they are hunting with a weapon.

This bill prohibits a person from using night vision equipment under the same conditions under which shining wild animals is prohibited. Under the bill, night vision equipment means a device, other than a light, that makes objects visible in the dark by using technology that converts ambient light into an electronic image. The bill provides that the prohibition against the use of night vision equipment does not

ASSEMBLY BILL 661

apply to a person authorized by the department of natural resources to remove a wild animal that is causing damage or that is causing a nuisance.

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

1 **SECTION 1.** 29.314 (title) of the statutes is amended to read:

2 **29.314 (title) Shining animals and using night vision equipment.**

3 **SECTION 2.** 29.314 (1) (bm) of the statutes is created to read:

4 **29.314 (1) (bm)** “Night vision equipment” means a device, other than a light,
5 that makes objects visible in the dark by using technology that converts ambient
6 light into an electronic image.

7 **SECTION 3.** 29.314 (2) (title) of the statutes is amended to read:

8 **29.314 (2) (title)** ~~PRESUMPTION~~ PRESUMPTIONS.

9 **SECTION 4.** 29.314 (2) of the statutes is renumbered 29.314 (2) (a).

10 **SECTION 5.** 29.314 (2) (a) (title) of the statutes is created to read:

11 **29.314 (2) (a) (title)** *Shining.*

12 **SECTION 6.** 29.314 (2) (b) of the statutes is created to read:

13 **29.314 (2) (b)** *Using night vision equipment.* A person possessing night vision
14 equipment while in a field, forest or other area that is frequented by wild animals
15 is presumed to be using or possessing with intent to use the night vision equipment
16 to locate, or attempt to locate, wild animals. A person may introduce evidence to
17 rebut this presumption

18 **SECTION 7.** 29.314 (3) (title) of the statutes is amended to read:

19 **29.314 (3) (title)** ~~SHINING DEER OR BEAR~~ OR USING NIGHT VISION EQUIPMENT WHILE
20 HUNTING OR POSSESSING WEAPONS PROHIBITED.

21 **SECTION 8.** 29.314 (3) (a) of the statutes is amended to read:

ASSEMBLY BILL 661

1 29.314 (3) (a) *Prohibition.* No person may use or possess with intent to use a
2 light for shining deer or bear or use or possess with intent to use night vision
3 equipment to locate, or attempt to locate, wild animals while the person is hunting
4 deer or bear or in possession of a firearm, bow and arrow or crossbow.

5 **SECTION 9.** 29.314 (3) (b) 4. of the statutes is created to read:

6 29.314 (3) (b) 4. To a person who uses night vision equipment to assist the
7 person in the removal of a deer or bear as authorized by the department under s.
8 29.885 (2).

9 **SECTION 10.** 29.314 (4) (title) of the statutes is amended to read:

10 29.314 (4) (title) SHINING WILD ANIMALS OR USING NIGHT VISION EQUIPMENT WHILE
11 HUNTING OR POSSESSING WEAPONS PROHIBITED.

12 **SECTION 11.** 29.314 (4) (a) of the statutes is amended to read:

13 29.314 (4) (a) *Prohibition.* No person may use or possess with intent to use a
14 light for shining wild animals or use or possess with intent to use night vision
15 equipment to locate, or attempt to locate, wild animals while the person is hunting
16 or in possession of a firearm, bow and arrow or crossbow.

17 **SECTION 12.** 29.314 (4) (b) 4. of the statutes is created to read:

18 29.314 (4) (b) 4. To a person who uses night vision equipment to assist the
19 person in the removal of a wild animal as authorized by the department under s.
20 29.885 (2).

21 **SECTION 13.** 29.314 (5) (title) of the statutes is amended to read:

22 29.314 (5) (title) SHINING WILD ANIMALS OR USING NIGHT VISION EQUIPMENT AFTER
23 10 P.M. DURING CERTAIN TIMES OF THE YEAR PROHIBITED.

24 **SECTION 14.** 29.314 (5) (a) of the statutes is amended to read:

