

1999 DRAFTING REQUEST

Assembly Amendment (AA-AB(LRBx2259/2))

Received: **09/01/1999**

Received By: **rkite**

Wanted: **As time permits**

Identical to LRB:

For: **Wayne Wood (608) 266-7503**

By/Representing: **Dottie**

This file may be shown to any legislator: NO

Drafter: **rkite**

May Contact:

Ah. Drafters:

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

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Shining deer exception for yard lights

Instructions:

See Attached

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	rkite 09/01/1999	ygeller 09/02/1999	haugeca 09/03/1999	_____	lrb-docadmin 09/03/1999	lrb-docadmin 09/03/1999	
/2	rkite 09/10/1999	chanaman 09/10/1999	martykr 09/10/1999	_____	lrb-docadmin 09/10/1999	lrb-docadmin 09/10/1999	

FE Sent For:

<END>

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Am 9/10 *ch 9/10*

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Stripes have been requested RNK

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I?	rkite	1 9/2 jlg	CH 9-3	CH CH Cmb 1-3			

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<END>

WAYNE W. WOOD

State Representative

44th Assembly District

COMMITTEE ASSIGNMENTS

Member:

Rules

State Affairs

Ranking Minority Member:

Criminal Justice & Corrections

Ways & Means



Wisconsin Legislature
Assembly

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Janesville, WI 53545

(608) 752-5485

Office:


104 North, State Capitol

P.O. Box 8953

Madison, WI 53708

(608) 266-7503

TO: Robin Kite
LRB Drafting

FROM: Dottie Brum 
Office of Rep. Wayne W. Wood

DATE: August 27, 1999

RE: LRB-2259/2 - relating to using night vision equipment while hunting or
possessing a weapon

Representative Wood would like an amendment to Rep. Johnstud's bill (LRB 2259/2). He has circulated the bill draft for cosponsorship but the bill has not yet been introduced. I have enclosed copies of his cosponsorship memo along with the bill draft, and a copy Rep. Wood's proposed amendment language.

If you have any questions, feel free to call our office at 266-7503.

Enclosures

PROPOSED EXEMPTION TO SHINING PROHIBITION, SEC. 29.314(5), STATS.

29.314(5)(b)5 is created to read:

29.314(5)(b)5. To a person who uses a stationary yard light solely for the purpose of ~~illuminating~~ a residential area.

CO-SPONSORSHIP MEMO

DATE: ~~June 28, 1999~~ Aug. 5

TO: Legislative Colleagues

FROM: Rep. DuWayne Johnsrud

RE: Prohibiting night vision equipment under conditions where
shining wild animals is prohibited, LRB 2259/2
This bill was requested by the DNR.

AB-
SCOTT-
TIM ANDREK DNR
4-9228

-
- Currently it is prohibited to shine wildlife while possessing a firearm or bow. This bill would put the use of **night vision equipment** in the same category.
 - Assist me in my efforts to stop this practice before it becomes more widespread.

If you are interested in co-sponsoring LRB 2259/2, please contact Rep. Johnsrud's office at 6-3534, by ~~Frid., July 9, 1998~~.

Aug. 13,

Analysis by the Legislative Reference Bureau

Current law prohibits this act between the hours of 10p.m. and 7a.m. from September 15 to December 31, regardless of whether he/she is hunting with a weapon. This bill further prohibits a person from using **night vision equipment** under the same conditions. This does not 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. A person is shining an animal if he/she is casting rays of light on an area for the purpose of illuminating or locating wild animals.



1999 BILL

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

BILL4

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:

BILL

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 n
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:



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBa0572/1

RNK.....

SOON

↑
jlg

. ASSEMBLY AMENDMENT,
TO 1999 ASSEMBLY BILL (LRB-2259/2)

1 At the locations indicated, amend the bill as follows:

2 1. Page 4, line 8: after that line insert:

3 "SECTION 15m. 29.314 (5) (b) 3r. of the statutes is created to read:

4 29.314 (5) (b) 3r. To a person who uses a stationary yard light for the main
5 purpose of illuminating residential property that the person owns, leases or
6 occupies."

7 (END)

Per Rep. Wood -

Delete term "main" on line 4



(5000)
State of Wisconsin
1999 - 2000 LEGISLATURE

LRBa0572/4
RNK:jlg:ch
i
cmf
1/2 RMR.

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TO 1999 ASSEMBLY BILL (LRB-2259/2)**

1 At the locations indicated, amend the bill as follows:

2 1. Page 4, line 8: after that line insert:

3 "SECTION 15m. 29.314 (5) (b) 3r. of the statutes is created to read:

4 29.314 (5) (b) 3r. To a person who uses a stationary yard light for the
5 purpose of illuminating residential property that the person owns, leases or
6 occupies."

7 (END)