Bill

Wanted: As time permits For: Scott Walker (608) 266-9180 This file may be shown to any legislator: NO May Contact:				•	Identical to LRB: By/Representing: Melissa Gilbert Drafter: gibsom Addl. Drafters:			
Subject: Nat. Res fish and game					Extra Copies:			
Submit	via email: NO							
Pre Toj	pie:							
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Instruc	tions:						<u> </u>	
See Atta	ached							
Draftin	g History:				^	 		
Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required	
/?	gibsom 08/30/2001	gilfokm 08/30/2001					State	
/1			rschluet 08/30/20	01	lrb_docadmin 08/30/2001		State	
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Nat. Res. - fish and game

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No specific pre topic given

Topic:

Prohibition against persons with criminal history from purchasing hunting approvals

Instructions:

See Attached

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Gibson-Glass, Mary

From:

Gilbert, Melissa

Sent: To: Tuesday, July 24, 2001 9:52 AM

10: Subject: Gibson-Glass, Mary hunting licenses

Hi Mary,

69

We would like to draft a bill that prohibits any person subject to a firearm restriction from purchasing a gun hunting license (including deer, small game, sports and patron licenses). Such person could buy a wild turkey or bear hunting license but could only bow hunt.

Please let me know if I need to redirect this request. Thanks!

Missy Melissa Gilbert Research Assistant Office of Rep. Scott Walker

Revon purchases license, conspot
purchase if her cheminal
or federal dornestic abuse
history

ONR chicks name after
purchase with DNRS DOT

lists -> y on list many
be subject to penalties

Person purchases license

DNR checks name after purchase

up DOJ lists to see if has "free arm

restriction" (criminal or federal

domestic abuse history)

if on OOJ lists > may be subject

to pendtos



State of Misconsin **2001 - 2002 LEGISLATURE**

Friday

RMR LRB-3567/8 MGG: 1/...

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION



. Jen. Cal

AN ACT ..., relating to: requiring firearms restrictions record searches of persons

being issued licenses that authorize hunting with firearms?

State Analysis by the Legislative Reference Bureau

This bill requires that, upon the request of the department of natural resources (DNR), the department of justice (DOJ) conduct a background check for any person who is issued a license that authorizes hunting with a firearm (hunting license). If the search shows that the person is prohibited from possessing a firearm under state law, the bill requires that DNR revoke all of the person's current hunting licenses and deny the person any additional hunting licenses. The grounds under current law for prohibiting the possession of firearms include felony convictions and domestic or child abuse or harassment restraining orders and injunctions. The bill prohibits DOJ from collecting fees from DNR for these background checks.

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:

SECTION 1. 29.024 (2) (10) of the statutes is created to read:

29.024 (2) (h) L (In this paragraph) "hunting license" means a license issued

under this chapter that authorizes hunting with a firearm.

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Kearms Eistrictions best record search" has the 5.175.35 (1) (at), meaning own in

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(b)

₹. The department of natural resources shall request that the department of
justice conduct a firearms restrictions record search with respect to each person who
applies for a hunting license, and the department of justice shall conduct the search.
If the search shows that the person has been is prohibited from possessing a handgun fund
under s. 941.29, the department of natural resources shall revoke any current
hunting license issued to that person and deny any subsequent applications for
hunting licenses that are submitted by that person.

The department of justice may not impose fees for firearms restrictions por (b) record searches conducted under subd.

SECTION 2. 165.825 of the statutes is amended to read:

165.825 Information link; department of health and family services other departments. The department of justice shall cooperate with the departments of natural resources, regulation and licensing, and health and family services in developing and maintaining a computer linkup to provide access to the information obtained from a criminal history search.

SECTION 3. Initial applicability.

(1) This act first applies to licenses that are issued on the effective date of this subsection.

SECTION 4. Effective date.

(1) This act takes effect on the first day of the 13th month beginning after publication.

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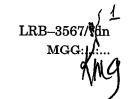
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1. I have created a delayed effective date for DNR and DOJ to administratively implement this procedure. Please let me know if you want the date changed or do not want any delayed effective date.

2. I have drafted this provision so that it covers any person who is prohibited from possessing a firearm under Wisconsin law since those are the persons who are subject to handgun record checks under Wisconsin law. I did this to the sure that this new record the database for handgun record checks on any person who would not be in the database for handgun record checks. The provisions under current law for handgun record checks include persons subject to domestic abuse restraining orders and injunctions and certain mentally ill persons who are involuntarily committed.

3. I have created a provision prohibiting DOJ from charging DNR a fee for these checks. OK?

Mary Gibson–Glass Senior Legislative Attorney

Phone: (608) 267-3215

LRB-3567/1dn MGG:kmg:rs

August 30, 2001

- 1. I have created a delayed effective date for DNR and DOJ to administratively implement this procedure. Please let me know if you want the date changed or do not want any delayed effective date.
- 2. I have drafted this provision so that it covers any person who is prohibited from possessing a firearm under Wisconsin law since those are the persons who are subject to handgun record checks under Wisconsin law. I did this to ensure that this new record—checking requirement does not require checks on any person who would not be in the database for handgun record checks. The provisions under current law for handgun record checks include persons who are subject to domestic abuse restraining orders and injunctions and certain mentally ill persons who are involuntarily committed.
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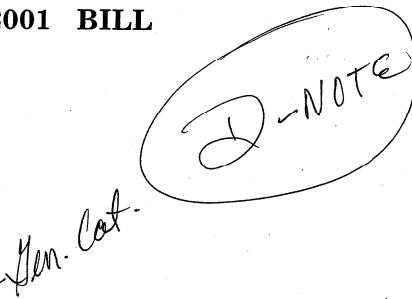
Mary Gibson-Glass Senior Legislative Attorney Phone: (608) 267-3215 1

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LRB-3567/ MGG:kmg:rs

2001 BILL



AN ACT to amend 165.825; and to create 29.024 (1m) of the statutes; relating

to: requiring firearms restrictions record searches of persons being issued

licenses that authorize hunting with firearms.

Analysis by the Legislative Reference Bureau

This bill requires that, upon the request of the department of natural resources (DNR), the department of justice (DOJ) conduct a background check for any person who is issued a license that authorizes hunting with a firearm (hunting license). If the search shows that the person is prohibited from possessing a firearm under state law, the bill requires that DNR revoke all of the person's current hunting licenses and deny the person any additional hunting licenses. The grounds under state law for prohibiting the possession of firearms include felony convictions and domestic or child abuse or harassment restraining orders and injunctions. The bill prohibits DOJ from collecting fees from DNR for these background checks.

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

Section 1. 29.024 (1m) of the statutes is created to read:

29.024 (1m) Firearm restrictions. (a) In this subsection

BILL

"Firearms restrictions record search" has the meaning given in s. 175.35 (1)

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"Munting license" means a license issued under this chapter that authorizes hunting with a firearm.

- 5 (b) The department of natural resources shall request that the department of justice conduct a firearms restrictions record search with respect to each person who applies for a hunting license, and the department of justice shall conduct the search.

 8 If the search shows that the person is prohibited from possessing a firearm under s.

 9 941.29, the department of natural resources shall revoke any current hunting license issued to that person and deny any subsequent applications for hunting licenses that are submitted by that person.
 - (c) The department of justice may not impose fees for firearms restrictions record searches conducted under par. (b).
 - **Section 2.** 165.825 of the statutes is amended to read:
 - 165.825 Information link; department of health and family services other departments. The department of justice shall cooperate with the departments of natural resources, regulation and licensing, and health and family services in developing and maintaining a computer linkup to provide access to the information obtained from a criminal history search.

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BILL

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LRB-3567/\dn MGG:kmg:rs

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State of Misconsin

LEGISLATIVE REFERENCE BUREAU

100 NORTH HAMILTON STREET 5TH FLOOR MADISON, WI 53701-2037

LEGAL SECTION: LEGAL FAX:

(608) 266-3561 (608) 264-6948

August 31, 2001

STEPHEN R. MILLER CHIEF

MEMORANDUM

To:

Representative Walker

From:

Mary Gibson-Glass, Senior Legislative Attorney

Re:

LRB-3567/2 Prohibition against persons with criminal history from purchasing hunting

approvals

The attached draft was prepared at your request. Please review it carefully to ensure that it is accurate and satisfies your intent. If it does and you would like it jacketed for introduction, please indicate below for which house you would like the draft jacketed and return this memorandum to our office. If you have any questions about jacketing, please call our program assistants at 266-3561. Please allow one day for jacketing.

XJ	ACKET FOR	ASSEMBLY	JACKET FOR	SENATE
	101111 010		JACKET FOR	PULLIC

If you have any questions concerning the attached draft, or would like to have it redrafted, please contact me at (608) 267-3215 or at the address indicated at the top of this memorandum.

If the last paragraph of the analysis states that a fiscal estimate will be prepared, the LRB will request that it be prepared after the draft is introduced. You may obtain a fiscal estimate on the attached draft before it is introduced by calling our program assistants at 266-3561. Please note that if you have previously requested that a fiscal estimate be prepared on an earlier version of this draft, you will need to call our program assistants in order to obtain a fiscal estimate on this version before it is introduced.

Please call our program assistants at 266-3561 if you have any questions regarding this memorandum.