

2001 DRAFTING REQUEST

Bill

Received: 06/08/2001

Received By: rkite

Wanted: As time permits

Identical to LRB:

For: Terry Musser (608) 266-7461

By/Representing: Marlene

This file may be shown to any legislator: NO

Drafter: rkite

May Contact:

Addl. Drafters:

Subject: Nat. Res. - fish and game

Extra Copies:

Submit via email: NO

Pre Topic:

No specific pre topic given

Topic:

Prohibiting certain persons from obtaining hunting licenses

Instructions:

Same as LRB-2586

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>
/?	rkite 09/05/2001	csicilia 09/05/2001		_____			State
	rkite 09/20/2001	wjackson 09/20/2001		_____			
/1			pgreensl 09/20/2001	_____	lrb_docadmin 09/20/2001	lrb_docadmin 09/27/2001	

FE Sent For:

LATINTO

<END>

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1?	rkite	1 9/20 jld	9/20 pg	9/20 SELF			
FE Sent For:							
<END>							

Kite, Robin

From: Tuschen, Terry
Sent: Wednesday, June 06, 2001 4:30 PM
To: Kite, Robin
Cc: Reineking, Marlene
Subject: RE: LRB-2586

Importance: High

Hi Robin, would you also prepare an Assembly version of the bill for Rep. Terry Musser? Do they have to ask you themselves? Marlene in Terry's office is the point of contact.

Thanks again, Terry

> -----Original Message-----

> **From:** Kite, Robin
> **Sent:** Tuesday, June 05, 2001 1:32 PM
> **To:** Tuschen, Terry
> **Subject:** RE: LRB-2586

>

> Terry,

>

> Would you like me to proceed with a redraft of LRB-2686 based
> on the memo that you forwarded from DNR? If so, do I have
> permission to discuss the draft or any questions I might have
> with the DNR attorney who prepared the memo?

>

> Thanks.

>

> Robin

>

> -----

> Robin N. Kite, Legislative Attorney
> Wisconsin Legislative Reference Bureau
> P.O. Box 2037
> Madison, Wisconsin 53701-2037
> (608) 266-7291

>

> -----Original Message-----

> **From:** Tuschen, Terry
> **Sent:** Tuesday, June 05, 2001 1:17 PM
> **To:** Kite, Robin
> **Subject:** LRB-2586

>

> Hi Robin, I'm sending over a memo with drafting language
> prepared by the DNR attorneys for LRB-2586, prohibiting
> felons from obtaining firearm hunting licenses. I'll attach
> the memo to this email too. Please let me know if you have
> any questions or concerns. I'll send the same to Mark Patrosky.

>

> Thanks again, Terry

>

> **Terry E. Tuschen Jr.**
> **Office of State Senator Rod Moen**
> **8 South, State Capitol**
> **(608) 266-8546**

>

*Per marlene in
Musser's office -
go ahead &
prepare bill for
Musser*

Kite, Robin

From: Reineking, Marlene
Sent: Monday, September 17, 2001 1:37 PM
To: Kite, Robin
Subject: FELONS HUNTING LICENS

Hi Robin,

Rep Musser is requesting the assembly companion to Sen. Moens LRB, relating to prohibiting felons from getting a hunting license.

Thank you.

Marlene @ Mussers

Soon

Rm not run

3411/1

2001 - 2002 LEGISLATURE

LRB-#662

RNK/ldkj

2001 BILL

Regen

- 1 AN ACT to create 29.305 and 29.971 (3r) of the statutes; relating to: prohibiting
2 certain persons from obtaining licenses that authorize hunting with a firearm
3 and providing a penalty.

Analysis by the Legislative Reference Bureau

Current law prohibits certain persons from possessing a firearm. A felon is prohibited from possessing a firearm subsequent to conviction and certain persons adjudicated delinquent may not possess a firearm subsequent to adjudication. A person found not guilty of a felony by reason of mental defect is prohibited from possessing a firearm subsequent to the not guilty finding. Current law also prohibits certain persons ordered not to possess a firearm, such as those committed for treatment for a mental illness, from possessing a firearm while subject to that order. A person who is enjoined from committing acts of domestic abuse or who is enjoined from coming into contact with a child is prohibited from possessing a firearm while the injunction is in effect. Finally, a person who is subject to an order that prohibits the person from engaging in harassing behavior and from possessing a firearm, is prohibited from possessing a firearm while the order is in effect.

With certain exceptions, this bill prohibits a person who, under current law, is prohibited from possessing a firearm from obtaining certain hunting licenses that authorize the person to hunt with a firearm, such as a small game hunting license or a deer hunting license (hunting license). Under an exception to this general prohibition, the bill allows such a person to obtain a turkey hunting license or a bear hunting license, both of which also authorize hunting with a bow and arrow, if the

BILL

person uses the license to hunt turkey or bear only with a bow and arrow and not with a firearm.

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:

1 **SECTION 1.** 29.305^X of the statutes is created to read:

2 **29.305 Persons prohibited from obtaining hunting and using licenses.**

3 (1) In this section, "hunting license" means a small game hunting license issued
4 under s. 29.161, 29.204, or 29.207, a deer hunting license issued under s. 29.173 or
5 29.211, a sports license issued under s. 29.231, a conservation patron license issued
6 under s. 29.235, a wild turkey hunting license issued under s. 29.164, or a bear
7 hunting license issued under s. 29.184.

8 (2) (a) No person may obtain or use a hunting license if the person is prohibited
9 from possessing a firearm under s. 941.29 (1).

10 (b) Notwithstanding par. (a), a person who is prohibited from possessing a
11 firearm under s. 941.29 (1) may obtain and use a wild turkey hunting license under
12 s. 29.164 or a bear hunting license under s. 29.184 if the person uses the respective
13 license to hunt wild turkey or bear with a bow and arrow only.

14 (3) The department shall inform each person who applies for a hunting license
15 of the prohibition under sub. (2) and the penalties under ss. 29.971 (3r) and 941.29.

16 **SECTION 2.** 29.971 (3r)^X of the statutes is created to read:

17 29.971 (3r) For possessing a hunting license in violation of s. 29.305, by a
18 forfeiture of not less than \$1,000 nor more than \$2,000. In addition, the court shall
19 order the revocation of all hunting, fishing, and trapping approvals issued to the
20 person under this chapter and shall prohibit the person from holding any hunting,

BILL

1 fishing, or trapping approval under this chapter for a period of 5 years from the date
2 of the court's order.

3 **SECTION 3. Effective date.**

4 (1) This act takes effect on the first day of the 7th month beginning after
5 publication.

6 (END)



State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

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

STEPHEN R. MILLER
CHIEF

LEGAL SECTION: (608) 266-3561
LEGAL FAX: (608) 264-6948

September 20, 2001

MEMORANDUM

To: Representative Musser

From: Robin N. Kite, Legislative Attorney

Re: LRB-3411/1 Prohibiting certain persons from obtaining hunting licenses

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.

JACKET FOR ASSEMBLY JACKET FOR SENATE

If you have any questions concerning the attached draft, or would like to have it redrafted, please contact me at (608) 266-7291 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.