

**2001 DRAFTING REQUEST**

**Bill**

Received: **01/16/2002**

Received By: **rkite**

Wanted: **As time permits**

Identical to LRB:

For: **Glenn Grothman (608) 264-8486**

By/Representing: **Ron Sklansky**

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

Drafter: **rkite**

May Contact:

Addl. Drafters:

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

Extra Copies: **Ron Sklansky - Leg. Council**

Submit via email: **YES**

Requester's email: **Rep.Grothman@legis.state.wi.us**

Carbon copy (CC:) to:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Requirements for registration of deer killed during gun season

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**Instructions:**

See Attached

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**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 01/16/2002	csicilia 01/16/2002	jfrantze 01/25/2002	_____	lrb_docadmin 01/25/2002		State
	rkite 01/23/2002	hhagen 01/25/2002		_____	lrb_docadmin 01/28/2002		
/2	rkite 01/30/2002	hhagen 01/31/2002	pgreensl 01/31/2002	_____	lrb_docadmin 01/31/2002	lrb_docadmin	State 02/06/2002

Vers.    Drafted    Reviewed    Typed    Proofed    Submitted    Jacketed    Required

FE Sent For:

Att Intro.

<END>

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	rkite 01/23/2002	hhagen 01/25/2002 12 hrnh 1/31/02	1/31 pg	1/29 pg/rs	lrb_docadmin 01/28/2002		

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requested PDF copy (see attached)

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17	rkite	1, hmh 1/24/02	Jb 1/25	J Self 1/25			

FE Sent For:

<END>

**Kite, Robin**

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**From:** Sklansky, Ron  
**Sent:** Monday, January 14, 2002 4:02 PM  
**To:** Gibson-Glass, Mary; Kite, Robin  
**Subject:** Clearinghouse Rule 00-154

Mary and Robin:

The Joint Committee for Review of Administrative Rules has again objected, in part, to a rule promulgated by the Department of Natural Resources. The rule is Clearinghouse Rule 00-154, relating to deer hunting and the wildlife damage abatement and claims program.

The Assembly Committee on Natural Resources objected to parts of CIIR 00-154 on November 7, 2001. On January 10, 2002, JCRAR made similar objections with respect to two portions of the rule. The pertinent actions follow:

2. The proposed rule amends s. NR 10.106(2)(a) to read: "Gun license deer shall be registered in the unit in which the deer was killed or an adjoining unit no later than 5:00 p.m. of the first day following the season's close. Deer may not be transported outside the unit in which it was killed or an adjoining unit until it is registered."

The Assembly Committee exercised its objection powers to restate the above-quoted language to read: "Gun license deer shall be registered within the zone in which the deer was killed no later than 5:00 p.m. of the first day following the season's close. Deer may be transported outside the unit in which it was killed until it is registered."

JCRAR took the same action under s. 227.19(5)(d), Stats.



Consequently, the bills to sustain the January 11, 2002 action of JCRAR should include a provision such as the following: "The department may not promulgate a rule requiring deer taken under authority of a gun deer license to be registered in the deer management unit in which it was killed or an adjoining unit, unless the deer is taken from a unit that is part of a deer herd control hunt or is an antlerless deer taken under authority of a hunter's choice deer hunting permit, a deer hunting party permit, or other special deer hunting permit.

There should be one bill for each house. Each bill should contain both of the provisions described above. One bill should be drafted for Senator Robson and the other bill should be drafted for Representative Grothman. The bills must be introduced by vote of JCRAR on or before February 8, 2002.

If you have any questions, give me a call.

Ron

**Kite, Robin**

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**From:** Sklansky, Ron  
**Sent:** Tuesday, January 15, 2002 10:12 AM  
**To:** Gibson-Glass, Mary; Kite, Robin  
**Subject:** Clearinghouse Rule 00-154

Mary and Robin:

I have one amendment to my drafting request of yesterday regarding the JCRAR's rule objections. Instead of putting the response to the two objections in one bill, there should be two bills in each house. In other words, there should be one bill for each of the JCRAR's rule objections.

Thanks,

Ron



## 2001 BILL

*Generate*

1 AN ACT ...; relating to: requirements for registering deer killed under the  
2 authority of a deer hunting license.

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*three*  
***Analysis by the Legislative Reference Bureau***

Under current law, any person may transport a lawfully taken deer during the open season for hunting deer and for ~~4~~<sup>3</sup> days after that season if it is properly tagged and registered unless the department of natural resources (DNR) provides otherwise by rule. This bill provides that DNR may not promulgate a rule that requires a person who takes a deer with a firearm under the authority of a deer hunting license to register the deer in the deer management area in which it was killed or <sup>in</sup> an adjoining deer management area before transporting the deer elsewhere. Deer management areas are, under current law, determined by DNR by rule. The bill specifies that the prohibition does not apply to a rule regulating the registration of deer that are killed in a deer management area in which the department establishes a deer herd control season or a rule regulating the registration of certain antlerless deer.

This bill is introduced as required by s. 227.19 (5) (d), stats., in support of the objection of the assembly committee on natural resources on November 7, 2001, and the objection of the joint committee for review of administrative rules on January 10, 2002, to the issuance of a portion of clearinghouse rule 00-154 by DNR. The portion of the proposed rule objected to provides that deer taken with a firearm under the authority of a deer hunting license must be registered in the management area in which the deer was killed or an adjoining deer management area before being transported elsewhere.

**BILL**

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. 29.361 (2e) of the statutes is created to read:

2 29.361 (2e) (a) Except as provided in par. (b), the department may not  
3 promulgate a rule requiring a person who kills a deer under the authority of a  
4 resident or nonresident deer hunting license to register the deer in the deer  
5 management area in which it was killed or <sup>in</sup> an adjoining <sup>deer</sup> management area before  
6 transporting the deer elsewhere.

7 (b) Paragraph (a) does not apply to any of the following:

8 1. A rule regulating the registration of deer that are killed in a deer  
9 management area in which the department establishes a deer herd control season.

10 2. A rule regulating the registration of antlerless deer that are killed under the  
11 authority of a permit issued under s. 29.177.

12 (END)

**Barman, Mike**

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**From:** Delaporte, Maggie  
**Sent:** Friday, January 25, 2002 4:34 PM  
**To:** Barman, Mike

Hi Mike:

Could I please get a pdf copy of LRB 4717/1? Thanks.

**Kite, Robin** .

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**From:** Sklansky, Ron  
**Sent:** Wednesday, January 30, 2002 1:44 PM  
**To:** Kite, Robin  
**Subject:** deer hunting

Robin:

Could we get a /2 of LRB-4717/1? Here are the requests from DNR:

1. Page 2, line 4: after "nonresident" insert "gun".
2. Page 2, line 11: delete the material beginning with the "permit issued under s. 29.177" and substitute "party permit, hunter's choice permit, bonus permit, special deer permit or gun deer license".

I've discussed this with Tim Andryk at DNR and he's convinced me that this language will be understood by all the players. One question I had was about the use of "gun deer hunting license" in sub. (2e) (a) and "gun deer license" in sub. (2e) (b) 2. He noted that the last phrase is preceded by a reference to antlerless deer and, therefore, in accordance with the rule objection and the proposed rule and current practice, does must be registered locally, but bucks can be transported.

If you'd like to discuss this further, give me a call.

Thanks,

Ron



(5000)

State of Wisconsin  
2001 - 2002 LEGISLATURE

RM R  
12  
LRB-4717/B

RNK:hmh:jf

(stays)

## 2001 BILL

- Generate*
- 1     **AN ACT** *to create* 29.361 (2e) of the statutes; **relating to:** requirements for
- 2             registering deer killed under the authority of a deer hunting license.

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***Analysis by the Legislative Reference Bureau***

Under current law, any person may transport a lawfully taken deer during the open season for hunting deer and for three days after that season if it is properly tagged and registered unless the department of natural resources (DNR) provides otherwise by rule. This bill provides that DNR may not promulgate a rule that requires a person who takes a deer with a firearm under the authority of a deer hunting license to register the deer in the deer management area in which it was killed or in an adjoining deer management area before transporting the deer elsewhere. Deer management areas are, under current law, determined by DNR by rule. The bill specifies that the prohibition does not apply to a rule regulating the registration of deer that are killed in a deer management area in which the department establishes a deer herd control season or a rule regulating the registration of ~~antlerless~~ antlerless deer.

(\*) This bill is introduced as required by s. 227.19 (5) (d), stats., in support of the objection of the assembly committee on natural resources on November 7, 2001, and the objection of the joint committee for review of administrative rules on January 10, 2002, to the issuance of a portion of clearinghouse rule 00-154 by DNR. The portion of the proposed rule objected to provides that deer taken with a firearm under the authority of a deer hunting license must be registered in the management area in which the deer was killed or an adjoining deer management area before being transported elsewhere.

**BILL**

deer hunting license under s. 29.173 ✓

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.** 29.361 (2e) of the statutes is created to read:

29.361 (2e) (a) Except as provided in par. (b), the department may not promulgate a rule requiring a person who kills a deer under the authority of a resident or <sup>a</sup> nonresident deer hunting license <sup>under s. 29.211 ✓</sup> to register the deer in the deer management area in which it was killed or in an adjoining deer management area before transporting the deer elsewhere.

(b) Paragraph (a) does not apply to any of the following:

1. A rule regulating the registration of deer that are killed in a deer management area in which the department establishes a deer herd control season.

2. A rule regulating the registration of antlerless deer that are killed under the authority of a ~~permit issued under s. 29.177.~~

(END)

a resident deer hunting license under s. 29.173 ✓,  
a nonresident deer hunting license under s. 29.211 ✓,  
a hunter's choice deer hunting permit, a deer hunting party permit, a bonus deer hunting permit, or other special deer hunting permit



Mike

Please join  
for Assembly  
(Grothman)

LRB-4717 and  
LRB-4714