

**2001 Jr2 DRAFTING REQUEST**

**Senate Amendment (SA-SSA1-AB1)**

Received: **03/28/2002**

Received By: **gibsom**

Wanted: **Soon**

Identical to LRB:

For: **Senate Democratic Caucus**

By/Representing: **Engel**

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

Drafter: **gibsom**

May Contact:

Addl. Drafters:

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

Extra Copies:

Submit via email: **NO**

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**Pre Topic:**

SCC:.....Engel - CN5802,

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**Topic:**

Shooting of guns from roadway

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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>
/?	gibsom 03/28/2002	gilfokm 03/28/2002		_____			
/1			haugca 03/28/2002	_____	lrb_docadmin 03/28/2002		
/2	gibsom 04/04/2002	jdye 04/04/2002	rschluet 04/04/2002	_____	lrb_docadmin 04/04/2002		
/3	gibsom 04/04/2002		rschluet 04/04/2002	_____	lrb_docadmin 04/04/2002		

FE Sent For:

**<END>**

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FE Sent For:

13-4/4  
KMG

  
4-4-2  
<END>

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1?	gibsom	3/28 FMG	LH 3-28	LH 3-28 P/B			

FE Sent For:

<END>

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This is a new provision with no fiscal effect. This is a statutory change designed to allow state and federal employees to shoot deer from a vehicle in order to harvest animals in the infected CWD area.

Section 167.31 (4)(bg) is created to read: Subsection (2)(b) and (c) do not apply to the holder of a scientific collector permit under 29.614 issued by the department for the purposes of testing for or removing diseased wild animals.

- The goal of this amendment is to allow DNR to provide a permit for individuals to collect wild animals for the purpose of testing for disease. Currently, a scientific collector may only use a net gun or tranquilizer. With the recent outbreak of Chronic Wasting Disease in Wisconsin we want to allow the DNR to authorize certain individuals to be able to shoot deer for scientific research purposes.

MGB

CN 5802



State of Wisconsin  
2001 - 2002 LEGISLATURE  
January 2002 Special Session

RMR  
LRBb2878/1

MGG: King

D-Note

SCC:.....Engel - 5802, Shooting of guns from roadway

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS SENATE AMENDMENT ,

TO SENATE SUBSTITUTE AMENDMENT 1,

TO ASSEMBLY BILL 1

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 176, line 20: after that line insert:

3 "SECTION 342m. 167.31 (4) (bg) of the statutes is created to read:

4 167.31 (4) (bg) Subsection (2) (b) and (c) does not apply to the holder of any  
5 permit or license issued by the department of natural resources that authorizes the  
6 taking of wild animals from the wild for the purpose of testing for disease in wild  
7 animals or for the purpose of removing diseased wild animals."

8 (END)

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRBb2878/fdn

MGG:.....

*King*

I could not list specific licenses or permits in this amendment due to the passage of the captive wild life bill that is awaiting the governor's signature. In that bill, the scientific collector permit has been basically replaced with the science research license. Therefore, I described this permit and license in this amendment instead of using their specific names since technically the science research license does not yet exist.

Mary Gibson-Glass  
Senior Legislative Attorney  
Phone: (608) 267-3215



**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRBb2878/1dn  
MGG:kmg:ch

March 28, 2002

I could not list specific licenses or permits in this amendment due to the passage of the captive wild life bill that is awaiting the governor's signature. In that bill, the scientific collector permit has been basically replaced with the science research license. Therefore, I described this permit and license in this amendment instead of using their specific names since technically the science research license does not yet exist.

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Senior Legislative Attorney  
Phone: (608) 267-3215

STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU - LEGAL SECTION  
(608-266-3561)

*redraft b2878*

- LRBb2878 (shooting guns from a vehicle):

✓ 1. As drafted, this draft creates an exemption from the prohibition against possessing a firearm or a bow in a vehicle unless the firearm is unloaded and encased or unless the bow is unstrung or encased. It also creates an exemption from the prohibition against discharging a firearm or shooting an arrow from a vehicle. The exemptions apply to any individual licensed by DNR to take wild animals for the purpose of testing for disease. Rebecca noted that the intent of this draft was to authorize the exemption only for state and federal employees. She questioned whether the scope of the draft should be narrowed to clarify that it only applies to these state and federal employees. As a practical matter, the draft limits the exemption so that it applies only to those persons who have a license from DNR to take animals for the purpose of testing for disease. This would seem to limit the exemption sufficiently since the authority under such a license is narrow. If you would like me to redraft, however, to explicitly provide that only state and federal employees are entitled to the exemption, please let me know.

2. Current law also prohibits a person from discharging a firearm or shooting an arrow from or across a highway or within 50 feet of the center of a roadway. This draft does not create an exemption from this prohibition. Rebecca suggested that the intent of the request was to create an exemption from this prohibition as well. Again, please let me know if you would like me to redraft to create such an exemption.

If you have any questions concerning these drafts, please let me know.

Robin Kite

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

*do this  
need  
to be a fed or state  
employee  
w/ scope of employ-  
ment  
with permit or license*



State of Wisconsin  
2001 - 2002 LEGISLATURE

January 2002 Special Session

RMR  
LRBb2878/b2  
MGG:kmg:ch  
L + jld

Now

SCC:.....Engel - 5802, Shooting of guns from roadway

FOR 2001-03 BUDGET - NOT READY FOR INTRODUCTION

CAUCUS SENATE AMENDMENT,  
TO SENATE SUBSTITUTE AMENDMENT 1,  
TO ASSEMBLY BILL 1

a ~~state~~ state or federal employee acting within the scope of his or her employment who holds a

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 176, line 20: after that line insert:

3 ~~SECTION 342m.~~ 167.31 (4) (bg) of the statutes is created to read:

4 167.31 (4) (bg) Subsection (2) (b), <sup>and (d)</sup> (c) does not apply to the holder of any  
5 permit or license issued by the department of natural resources that authorizes the  
6 taking of wild animals from the wild for the purpose of testing for disease in wild  
7 animals or for the purpose of removing diseased wild animals.”.

8 (END)

INSERT A

INSERT A

as affected by 2001 Wisconsin Act 8,

1) Section #. 167.31 (2) (d) of the statutes is amended to read:

342g ✓

X

(d),

167.31 (2) (d) Except as provided in sub. (4) (a), (c), (e), and (g), no person may discharge a firearm or shoot a bolt or an arrow from a bow or crossbow from or across a highway or within 50 feet of the center of a roadway.

History: 1985 a. 36; 1987 a. 27, 353; 1991 a. 77; 1993 a. 147; 1995 a. 122, 201; 1997 a. 248, 249; 1999 a. 32, 158; 2001 a. 8.

(end ins A)



State of Wisconsin  
2001 - 2002 LEGISLATURE

January 2002 Special Session

RMR

LRBb2878/3  
MGG:kmg&jld:rs

Now

D-N

Sent to WPOs

SCC:.....Engel - CN5802, Shooting of guns from roadway

FOR 2001-03 BUDGET - NOT READY FOR INTRODUCTION

CAUCUS SENATE AMENDMENT,  
TO SENATE SUBSTITUTE AMENDMENT 1,  
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6 may discharge a firearm or shoot a bolt or an arrow from a bow or crossbow from or  
7 across a highway or within 50 feet of the center of a roadway.

8 SECTION 342m. 167.31 (4) (bg) of the statutes is created to read:

9 167.31 (4) (bg) Subsection (2) (b), (c), and (d) does not apply to a state or federal  
10 employee acting within the scope of his or her employment who holds a permit or

1 license issued by the department of natural resources that authorizes the taking of  
2 wild animals from the wild for the purpose of testing for disease in wild animals or  
3 for the purpose of removing diseased wild animals.”

4 (END)

① - NOTE: MGG:Kmg:  
This redraft corrects the cross-reference in  
S. 167. 31(2)(d).

MGG

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRBb2878/3dn  
MGG:kmg:rs

April 4, 2002

This redraft corrects the cross-reference in s. 167.31 (2) (d).

Mary Gibson-Glass  
Senior Legislative Attorney  
Phone: (608) 267-3215



State of Wisconsin  
2001 - 2002 LEGISLATURE  
January 2002 Special Session

LRBb2878/3  
MGG:kmg&jld:rs

SCC:.....Engel - CN5802, Shooting of guns from roadway

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