

2003 DRAFTING REQUEST

Assembly Substitute Amendment (ASA-AB153)

Received: **11/06/2003**

Received By: **rnelson2**

Wanted: **Soon**

Identical to LRB:

For: **Terry Musser (608) 266-7461**

By/Representing: **Marlene**

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

Drafter: **rnelson2**

May Contact:

Addl. Drafters:

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

Extra Copies:

Submit via email: **YES**

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

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Trophy deer

Instructions:

See Attached Change trophy deer to antlered deer

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>
/?	rnelson2 11/10/2003	kgilfoy 11/10/2003		_____			
/1			rschluet 11/10/2003	_____	sbasford 11/10/2003	sbasford 11/10/2003	

FE Sent For:

<END>

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FE Sent For:

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11/03
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Today ~~soon~~ (C/L/10)

2003 - 2004 LEGISLATURE

LRB-10447I

RPN:kmg:cph

50259/11

Assembly Substitute Amendment
to

2003 ASSEMBLY BILL 153

March 13, 2003 - Introduced by Representatives MUSSER, BIES, JESKEWITZ, HAHN, OWENS, HINES, AINSWORTH and PETROWSKI. Referred to Committee on Natural Resources.

Gen. Cat.

1 AN ACT to ~~renumber and amend~~ 29.971 (11); and to create 29.971 (11) (a) and
 2 29.971 (11) (c) of the statutes; **relating to:** penalties for hunting deer, including
 3 ~~a trophy~~ ^{antlered} deer, without a license, requiring the exercise of rule-making
 4 authority, and providing penalties.

Analysis by the Legislative Reference Bureau

Under current law, the penalty for hunting a wild whitetail deer without a license, with the aid of artificial light or with the aid of an aircraft, is a fine of \$1,000 to \$2,000 or imprisonment for not more than six months or both, plus the revocation of any license issued by the Department of Natural Resources (DNR). In addition, DNR must deny the issuance of any new license to the person for three years.

This bill provides that these penalties only apply to the hunting of any wild whitetail trophy deer, which is a deer with antlers having a score of 100 or more using the scoring method established by DNR by rule. The bill requires DNR to promulgate rules establishing a method for scoring deer antlers based on the method of scoring deer antlers that is used by the Boone and Crockett Club, which is based on the length, spread, and number of points on the antlers. In addition, the bill provides different penalties for the hunting of deer other than a trophy deer without a license, with the aid of artificial light or with the aid of an aircraft. The penalty is a forfeiture of not more than \$500 plus the possible revocation of any current license issued by DNR and denial of issuance of any new DNR license to the person for one year.

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a

ASSEMBLY BILL 153

report concerning the proposed penalty and the costs or savings that are likely to result if the bill is enacted.

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. 29.971 (11) of the statutes is renumbered 29.971 (11) ^a and
2 amended to read: ^a

3 29.971 (11) ^a For hunting ~~trophy~~ ^{antlered} deer without the required approval, during
4 the closed season, with the aid of artificial light or with the aid of an aircraft, except
5 as provided in s. 29.307 (2), for the snaring of or setting snares for ~~trophy~~ ^{antlered} deer, or for
6 the possession or control of a ~~trophy~~ ^{an antlered} deer carcass in violation of s. 29.055 or 29.347,
7 by a ~~fine~~ ^{forfeiture} of not less than \$1,000 nor more than \$2,000 ~~or by imprisonment for not~~
8 ~~more than 6 months or both~~. In addition, the court shall order the revocation of all
9 approvals issued to the person under this chapter and shall prohibit the issuance of
10 any new approval under this chapter to the person for ^{up to} 3 years.

11 SECTION 2. 29.971 (11) (a) of the statutes is created to read:
12 29.971 (11) (a) In this subsection, "trophy deer" means a deer whose antlers
13 have a score of 100 or more using the scoring method established by the department
14 by rule. The department shall promulgate a rule establishing a method for scoring
15 deer antlers based on the method of scoring deer antlers that was used by the Boone
16 and Crockett Club of Missoula, Montana, on the effective date of this paragraph....
17 [revisor inserts date].

18 SECTION 3. 29.971 (11) ^b of the statutes is created to read:
19 29.971 (11) ^b For hunting ~~trophy~~ ^{antlerless} deer other than trophy deer without the required
20 approval, during the closed season, with the aid of artificial light or with the aid of

ASSEMBLY BILL 153

1 an aircraft, except as provided in s. 29.307 (2), for the snaring of or setting snares for
 2 ~~deer~~, or for the possession or control of ~~a~~ ^{an antlerless} deer carcass in violation of s. 29.055 or
 3 29.347, by a forfeiture of not more than \$500. In addition, the court may order the
 4 revocation of all approvals issued to the person under this chapter and may prohibit
 5 the issuance of any new approval under this chapter to the person for one year.

(END)

for the first violation and not more
 than \$1,000 for ^{each} subsequent violation^s.

for the first violation and
 for up to ³ ~~three~~ years
 for subsequent violation^s
 each