

2003 DRAFTING REQUEST

Bill

Received: **09/18/2002**

Received By: **rkite**

Wanted: **As time permits**

Identical to LRB:

For: **Robert Jauch (608) 266-3510**

By/Representing: **Dave Jahr**

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: **YES**

Requester's email: **Sen.Jauch@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Authorizing the use of laser sighting devices while hunting

Instructions:

Allow visually handicapped persons (Class C permit holders) to use laser sighting devices when hunting. The visually handicapped person must still be accompanied by a sighted person. See ss. 29.193, 29.314, and 941.299.

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 09/25/2002	jdyer 09/26/2002	jfrantze 09/26/2002	_____	lkunkel 09/26/2002		
/2	rkite	jdyer	jfrantze	_____	lemery	mbarman	

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
	02/12/2003	02/13/2003	02/13/2003	_____	02/13/2003	04/01/2003	

FE Sent For:

*None
Needed*

<END>

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For
Senate
per
Dave



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Handwritten notes:
 1/2 3/13 jld
 2/13
 2/13

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FE Sent For:

1
 9/20/02
 9/26
 9/26
 <END>

Michigan Statutes

- (1) The trapping of fur-bearing animals as provided in this order.
- (2) The carrying and using of a .22 caliber rimfire rifle or .22 caliber rimfire pistol to kill raccoon while hunting with dogs between the hours of 7 p.m. and 6 a.m. during the firearm deer season.
- (3) The enjoyment by American Indians living on a reservation of the privileges bestowed upon them by federal law or treaties.
History: Eff. Mar. 31, 1989.

2.4 Permissible use of artificial lights.

Sec. 2.4. (1) Artificial lights, similar to the type ordinarily held in the hand or on the person, may be used from September 15 to March 31 by a person traveling afoot with a bow and arrow, a .22 caliber rimfire firearm or shotgun with loads other than buckshot, slug or cut shell, however, the person shall not possess a loaded firearm or bow with a nocked arrow except when 1 or more of the following conditions apply:

- (a) The person is following dogs and is at the point of kill for taking a treed raccoon during the open season for taking raccoon by hunting.
- (b) The person is following dogs and is at the point of kill for taking opossum during the open season for taking opossum by hunting.
- (c) The person is taking coyote or fox with the aid of a game or predator call during the open season for taking fox by hunting.

(2) Persons not possessing a bow or firearm while traveling afoot may use lights as defined in subsection (1) during dog training or field dog trials to follow dogs chasing raccoon, opossum, or fox.

History: Eff. Mar. 31, 1989; Am. 20, 1989, Eff. Sept. 1, 1989; Am. 2, 1990, Eff. Feb. 19, 1990; Am. 12, 2000, Eff. Sept. 1, 2000.

2.4a Permissible use of laser sighting device by blind person during lawful hunting hours, conditions for use.

Sec. 2.4a. A blind person, as defined by section 1 of Act No. 260 of the Public Acts of 1978, being section 393.351 of the Michigan Compiled Laws, may use a laser sighting device to take an animal during the lawful hunting hours for that animal if all of the following conditions are met while the person is taking an animal:

(1) The person is accompanied and assisted by a sighted person. The sighted person must be at least 18 years of age and be in possession of a hunting license issued by this state, another state, a province of Canada, or another country or a certificate of completion of training in hunter safety issued by this state, another state, a province of Canada, or another country, and shall furnish such proof upon the request of a peace officer.

(2) The person possesses proof of blindness in the form of an identification card issued under the authority of section 1 of Act No. 222 of the Public Acts of 1972, being section 28.292 of the Michigan Compiled Laws, and furnishes the proof of blindness upon the request of a peace officer.

History: Am. 3, 1997, Eff. June 1, 1997.

2.5 Hunting hours, exceptions; prohibited activities.

Sec. 2.5. (1) Except for the trapping of animals and as otherwise specified in this section, the hunting hours shall substantially conform to one-half hour before sunrise to one-half hour after sunset and shall be those starting times and ending times published in the Michigan hunting and trapping guide or in the respective state hunting guide for that animal.



State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-0143/PM

RNK: 1:....

JLD

Rm R / 1

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

- 1
- 2

Gen
 AN ACT ...; relating to: the use of laser sighting devices by visually handicapped persons while hunting with a firearm.

Analysis by the Legislative Reference Bureau

Current law authorizes a visually handicapped person who holds a deer hunting license to hunt deer with a firearm if the person obtains a permit and is accompanied by another person who is not disabled or visually handicapped. The kind of assistance that the accompanying person may provide includes assistance in sighting the firearm used by the visually handicapped person.

Current law also provides, with certain exceptions, that no person may use, or possess with intent to use, a light for the purpose of shining deer, elk, bear, or other wild animals while the person is hunting or in possession of a firearm, bow and arrow, or crossbow. A person is shining an animal if the person is casting rays of light on an area for the purpose of illuminating, locating, or attempting to illuminate or locate wild animals. Current law also prohibits a person from using or possessing with intent to use a light for shining wild animals between 10 p.m. and 7 a.m. from September 15 to December 31, regardless of whether he or she is hunting with a weapon.

This bill expands the exceptions that apply to the general prohibitions against shining wild animals. The bill authorizes persons who are visually handicapped and

Kite, Robin

From: Jahr, Dave
Sent: Wednesday, January 15, 2003 9:53 AM
To: Kite, Robin
Subject: FW: Revisions to 29.314, Stats. relating to laser sights for Class C permittees

Hi Robin,

Here is the material that Bill Schwengel sent me. Let me know if you can't open it or if you need hard copy.

Thanks,

Dave Jahr

-----Original Message-----

From: Schwengel, William H
Sent: Sunday, January 12, 2003 8:46 PM
To: Jahr, Dave
Cc: Stinson, David; Van Haren, Thomas; Lawhern, Timothy J; Burmesch, Mark C
Subject: Revisions to 29.314, Stats. relating to laser sights for Class C permittees

Per our phone conversation I am sending you Senator Jauch's draft bill for revision of 29.314, Stats. relating to laser sights for Class C permittees. I converted your hard copy into a Word document and added my suggested changes.

- The bill should include the hunting of all game, not just deer. This would allow permittees to take wild turkeys, bear, coyotes, and other species in season and with appropriate harvest permit.
- The bill should allow for the use of bows and crossbows, in addition to firearms.



Laser Sight
Law1.doc

Both of the above issues are already addressed in 29.193, Stats. where hunting by Class C permittees is authorized.

29.193(2)(c)4. The department shall issue a Class C permit to any person who is visually handicapped.

29.193(2)(cg)

(cg) Approval required. In order to hunt, fish or troll after receiving a permit under this section, the permit holder must apply for and be issued, or must already hold, any type of approval required under this chapter for the type of hunting or fishing that he or she will be doing.

29.193(2)(cr)

(cr) Authorization.

29.193(2)(cr)1.

1. A person holding a current resident or nonresident deer hunting license and a Class A or Class C permit may hunt deer of either sex with a firearm during any season open to hunting of deer with firearms that is established by the department.

29.193(2)(d)

(d) Assistance.

29.193(2)(d)2.

2. A holder of a Class C permit shall be accompanied by a person who is not eligible to apply for a permit under this section. The accompanying person may not hunt or carry a firearm, bow or crossbow unless the person has been issued the appropriate approval to do so. The assistance rendered by an accompanying person may include sighting the firearm, bow or crossbow, identifying the game and field dressing, tagging and retrieving game for the permit holder.

Please contact me if I can be of further assistance. I will meet again with the Disabled Advisory Council on March 28.

William H. Schwengel

Warden Supervisor
Lower Chippewa Team
Department of Natural Resources
PO Box 4001
Eau Claire, WI 54702-4001
(715) 839-3767
william.schwengel@dnr.state.wi.us

State of Wisconsin

2003—2004 LEGISLATURE

*This was
drafted by
the requester
not LRB*

LRB-0143/1

RNK:jld:jf

2003 BILL

1. AN ACT *to create* 29.314 (1) (am), 29.314 (3) (b) 4., 29.314 (4) (b) 4. and 29.314
2. (5) (b) 3m. of the statutes; **relating to:** the use of a laser sighting device by a
- 3 visually handicapped person while hunting ~~deer~~ game with a firearm, bow, or crossbow.

Analysis by the Legislative Reference Bureau

Current law authorizes a visually handicapped person who holds a ~~deer~~ hunting license to hunt ~~deer~~ with a firearm, bow, or crossbow if the person obtains a permit and is accompanied by another person who is not disabled or visually handicapped. The kind of assistance that the accompanying person may provide includes assistance in sighting the firearm, bow, or crossbow used by the visually handicapped person.

Current law also provides, with certain exceptions, that no person may use, or possess with intent to use, a light for the purpose of shining deer, elk, bear or other wild animals while the person is hunting or in possession of a firearm, bow, or crossbow. A person is shining an animal if the person is casting rays of light on an area for the purpose of illuminating, locating, or attempting to illuminate or locate wild animals. Current law also prohibits a person from using or possessing with intent to use a light for shining wild animals between 10 p.m. and 7 a.m. from September 15 to December 31, regardless of whether he or she is hunting with a ~~weapon~~ firearm, bow, or crossbow.

This bill expands the exceptions that apply to the general prohibitions against shining wild animals. The bill authorizes a person who is visually handicapped and

BILL

who holds the appropriate permit to use a laser sighting device while hunting deer game with a firearm, bow, or crossbow.

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

1 **SECTION 1.** 29.3 14 (1) (am) of the statutes is created to read:

2 29.3 14 (1) (am) “Laser sighting device” means a device for sighting a firearm
3 that uses light amplification by stimulated emission of radiation to emit a beam of
4 light that is visible to the human eye.

5 **SECTION 2.** 29.314 (3) (b) 4. of the statutes is created to read:

6 29.314 (3) (b) 4. To the holder of a Class C permit issued under s. 29.193 (2) (c)
7 4. who uses a laser sighting device while hunting deer game with a firearm, bow, or
 crossbow.

8 **SECTION 3.** 29.314 (4) (b) 4. of the statutes is created to read:

9 29.314 (4) (b) 4. To the holder of a Class C permit issued under s. 29. 193 (2) (c)
10 4. who uses a laser sighting device while hunting deer game with a firearm, bow, or
 crossbow.

11 **SECTION 4.** 29.314 (5) (b) 3m. of the statutes is created to read:

12 29.314 (5) (b) 3m. To the holder of a Class C permit issued under s. 29. 193 (2)
13 (c) 4. who uses a laser sighting device while hunting deer game with a firearm,
 bow, or crossbow.

14

(END)



2003 BILL

Regen

, bow and arrow, or crossbow ✓

1 AN ACT to create 29.314 (1) (am), 29.314 (3) (b) 4., 29.314 (4) (b) 4. and 29.314
2 (5) (b) 3m. of the statutes; relating to: the use of a laser sighting device by a
3 visually handicapped person while hunting ~~with a firearm.~~

an appropriate

Analysis by the Legislative Reference Bureau

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Current law also provides, with certain exceptions, that no person may use, or possess with intent to use, a light for the purpose of shining deer, elk, bear, or other wild animals while the person is hunting or in possession of a firearm, bow and arrow, or crossbow. A person is shining an animal if the person is casting rays of light on an area for the purpose of illuminating, locating, or attempting to illuminate or locate wild animals. Current law also prohibits a person from using or possessing with intent to use a light for shining wild animals between 10 p.m. and 7 a.m. from September 15 to December 31, regardless of whether he or she is hunting with a weapon.

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