2003 ASSEMBLY BILL 519

September 11, 2003 – Introduced by Representatives Gunderson, M. Williams, Albers, Bies, Gronemus, Grothman, Krawczyk, Musser, Nass, Olsen, Pettis, Seratti, Sherman and J. Wood, cosponsored by Senators Welch, Brown, Decker and Lazich. Referred to Committee on Natural Resources.

1 AN ACT *to create* 29.336 of the statutes; **relating to:** the feeding of deer and elk.

Analysis by the Legislative Reference Bureau

Current law requires the Department of Natural Resources (DNR) to promulgate rules to regulate the recreational and supplemental feeding of wild animals for purposes other than hunting (recreational feeding rules). Currently, "wild animal" means any mammal, bird, fish, or other creature of a wild nature endowed with sensation and the power of voluntary motion. Under current law, the recreational feeding rules do not apply after June 30, 2004. As of July 18, 2003 (the date on which this analysis was written), these rules had not taken effect.

This bill allows persons to feed elk or deer, other than in a chronic wasting disease eradication, management, or intensive harvest zone, for viewing purposes as an exception to the DNR recreational feeding rules if the site is within 50 yards of an owner–occupied residence and is not less than 100 yards from a highway that has a posted speed limit of more than 45 miles per hour. The bill also allows a person to feed elk or deer for hunting purposes in an area comprising 40 acres or less north of USH 54 during open season for that animal. The same minimum distance from a highway as for recreational feeding applies to feeding for hunting purposes. Under the bill, the total amount of material placed daily for feeding may not exceed two gallons.

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

ASSEMBLY BILL 519

SECTION 1.	29 336	of the	statutes	is	created	to	read
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- **29.336 Feeding deer or elk. (1)** In this section, "feed deer or elk" means to place any material to feed or attract deer or elk in or from the wild.
- (2) Notwithstanding the rules promulgated under s. 29.335, a person may feed deer or elk for viewing purposes anywhere except in an area that the department has designated as a chronic wasting disease eradication zone under s. 29.063 (2) or that the department has designated as a chronic wasting disease management zone or intensive harvest zone if all of the following apply:
 - (a) The feeding site is within 50 yards of an owner–occupied residence.
- (b) The feeding site is not less than 100 yards from a highway having a posted speed limit of 45 miles per hour or more.
- (c) Not more than 2 gallons of feed are placed daily in a site for feeding deer or elk.
- (3) A person may feed deer or elk for hunting purposes anywhere north of USH 54 during any season open for hunting of that animal except in an area that the department has designated as a chronic wasting disease eradication zone under s. 29.063 (2) or that the department has designated as a chronic wasting disease management zone or intensive harvest zone if the condition under sub. (2) (b) is met and there are no more than 2 gallons of feed placed daily for hunting purposes in any area comprising 40 acres or less.

21 (END)