



State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

RESEARCH APPENDIX - **PLEASE DO NOT REMOVE FROM DRAFTING FILE**


Date Added To File: 09/11/2003 (Per: RPN)




 The 2003 drafting file for LRB 03-2969/3

has been copied/added to the 2003 drafting file for

LRB 03-3264

 The attached 2003 draft was incorporated into the new 2003 draft listed above. For research purposes, this cover sheet and the attached drafting file were copied, and added, as a appendix, to the new 2003 drafting file. If introduced this section will be scanned and added, as a separate appendix, to the electronic drafting file folder.

 This cover sheet was added to rear of the original 2003 drafting file. The drafting file was then returned, intact, to its folder and filed.

2003 DRAFTING REQUEST

Bill

Received: 07/10/2003

Received By: rnelson2

Wanted: As time permits

Identical to LRB:

For: Scott Gunderson (608) 266-3363

By/Representing: Mike Bruhn

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.Gunderson@legis.state.wi.us

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Feeding of deer or elk

Instructions:

See Attached

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>
/?							
/P1	rnelson2 07/11/2003	kgilfoy 07/11/2003	pgreensl 07/14/2003	_____	sbasford 07/14/2003		
/1	rnelson2 07/18/2003	kgilfoy 07/29/2003	rschluet 07/29/2003	_____	amentkow 07/29/2003		

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/2	rnelson2 07/29/2003	kgilfoy 07/29/2003	jfrantze 07/30/2003	_____	sbasford 07/30/2003		
/3	rkite 07/30/2003	kgilfoy 07/30/2003	rschluet 07/30/2003	_____	amentkow 07/30/2003		

FE Sent For:

<END>

2003 DRAFTING REQUEST

Bill

Received: 07/10/2003

Received By: rnelson2

Wanted: As time permits

Identical to LRB:

For: Scott Gunderson (608) 266-3363

By/Representing: Mike Bruhn

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.Gunderson@legis.state.wi.us

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Feeding of deer or elk

Instructions:

See Attached

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>
/?							
/P1	rnelson2 07/11/2003	kgilfoy 07/11/2003	pgreensl 07/14/2003	_____	sbasford 07/14/2003		
/1	rnelson2 07/18/2003	kgilfoy 07/29/2003	rschluet 07/29/2003	_____	amentkow 07/29/2003		

13 - 7/30
EMG

7-30-03
P6

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/2	rnelson2 07/29/2003	kgilfoy 07/29/2003	jfrantze 07/30/2003	_____	sbasford 07/30/2003		

FE Sent For:

<END>

2003 DRAFTING REQUEST

Bill

Received: 07/10/2003

Received By: rnelson2

Wanted: As time permits

Identical to LRB:

For: Scott Gunderson (608) 266-3363

By/Representing: Mike Bruhn

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.Gunderson@legis.state.wi.us

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Feeding of deer or elk

Instructions:

See Attached

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>
/?							
/P1	rnelson2 07/11/2003	kgilfoy 07/11/2003	pgreensl 07/14/2003	_____	sbasford 07/14/2003		
/1	rnelson2 07/18/2003	kgilfoy 07/29/2003	rschluet 07/29/2003	_____	amentkow 07/29/2003		

12-7/29
Kmg

07/29/2003 03:19:21 PM

Page 2

LRB-2969

FE Sent For:

<END>

2003 DRAFTING REQUEST

Bill

Received: 07/10/2003

Received By: rnelson2

Wanted: As time permits

Identical to LRB:

For: Scott Gunderson (608) 266-3363

By/Representing: Mike Bruhn

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.Gunderson@legis.state.wi.us

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:


Feeding of deer or elk

Instructions:

See Attached

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>
/?							
/P1	rnelson2 07/11/2003	kgilfoy 07/11/2003	pgreensl 07/14/2003		sbasford 07/14/2003		

FE Sent For: *1-7/29*
FWG

 <END> *JF*
 7-29-3

2003 DRAFTING REQUEST

Bill

Received: 07/10/2003

Received By: rnelson2

Wanted: As time permits

Identical to LRB:

For: Scott Gunderson (608) 266-3363

By/Representing: Mike Bruhn

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.Gunderson@legis.state.wi.us

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Feeding of deer or elk

Instructions:

See Attached

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?	rnelson2	1/1-7/11 KMG	7/13 P8	7/13 P8 JGF			

FE Sent For:

<END>

Nelson, Robert P.

From: Bruhn, Mike
Sent: Thursday, July 10, 2003 8:40 AM
To: Nelson, Robert P.
Subject: FW: RUSH: Drafting request

Importance: High

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

From: Bruhn, Mike
Sent: Thursday, July 10, 2003 8:39 AM
To: Gibson-Glass, Mary; Kite, Robin
Subject: RUSH: Drafting request
Importance: High

Mary or Robin,

Rep. Gunderson would like legislation drafted regarding feed and baiting. This drafting request is a rush, and should be placed before any of our other requests.

Rep. Gunderson would like the bill to allow a person, in order to draw deer or elk for viewing purposes on sites outside of a CWD management zone, may place no more than two gallons of feed within 50 yards of a owner occupied residence, except that feed may not be placed within 100 yards of any highway that is posted with a speed limit of at least 45 miles per hour. Additionally, a person, outside of a CWD management zone, may not hunt with the aid of more than two gallons of bait within any 40-acre site.

If you should have any questions, please feel free to contact me at 266-3363.

Thanks,

Mike Bruhn
Rep. Gunderson's office

See-2814



3001 7/17 am
State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-2969/P1

RPN: *king*

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Gen. Cat.
1 AN ACT *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 11, 2003, (the date on which this analysis was written) ~~these rules had not taken effect.~~

This bill allows persons to feed elk or deer 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 have one feeding site for feeding elk or deer for hunting purposes in any area comprising 40 acres or less. Under the bill, the total amount of material placed daily at a feeding site may not exceed two gallons.

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

2 SECTION 1. 29.336 of the statutes is created to read:
3 29.336 Feeding elk or deer. (1) In this section, "feed elk or deer" means to
4 place any material to feed or attract elk or deer in or from the wild.

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

LRB-2969/P1dn

RPN: |.....

kmg

I wasn't sure how to handle the 2-gallon limit, so I made it a daily limit of 2 gallons.
OK?

I am not sure that the language that I drafted regarding the one feeding site per 40 acres works. Should it apply to 40 acres owned by the person placing the feed? Would this language allow placing a feeding site on public land? Who would determine who would be able to place the feed if two people want to place feed on the same 40 acres?

Robert P. Nelson
Senior Legislative Attorney
Phone: (608) 267-7511
E-mail: robert.nelson@legis.state.wi.us

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

LRB-2969/P1dn
RPN:kmg:pg

July 14, 2003

I wasn't sure how to handle the 2-gallon limit, so I made it a daily limit of 2 gallons.
OK?

I am not sure that the language that I drafted regarding the one feeding site per 40 acres works. Should it apply to 40 acres owned by the person placing the feed? Would this language allow placing a feeding site on public land? Who would determine who would be able to place the feed if two people want to place feed on the same 40 acres?

Robert P. Nelson
Senior Legislative Attorney
Phone: (608) 267-7511
E-mail: robert.nelson@legis.state.wi.us

Nelson, Robert P.

From: Bruhn, Mike
Sent: Thursday, July 17, 2003 4:24 PM
To: Nelson, Robert P.
Subject: RE: follow-up.

We were under the assumption that it already existed...maybe in rule?

Also, you asked about public lands in the drafters note...public lands should be treated the same way as private lands.

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

From: Nelson, Robert P.
Sent: Thursday, July 17, 2003 4:22 PM
To: Bruhn, Mike
Subject: RE: follow-up.

I cannot find any statutory language authorizing a chronic wasting disease management zone. Do you want me to give DNR authority to create such a zone? I cannot refer to something that does not exist.

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

From: Bruhn, Mike
Sent: Thursday, July 17, 2003 4:11 PM
To: Nelson, Robert P.
Subject: follow-up.

Robert,

In response to your drafters notes on LRB 2969/P1.

- 1) The daily 2-gallon limit is correct.
- 2) The 2 gallons per 40 acres is just that...two gallons per forty acres, period...whether it is in one pile or 10 piles, 1 person or 10 people, it can only be 2 gallons per those forty acres.
- 3) Correction on page 2 line 3...where it states a chronic wasting disease eradication zone, make it say a chronic wasting disease eradication and/or management zone.

One change we'd like for the baiting portion:

- 4) Baiting will be allowed for hunting only during any open season for deer or elk outside of any chronic wasting disease eradication and/or management zone, and a line North of Highway 54.

Nelson, Robert P.

From: Bruhn, Mike
Sent: Thursday, July 17, 2003 4:11 PM
To: Nelson, Robert P.
Subject: follow-up.

Robert,

In response to your drafters notes on LRB 2969/P1.

- 1) The daily 2-gallon limit is correct.
- 2) The 2 gallons per 40 acres is just that...two gallons per forty acres, period...whether it is in one pile or 10 piles, 1 person or 10 people, it can only be 2 gallons per those forty acres.
- 3) Correction on page 2 line 3...where it states a chronic wasting disease eradication zone, make it say a chronic wasting disease eradication and/or management zone.

One change we'd like for the baiting portion:

- 4) Baiting will be allowed for hunting only during any open season for deer or elk outside of any chronic wasting disease eradication and/or management zone, and a line North of Highway 54.



State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-2969/P1
RPN:kmg:pg

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

other than in a chronic wasting disease eradication or management zone
north of highway 54 during open season for that animal
USH

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 1, 2003 (the date on which this analysis was written), these rules had not taken effect.

This bill allows persons to feed elk or deer 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 ~~have no feeding site for~~ feeding elk or deer for hunting purposes in ~~an~~ area comprising 40 acres or less. Under the bill, the total amount of material placed daily ~~at a~~ feeding site may not exceed two gallons.

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

2 SECTION 1. 29.336 of the statutes is created to read:

3 29.336 Feeding elk or deer. (1) In this section, "feed elk or deer" means to
4 place any material to feed or attract ~~elk or~~ ^{or elk} deer in or from the wild.

The same minimum distance from a highway for recreational feeding applies to feeding for hunting purposes.
or elk

1 (2) Notwithstanding the rules promulgated under s. 29.335, a person may feed
2 ~~the~~ ^{or elk} deer for viewing purposes anywhere except in an area that the department has
3 designated as a chronic wasting disease eradication zone under s. 29.063 (2) if all of ^{disease}
4 the following apply: ^{eradication}
^{management zone}

5 (a) The feeding site is within 50 yards of an owner-occupied residence.

6 (b) The feeding site is not less than 100 yards from a highway having a posted
7 speed limit of 45 miles per hour or more.

8 (c) Not more than 2 gallons of feed ^{are} placed daily in a site for feeding ^{or elk} deer

9 (3) A person may feed ~~the~~ deer for hunting purposes anywhere except in an
10 area that the department has designated as a chronic wasting disease eradication
11 zone under s. 29.063 (2) if the conditions under sub. (2) (b) ^{is} are met and there

12 ^{no more than 2 gallons of feed placed daily}
13 ^{are} only one feeding site for hunting purposes in any area comprising 40 acres or less.

(END)

are

Season open for hunting of that animal

or elk north of USH 57 during any



5004 (7/29)
State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-2969/1
RPN:kmg:rs

2003 BILL

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.

X This bill allows persons to feed elk or deer, other than in a chronic wasting disease eradication or management zone, ~~north of USH 54 during open season for that animal~~ 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:

7/30/03

Redraft - LRB-2969
Mike in Gundersen's office

draft should refer to all of the following:

- CWD eradication zone
- " management zone
- " intensive harvest zone



wanted: Fri. 8/1/03

State of Wisconsin
2003 - 2004 LEGISLATURE

+ RNK
LRB-2969/3
RPN/kmg/jf

2003 BILL

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

or intensive harvest
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^{or} management 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:

2 SECTION 1. 29.336 of the statutes is created to read:

BILL

③ or elk

①

29.336 Feeding ~~deer~~ deer. (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 ~~eradication~~ ^{or intensive harvest zone} management 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 ~~eradication~~ ^{or intensive harvest zone} management 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.

(END)



State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-2969/3
RPN&RNK:kmg:rs

2003 BILL

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:

BILL

1 **SECTION 1.** 29.336 of the statutes is created to read:

2 **29.336 Feeding deer or elk.** (1) In this section, “feed deer or elk” means to
3 place any material to feed or attract deer or elk in or from the wild.

4 (2) Notwithstanding the rules promulgated under s. 29.335, a person may feed
5 deer or elk for viewing purposes anywhere except in an area that the department has
6 designated as a chronic wasting disease eradication zone under s. 29.063 (2) or that
7 the department has designated as a chronic wasting disease management zone or
8 intensive harvest zone if all of the following apply:

9 (a) The feeding site is within 50 yards of an owner-occupied residence.

10 (b) The feeding site is not less than 100 yards from a highway having a posted
11 speed limit of 45 miles per hour or more.

12 (c) Not more than 2 gallons of feed are placed daily in a site for feeding deer or
13 elk.

14 (3) A person may feed deer or elk for hunting purposes anywhere north of USH
15 54 during any season open for hunting of that animal except in an area that the
16 department has designated as a chronic wasting disease eradication zone under s.
17 29.063 (2) or that the department has designated as a chronic wasting disease
18 management zone or intensive harvest zone if the condition under sub. (2) (b) is met
19 and there are no more than 2 gallons of feed placed daily for hunting purposes in any
20 area comprising 40 acres or less.

21

(END)