Received: 01/17/2003

# 2003 DRAFTING REQUEST

## Bill

Receive	ed: <b>01/17/2003</b>	4.	Received By: rnelson2						
Wanted	: As time pern	nits			Identical to LRB:				
For: Sec	ott Gunderson	(608) 266-336	By/Representing	By/Representing:					
This file	e may be shown	n to any legislat	Drafter: rnelson	2					
May Co	entact:		Addl. Drafters:						
Subject: Nat. Res fish and game					Extra Copies:				
Submit	via cmail: YES								
Request	er's email:	Rep.Gund	erson@legis	s.state.wi.us					
Carbon	copy (CC:) to:								
Pre Top	pic:				<u> </u>				
No spec	ific pre topic g	iven							
Topic:									
Transpo	rtation and pos	session of the h	ead, antlers,	or skin of a	deer or elk.				
Instruc	tions:								
See Atta	ached	·							
Draftin	g History:						<del></del>		
Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required		
/? /P1	rnelson2 02/04/2003 rkite 02/12/2003 rnelson2 02/13/2003	wjackson 02/14/2003	pgreensl 02/14/200	3	amentkow 02/14/2003				

Vers.	<u>Drafted</u>	Reviewed	Typed	Proofed	Submitted	<u>Jacketed</u>	Required
/P2	rnelson2 02/24/2003	wjackson 02/25/2003	rschluet 02/25/2003	3	mbarman 02/25/2003		
<b>/1</b>	rnelson2 04/14/2003	wjackson 04/15/2003	jfrantze 04/15/2003	3	sbasford 04/15/2003	amentkow 04/15/2003	

FE Sent For:

**<END>** 

Received: 01/17/2003

# 2003 DRAFTING REQUEST

### Bill

Received:	01/17/2003		Received By: rnelson2						
Wanted: A	As time permi	its			Identical to LRB:				
For: Scot	t Gunderson	(608) 266-3363	3		By/Representing				
This file r	nay be shown	to any legislato	or: NO		Drafter: rnelson2	2			
May Con	May Contact:								
Subject:	Nat. Res	s fish and ga	me		Extra Copies:				
Submit vi	ia email: <b>YES</b>								
Requester	r's email:	Rep.Gunde	erson@legis.	state.wi.us					
Carbon co	opy (CC:) to:								
Pre Topi	ic:								
No specif	ic pre topic gi	ven							
Topic:									
Transport	tation and poss	session of the ho	ead, antlers,	or skin of a c	leer or elk.				
Instructi	ions:								
See Attac	hed								
Drafting	History:	-							
<u>Vers.</u> /?	<u>Drafted</u>	Reviewed	Typed	Proofed	Submitted	Jacketed	Required		
/P1	rnelson2 02/04/2003 rkite 02/12/2003 rnelson2 02/13/2003	wjackson 02/14/2003	pgreensl 02/14/200	3	amentkow 02/14/2003				

Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	<u>Jacketed</u>	Required
/P2	rnelson2 02/24/2003	wjackson 02/25/2003	rschluet 02/25/2003	3	mbarman 02/25/2003		
/1	rnclson2 04/14/2003	wjackson 04/15/2003	jfrantze 04/15/2003	3	sbasford 04/15/2003		

FE Sent For:

<**END**>

## 2003 DRAFTING REQUEST

### Bill

Received: 01/17/2003					Received By: rnelson2				
Wanted:	As time perm	its			Identical to LRB:				
For: Sco	tt Gunderson	(608) 266-3363	3		By/Representing:				
This file	may be shown	to any legislato	or: NO		Drafter: rnelson	2			
May Contact:					Addl. Drafters:				
Subject:	Nat. Re	s fish and ga	me		Extra Copies:				
Submit v	ia email: YES								
Requeste	er's email:	Rep.Gunde	erson@legis	s.state.wi.us					
Carbon c	opy (CC:) to:								
Pre Top	ic:				<u> </u>	19			
No speci	fic pre topic gi	ven							
Topic:			<del></del>						
Transpor	tation and pos	session of the he	ead, antlers,	or skin of a	leer or elk.				
Instruct	ions:			***					
See Attac	ched								
Drafting	g History:								
Vers.	<u>Drafted</u>	Reviewed	<u>Typed</u>	Proofed	Submitted	Jacketed	Required		
/? /P1	rnelson2 02/04/2003 rkite 02/12/2003 rnelson2 02/13/2003	wjackson 02/14/2003 /1 WLj 4/15	pgreensl 02/14/200	03	amentkow 02/14/2003				

02/25/2003 11:08:40 AM Page 2

Vers.	Drafted	Reviewed	Typed	<u>Proofed</u>	Submitted	Jacketed	Required
/P2	rnelson2 02/24/2003	wjackson 02/25/2003	rschluet 02/25/2003	3	mbarman 02/25/2003		

FE Sent For:

<**END>** 

# 2003 DRAFTING REQUEST

### Bill

Received: 01/17/2003					Received By: rnelson2				
Wanted	: As time perm	its			Identical to LRB:				
For: Sco	ott Gunderson	(608) 266-336	3		By/Representing:				
This file	This file may be shown to any legislator: NO					2			
May Contact:					Addl. Drafters:				
Subject	Nat. Re	s fish and ga	ıme		Extra Copies:				
Submit	via email: YES								
Request	er's email:	Rep.Gund	erson@legi	s.state.wi.us					
Carbon	copy (CC:) to:								
Pre To	pic:					-			
No spec	ific pre topic gi	iven							
Topic:									
Transpo	ortation and pos	session of the h	ead, antlers,	, or skin of a	deer or elk.				
Instruc	tions:				·				
See Atta	ached								
Draftin	g History:								
Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required		
/? /P1	rnelson2 02/04/2003 rkite 02/12/2003 rnelson2 02/13/2003	wjackson 02/14/2003	pgreensl 02/14/200	) ====================================	amentkow 02/14/2003				
		-	<b>/</b> / :	1.7					

02/14/2003 04:27:09 PM Page 2

<u>Vers.</u> <u>Drafted</u> <u>Reviewed</u> <u>Typed</u> <u>Proofed</u> <u>Submitted</u> <u>Jacketed</u> <u>Required</u>

FE Sent For:

<END>

# 2003 DRAFTING REQUEST

Bill

FE Sent For:

Receive	d: <b>01/17/200</b> 3	<b>3</b>		Received By: rnelson2					
Wanted:	: As time per	mits			Identical to LRB: By/Representing: Drafter: rnelson2				
For: Sco	ott Gunderso	n (608) 266-336	<b>i3</b>						
This file	may be show	n to any legislat	or: NO						
May Contact:					Addl. Drafters:				
Subject:	Nat. F	Res fish and ga	ame		Extra Copies:				
Submit	via email: <b>YE</b>	S.							
Requesto	er's email:	Rep.Gund	erson@legi	is.state.wi.us					
Carbon	copy (CC:) to	•			•				
Pre Top	oic:								
No spec	ific pre topic	given							
Topic:	····	<del></del>				<u> </u>			
Transpo	rtation and po	ossession of the l	nead, antlers	, or skin of a d	eer or elk.				
Instruct	tions:				· · · · · · · · · · · · · · · · · · ·				
See Atta	ched						:		
Draftin	g History:								
Vers.	<u>Drafted</u>	Reviewed	Typed	<u>Proofed</u>	Submitted	<u>Jacketed</u>	Required		
/?	rnelson2	/p1 WLj 2/14		711					

The following is the current language with our 2<sup>nd</sup> draft (from Wednesday January 15, 2003) with suggested deletions indicated by strikeout lines and new language to add is underlined.

- 29.347(3) Heads and skins. Except as required by sub.(3)(a), the transportation and possession of the The head and skin of any deer or elk lawfully killed, when severed from the rest of the carcass, are not subject to this chapter; but no person may have possession or control of the green head or green skin of a deer or elk during the period beginning 30 days after the close of the applicable season and the opening of the succeeding applicable season. Unless authorized by the department, no person may at any time have possession or control of a deer or elk head in the velvet or a deer or elk skin in the red, blue, or spotted coat.
- (a) Unless authorized by the department, no person may at any time have possession or control of a deer or elk antlers head in the velvet or a deer or elk skin in the red, blue, or spotted coat; but deer and elk with antlers in the velvet or with a spotted coat may be killed during the open season provided the animal is taken in compliance with all other rules related to the killing and tagging of these animals. Each person who has killed a deer or elk or if s. 29.324, Stats., applies, the person who has tagged such a deer during the open season or under special permit issued by the department, shall contact the department to receive written authorization for a person to retain possession of the velvet antlers or skin in the spotted coat after being severed from the rest of the registered carcass. Written authorization shall be obtained within 7 days after the animal is registered as required by the department or tagged in accordance with s. 29.347(5), Stats., if a car killed deer. If the velvet antlers or spotted coat are not to be retained by any person after being severed from the registered carcass, no special written authorization is required.
- (b) Written authorization issued under sub. (a) to possess velvet antlers or the spotted coat from deer or elk only authorize possession and not sale.

#### 29.539 Sale of game or fish.

- (1) (a) Except as otherwise expressly provided under this chapter, no person may sell, buy, barter or trade, or offer to sell, buy, barter or trade or have in possession or under control for the purpose of sale, barter or trade any of the following:
- 1. Deer, elk, bear, squirrel, game bird, game fish, or the carcass of any of these wild animals at any time.
- 2. Any other wild animal or its carcass during the closed season for that wild animal.
- (4) The tails and skin of any squirrel and the tails, skins, skulls or antlers of any deer or elk, except antlers in velvet and deer skins in the spotted coat, lawfully killed, when severed from the rest of the carcass are exempted from this section.

Background Information:

29.001(18) "Carcass" means the dead body of any wild animal, including any part of the wild animal of the eggs of the wild animal

(cont. on back)

P13-9695

...

# Seofi Gunderson



### STATE REPRESENTATIVE . 83RD DISTRICT

# **MEMO**

Date:

January 15, 2003

From:

State Rep. Scott Gunderson

To:

Robin Kite

Re:

**Drafting Instructions** 

Robin,

I would like to have legislation drafted regarding ss 29.347(3). I am including an attachment that illustrates what changes are necessary.

If you have any questions, please call my office and speak to Mike or myself at 266-3363.

#### State Capitol:

P.O. Box 8952 Madison, WI 53708 (608) 266-3363

Toll-Free: (888) 534-0083

Fax: (608) 282-3683

E-Mail: Rep.Gunderson@ legis.state.wi.us

#### 83rd District:

P.O. Box 7 Waterford, WI 53185

(262) 895-6254



# State of Misconsin 2003 - 2004 LEGISLATURE

LRB-1583/P1 RPN:...:

# PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Analysis by the Legislative Reference Bureau  This is a preliminary draft. An analysis will be provided in a later version.
The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:
SECTION 1. 29.347 (3) of the statutes is renumbered 29.347 (3) (a) and amended
to read:
29.347 (3) (a) The Except as provided in par. (b), the transportation,
possession, and control of the head and or skin of any deer or elk lawfully killed, when
severed from the rest of the carcass, are not subject to this chapter; but no person may
have possession or control of the green head or green skin of a deer or elk during the
period beginning 30 days after the close of the applicable season and the opening of
the succeeding applicable season.  Why transportat  see 5. 29.357  see 5. 49.357  Warse fitte?

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LRB-1583/P1

SECTION 1

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wiless:	the 1	serson	0 44	Killin	o The	deer	orell	<u>L</u>
	anther	s or sk	in Dy	100000	7			
<i>,</i> -		_						

(b) 1. Unless authorized by the department, no No person may at any time have possession possess or control of a deer or elk head antlers in the velvet or of deer or an elk skin in the red, blue, or spotted coat white that deer and elk with antlers in the valvet or a deer or an elk skin with a spotted doat may be killed and possessed during the open season provided the animal is killed and possessed in compliance with the rules of the department.

History: 1975 c. 97, 199; 1983 a. 546; 1991 a. 269, 316; 1995 a. 79, 126; 1997 a. 248 s. 504; Stats. 1997 s. 29.347; 1999 a. 9; 2001 a. 16, 56, 109; s. 13.93 (2) (c) **SECTION 2.** 29.347 (3) (b) 2. of the statutes is created to read:

29.347 (3) (b) 2. Each person who has tagged a deer or an elk during the open season or under a special permit issued by the department may contact the department to receive written authorization to retain possession of the antlers in the velvet or skin with a spotted coat that have been removed from the rest of the carcass. The person shall request written authorization within 7 days after the animal is registered as required by the department or is tagged under sub. (5). Written authorization issued under this subdivision authorize the possession of antlers in the velvet or skin with a spotted coat, not their sale.

SECTION 3. 29.539 (4m) of the statutes is created to read:

29.539 (4m) The tails, skins, skulls, or antlers severed from the rest of the carcass of any deer or elk that is lawfully killed, except antlers in the velvet and deer skins in the spotted coat, are exempt from the provisions of this section.

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# State of Misconsin 2003 – 2004 LEGISLATURE

LRB-1583/P1 RPN:...:

# PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

2	deer or elk.
	Analysis by the Legislative Reference Bureau  This is a preliminary draft. An analysis will be provided in a later version.
	The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:
3	SECTION 1. 29.347 (3) of the statutes is renumbered 29.347 (3) (a) and amended
4	to read:
5	29.347 (3) (a) The Except as provided in par. (b), the control or possession of
6	the head and or skin of any deer or elk lawfully killed, when severed from the rest
7	of the carcass, are not subject to this chapter; but no person may have possession or
8	control of the green head or green skin of a deer or elk during the period beginning

30 days after the close of the applicable season and the opening of the succeeding

applicable season. Unless authorized by the department, no person may at any time

AN ACT ...; relating to: control and possession of the head, antlers, or skin of a

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have possession or control of a deer or elk-head in the velvet or a deer or elk skin in

the red, blue, or spotted coat.

**SECTION 2.** 29.347 (3) (b) of the statutes is created to read:

29.347 (3) (b) Well. No person may possess or control deer or elk antlers in the velvet or a deer or an elk skin in the spotted coat of a lawfully killed deer or elk unless the person to whom the carcass tag for the deer or elk was issued, or the person who had the deer tagged under sub. (5) has requested written authorization from the department to control or possess the antlers or skin. A request for written authorization from the department shall be submitted within 7 days after the carcass tag has been attached to the deer or elk. The department shall prepare a form for requesting the authorization required under this paragraph that includes a copy that is retained by the requester and indicates when the request was submitted to the department.

History: 1975 c. 97, 199; 1983 a. 546; 1991 a. 269, 316; 1995 a. 79, 126; 1997 a. 248 s. 504; Stats. 1997 s. 29.347; 1999 a. 9; 2001 a. 16, 56, 109; s. 13.93 (2) (c). (END)



# State of Misconsin 2003 - 2004 LEGISLATURE

LRB-1583/P1 RPN:..f:... WLj

### PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

AN ACT ...; relating to: control and possession of the head, anticrs, or skin of a

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deer or elk.

Analysis by the Legislative Reference Bureau

This is a preliminary draft. An analysis will be provided in a later version.

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

SECTION 1. 29.347 (3) of the statutes is renumbered 29.347 (3) (a) and amended to read:

29.347 (3) (a) The Except as provided in par. (b), the control or possession of the head and or skin of any deer or elk lawfully killed, when severed from the rest of the carcass, are not subject to this chapter; but no person may have possession or control of the green head or green skin of a deer or elk during the period beginning 30 days after the close of the applicable season and the opening of the succeeding applicable season. Unless authorized by the department, no person may at any time

SECTION 1

have possession or control of a deer or elk head in the velvet or a deer or elk skin in

the red, blue, or spotted coat;

SECTION 2. 29.347 (3) (b) of the statutes is created to read:

29.347 (3) (b) Title. No person may possess or control deer or elk antlers in the velvet or a deer or an elk skin in the spotted coat of a lawfully killed deer or elk unless the person to whom the carcass tag for the deer or elk was issued, or the person who had the deer tagged under sub. (5) has requested written authorization from the department to control or possess the antlers or skin. A request for written authorization from the department shall be submitted within 7 days after the carcass tag has been attached to the deer or elk. The department shall prepare a form for requesting the authorization required under this paragraph that includes a copy that is retained by the requester and indicates when the request was submitted to the department.

History: 1975 c. 97, 199; 1983 a. 546; 1991 a. 269, 316; 1995 a. 79, 126; 1997 a. 248 s. 504; Stats. 1997 s. 29.347; 1999 a. 9; 2001 a. 16, 56, 109; s. 13.93 (2) (c). (END)

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### Nelson, Robert P.

From: Mentkowski, Annie

Sent: Friday, February 21, 2003 9:15 AM

To: Nelson, Robert P.

Subject: FW: Draft review: LRB 03-1583/P1 Topic: Transportation and possession of the head, antlers, or skin

of a deer or elk.

----Original Message----

From: Bruhn, Mike

Sent: Thursday, February 20, 2003 3:05 PM

To: Mentkowski, Annie

Subject: RE: Draft review: LRB 03-1583/P1 Topic: Transportation and possession of the head, antlers, or skin of

a deer or elk.

Can we incorporate the changes brought up by the Department of Natural Resources?

Thanks,

Mike Bruhn

Rep. Gunderson's office

----Original Message-----From: Mentkowski, Annie

Sent: Friday, February 14, 2003 4:27 PM

**To:** Rep.Gunderson

Subject: Draft review: LRB 03-1583/P1 Topic: Transportation and possession of the head, antlers, or skin of a

deer or elk.

Following is the PDF version of draft LRB 03-1583/P1.

### **2003 – 2004 LEGISLATURE** PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

- AN ACT to renumber and amend 29.347 (3); and to create 29.347 (3) (b) of the
- 2 statutes; relating to: control and possession of the head, antlers, or skin of a
- 3 deer or an elk.

#### Analysis by the Legislative Reference Bureau

This is a preliminary draft. An analysis will be provided in a later version.

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

- SECTION 1. 29.347 (3) of the statutes is renumbered 29.347 (3) (a) and amended 4
- 5
- 6 29.347 (3) (a) The Except as provided in par. (b), the control or possession of the
- 7 head and or skin of any deer or elk lawfully killed, when severed from the rest of the
- 8 carcass, are not subject to this chapter; but no person may have possession or control
- of the green head or green skin of a deer or elk during the period beginning 30 days
- 10 after the close of the applicable season and the opening of the succeeding applicable

### Page -2-

- season. Unless authorized by the department, no person may at any time have
- 2 possession or control of a deer or elk head in the velvet or a deer or elk skin in the red, blue, or spotted coat.
- 4 SECTION 2. 29.347 (3) (b) of the statutes is created to read:
- 5 29.347 (3) (b) No person may possess or control deer or elk anticrs in the velvet
- 6 or a deer or an elk skin in the spotted coat of a lawfully killed deer or elk unless the
- person to whom the carcass tag for the deer or elk was issued, or the person who had
- 8 the deer tagged under sub. (5), has requested written and received authorization from the
- department to control or possess the antlers or skin. A request for written
- 10 authorization from the department shall be submitted made within 7 days after the
- H carcass tag has been attached to the deer or elk. The department shall prepare a form
- 12 for requesting the authorization required under this paragraph that includes a copy
- 13 that is retained by the requester and indicates when the request was submitted to

14 the department.

nothing in writing . 15 (END)

- Written authorization issued by the department under this subsection to possess deer or elk
- 17 antiers in the velvet or a deer or an elk skin in the spotted coat does not authorize sale.
- SECTION 3. 29.539 (4) of the statutes is amended to read:
- 19 29.539 (4) The tails and skin of any squirrel and the tails, skins, skulls and antlers of
- 20 any deer or elk, except antiers in velvet and deer or elk skins in the spotted coat,
- 21 lawfully killed, when severed from the rest of the carcass are exempted from this

22\_section.

See attached page with comments from Tom Van Haren (DNR) 9608)266-3244

Wot needed
See
29.539(c)
(a)-includes
carcasses

Vant 6
be a5/6
5066

Mike, I have highlighted the several changes we would like to see. We really do not want to have to create more paperwork for the hunter to have to complete or for our staff to have to print, review and file. I do not think it is necessary to require a form be developed and distributed statewide to all our field offices that the hunter must obtain, complete and submit simply to obtain a permit to keep his/her velvet antlers or spotted hide. The number or requests received annually is minimal and the way we have always handled these is with a simply phone call from the hunter.

In the past, hunters have simply called their local DNR Office or warden and advise they would like to keep the velvet antlers or spotted hide from a deer they harvested. The warden then arranges a convenient time and location to meet with the person, inspect the item to make sure it was taken lawfully and issues the written authorization/tag. A copy of the authorization is kept at the local field office and a copy is submitted to our central office in Madison. We would like to keep it simple.

I have also added lines 16 through 22 at the end of the draft proposal.

Lines 16 & 17 were included in our original draft to clarify that the person could not turn around and sell velvet antlers or spotted hides from wild deer or elk after obtaining the written authorization. The taxidermist association supported this. If selling these parts is legalized, it will likely result in illegal harvest and trade of these items.

The amended section 3, added as lines 18 through 22 was also part of our previous proposal. Without this additional language, it would not be legal for a hunter to sell their deer hides, deer capes, antlers or skulls as they have always been allowed to do in the past. We do not want to prevent this from continuing. How does adding language change entrent law

Let me know if you have any questions.

Tom Van Haren Dept. of Natural Resources Bureau of Law Enforcement 266-3244



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# State of Misconsin 2003 - 2004 LEGISLATURE

LRB-1583/PT
RPN:wlj:pg



### PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

AN ACT to renumber and amend 29.347 (3); and to create 29.347 (3) (b) of the statutes; relating to: control and possession of the head, antlers, or skin of a deer or an elk.

## Analysis by the Legislative Reference Bureau

This is a preliminary draft. An analysis will be provided in a later version.

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

**SECTION 1.** 29.347 (3) of the statutes is renumbered 29.347 (3) (a) and amended to read:

29.347 (3) (a) The Except as provided in par. (b), the control or possession of the head and or skin of any deer or elk lawfully killed, when severed from the rest of the carcass, are not subject to this chapter; but no person may have possession or control of the green head or green skin of a deer or elk during the period beginning 30 days after the close of the applicable season and the opening of the succeeding applicable

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season. Unless authorized by the department, no person may at any time have possession or control of a deer or elk head in the velvet or a deer or elk skin in the red, blue, or spotted coat.

**SECTION 2.** 29.347 (3) (b) of the statutes is created to read:

29.347 (3) (b) No person may possess or control deer or clk antlers in the velvet or a deer or an elk skin in the spotted coat of a lawfully killed deer or elk unless the person to whom the carcass tag for the deer or elk was issued, or the person who had the deer tagged under sub. (5), has requested zritten authorization from the department to control or possess the antlers or skin. A request for written authorization from the department shall be submitted within 7 days after the carcass tag has been attached to the deer or elk. The department shall prepare a form for requesting the authorization required under this paragraph that includes a copy that is retained by the requester and indicates when the request was submitted to the department.

(END)

Insert 2-15

### 2003–2004 DRAFTING INSERT FROM THE LEGISLATIVE REFERENCE BUREAU

1	insert 2–15: $\#$
2	SECTION 4. 29.539 (7) of the statutes is created to read:
3	29.539 (7) Subsection (1) does not apply to the tails and skulls of any deer or
4	elk lawfully killed, to the antlers of any deer or elk lawfully killed that are not in
5	the velvet and to the skins of any deer or elk lawfully killed that are not in the spotted
6	coat.

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

LRB-1583/P2dn RPN:wlj:pg/

proposed I did make some of the changes suggested by the department, but did not include the suggested language about authorization under may s. 29.347 (3) (b) not authorizing s. sale because s. 29.539 explicitly prohibits such sale.

Lectumbered and reworded the suggested language in s. 29.539 (4) because having an

exception to an exception is very confusing.

Robert P. Nelson Scnior Legislative Attorney Phone: (608) 267-7511

E-mail: robert.nelson@legis.state.wi.us

# DRAFTER'S NOTE FROM THE LEGISLATIVE REFERENCE BUREAU

LRB-1583/P2dn RPN:wlj:rs

February 25, 2003

I did make some of the changes suggested by the department, but I did not include the suggested language about authorization under proposed s. 29.347 (3) (b) not authorizing sale because s. 29.539 explicitly prohibits such sale.

Instead of the suggested language in s. 29.539 (4), I created s. 29.539 (7) because having an exception to an exception is very confusing.

Robert P. Nelson Senior Legislative Attorney Phone: (608) 267–7511

E-mail: robert.nelson@legis.state.wi.us

### Barman, Mike

From:

Bruhn, Mike

Sent:

Thursday, April 10, 2003 11:52 AM

To:

Barman, Mike

Subject: RE: Draft review: LRB 03-1583/P2 Topic: Transportation and possession of the head, antlers, or

skin of a deer or elk.

Please jacket for introduction.

----Original Message----

From: Barman, Mike

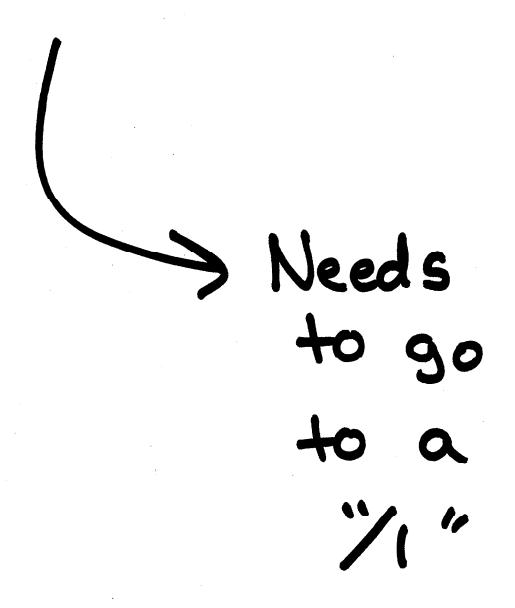
Sent: Tuesday, February 25, 2003 11:09 AM

To: Rep.Gunderson

Subject: Draft review: LRB 03-1583/P2 Topic: Transportation and possession of the head, antlers, or skin of

a deer or elk.

Following is the PDF version of draft LRB 03-1583/P2 and drafter's note.





## State of Misconsin 2003 - 2004 LEGISLATURE

LRB-1583/P2

RPN:wlj:rs

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

AN ACT to renumber and amend 29.347 (3); and to create 29.347 (3) (b) and 29.539 (7) of the statutes; relating to: control and possession of the head, antlers, or skin of a deer or an elk.

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## Analysis by the Legislative Reference Bureau

This is a preliminary draft. An analysis will be provided in a later version.

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

SECTION 1. 29.347 (3) of the statutes is renumbered 29.347 (3) (a) and amended to read:

29.347 (3) (a) The Except as provided in par. (b), the control or possession of the head and or skin of any deer or elk lawfully killed, when severed from the rest of the carcass, are not subject to this chapter; but no person may have possession or control of the green head or green skin of a deer or elk during the period beginning 30 days after the close of the applicable season and the opening of the succeeding applicable

season. Unless authorized by the department, no person may at any time have
possession or control of a deer or elk head in the velvet or a deer or elk skin in the
red, blue, or spotted coat.

**Section 2.** 29.347 (3) (b) of the statutes is created to read:

29.347 (3) (b) No person may possess or control deer or elk antlers in the velvet or a deer or an elk skin in the spotted coat of a lawfully killed deer or elk unless the person to whom the carcass tag for the deer or elk was issued, or the person who had the deer tagged under sub. (5), has requested and received authorization from the department to control or possess the antlers or skin. A request for written authorization from the department shall be made within 7 days after the carcass tag has been attached to the deer or elk.

**SECTION 3.** 29.539 (7) of the statutes is created to read:

29.539 (7) Subsection (1) does not apply to the tails and skulls of any deer or elk lawfully killed, to the antlers of any deer or elk lawfully killed that are not in the velvet, and to the skins of any deer or elk lawfully killed that are not in the spotted coat.

### 2003–2004 Drafting Insert from the Legislative Reference Bureau

LRB-1583/1ins RPN:wlj:rs

insert anl:

Under current law, a person may not possess the green head or green skin of a wild deer or elk during the period beginning 30 days after the close of the hunting season and ending on the opening of the succeeding hunting season. In addition, unless authorized by the department of natural resources (DNR), everythe no one may at any time possess a wild deer or elk head with velvet antlers or a deer or an elk in the red, blue, or spotted coat.

Under this bill, a person may possess a deer or an elk head with velvet antlers or a deer or an elk in the spotted coat if the deer or elk was lawfully killed and tagged and the person has received authorization from DNR to possess the antlers or skin.

Currently, most persons may not sell, barter, buy, or trade the carcasses of wild deer or elk, regardless of whether the deer or elk was lawfully killed. This bill allows a person to sell, barter, buy, or trade the tails and skulls of any deer or elk lawfully killed, the antlers of any deer or an elk lawfully killed that are not velvet, and the skins of any deer or elk lawfully killed that are not in the spotted coat.

### Mentkowski, Annie

From: Sent:

Bruhn, Mike

Tuesday, April 15, 2003 10:22 AM

To:

LRB.Legal

Subject:

Draft review: LRB 03-1583/1 Topic: Transportation and possession of the head, antlers, or

skin of a deer or elk.

It has been requested by <Bruhn, Mike> that the following draft be jacketed for the ASSEMBLY:

Draft review: LRB 03-1583/1 Topic: Transportation and possession of the head, antlers, or skin of a deer or elk.