

**2005 DRAFTING REQUEST**

**Bill**

Received: 01/20/2005

Received By: rnelson2

Wanted: As time permits

Identical to LRB:

For: Scott Gunderson (608) 266-3363

By/Representing:

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:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Exempt compound bows equipped with draw-locs from 100 pound draw weight minimum

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**Instructions:**

See Attached

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**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 02/04/2005	chanaman 02/10/2005	pgreensl 02/10/2005	_____	lnorthro 02/10/2005	lemery 02/15/2005	

FE Sent For:

<END>

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Identical to LRB:

For: **Scott Gunderson (608) 266-3363**

By/Representing:

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

Drafter: **rnelson2**

May Contact:

*DNR - Paul Heinen  
Amber Meyer Smith*

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

*LRM 1/26 will send  
more info over and name  
of DNR contact.  
LRM w/ Paul Heinen*

**Topic:**

Exempt compound bows equipped with draw-locs from 100 pound draw weight minimum

**Instructions:**

See Attached

**Drafting History:**

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/?            rnelson2

*Handwritten initials and signatures under Typed and Proofed columns.*

FE Sent For:

<END>

29.171

**29.171 Resident archer hunting license.**

29.171(2)

(2) A resident archer hunting license authorizes the hunting of all game, except bear, elk, and wild turkey, during the open seasons for hunting that game with bow and arrow established by the department. This license authorizes hunting with a bow and arrow only, unless hunting with a crossbow is authorized by a Class A, Class B, or Class C permit issued under s. 29.193 (2) or a permit issued under sub. (4).

29.171(4)(b)

(b) (intro.) Crossbows used in hunting as authorized by a Class A, Class B or Class C permit issued under s. 29.193 (2) or under this subsection or as authorized under sub. (2m) or s. 29.164 (2) (b) shall meet all of the following specifications:

29.171(4)(b)2.

2. Shall have a minimum draw weight of 100 pounds.

**Gibson-Glass, Mary**

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**From:** Bruhn, Mike  
**Sent:** Wednesday, January 19, 2005 11:15 AM  
**To:** Gibson-Glass, Mary  
**Subject:** drafting request

Mary,

Representative Gunderson would like Legislation drafted to exempt Compound bows equipped with draw-loc's from the 100 pound draw weight limit minimum found in s.29.171 (4) (b) 2. If you have any questions, please feel free to contact me at 266-3363.

Thanks,

Mike Bruhn  
Rep. Scott Gunderson's office

RPN

RESPONSE/MEMORANDUM

#6 P.2

1

Date: September 10, 2004  
To: Paul Heinen, Policy Advisor - AD/5  
From: Bureau of Law Enforcement  
Division of Enforcement & Science  
Subject: 2005 - 2007 Legislative Proposal.

6-2120  
LM

Both 7-9521

by

1. Problem/Issue: MISCELLANEOUS HUNTING AND TRAPPING RULE CHANGE PACKAGE = 11 ITEMS

A. Dog Injuring Deer or Game Birds or Nest: Current statutes provide a penalty for the owner of a dog causing injury to a deer, game birds or the nests or eggs of game birds. However, the authority to use the uniform conservation citation is not found in s.23.50, Stats., there for conservation wardens can not use this method to proceed in forfeiture actions for such violations.

B. Legal Title to a Wild Animals: Under current law, a wild animal taken in violation of chapter 29, Stats., remains in the state. This provision does not extend to wild animals taken in violation of the road hunting restrictions in s. 167.31 or to trespassing violations of s. 943.13, Stats.

C. Exempting Compound bows equipped with Draw-loc's from the 100 lb draw weight minimum: Under current law, a compound bow equipped with a "Draw-Loc" device is by definition a crossbow and therefore, under s. 29.171(4)(b), Stats., in order for a resident senior citizen or a disabled hunter with a crossbow permit to use a compound bow with a "Draw-Loc" device, the bow must have a minimum draw weight of 100 lbs. Very few compound bows are built with a 100 lb. draw and hunters who already have a legal compound bow can not use it if it is equipped with a "Draw-Loc". This proposal is to exempt compound bows that are not built/designed with a stock and to be shot from the shoulder or with one had like a pistol, from the 100 lb. requirement found in s.29.171(4)(b)2., Stats.

D. Clarification on use of Crossbows to hunt Bear and Small Game: Under current statutory language found in ss. 29.161, 29.184, and 29.171(2) & (2m), Stats., it is illegal or at least unclear as to whether or not a crossbows may be used by disabled hunters with a Class A, B, C or Crossbow permit or residents over age 65 to hunt bear and small game under a Class A Bear and a Small Game hunting license. Crossbows are legal to use for small game and deer if they hold an archery license and for turkey and elk if the have a license. This proposal is to clarify or make it legal to use a crossbow to hunt bear with a Class A Bear and a Small Game with a Small Game hunting license if the person possesses a Class A, B, C or Crossbow permit or is a resident over age 65.

Done

E. Blaze Orange Clothing Requirement Exemption for Night Hunting: Current law requires that all hunters except waterfowl hunters must wear blaze orange when hunting during a deer firearm season. Hunter that hunt raccoon, fox, or coyote at night have asked to also be exempt from this requirement.

Done

F. Use of Flashlights for Coyote Hunting at Night: Under current law it is legal to hunt coyotes, fox, raccoons and unprotected species at night without hunting hours restrictions. It is also legal to possess with the intent to use or to use an artificial light at the point of kill while hunting all these except coyotes. This is confusing to hunters, and not being able to use a light to be sure of the target has the potential of creating an unsafe shooting situation or the accidental killing of protected animals such as wolves or domestic dogs.





# A fax from

**Amber Meyer Smith  
Legislative Liaison  
DNR**

101 S. Webster St, PO Box 7921  
Madison, WI 53707-7921  
(608) 266-2243  
FAX (608) 266-6983

**To:** Bob Nelson, LRB  
Fax number: (608) 264-6948

**Date:** 01/27/2005

**Regarding:** Compound Draw Locs

**Comments:** 7 pages including cover  
Mike Lutz can be reached at 267-7456

**MISCELLANEOUS HUNTING AND TRAPPING RULE CHANGE PACKAGE = 11 ITEMS**

**CHAPTER 23**

s. 23.50(1) of the statutes is amended to read:

s. 23.50(1) The procedure in ss. 23.50 to 23.85 applies to all actions in circuit court to recover forfeitures, penalty assessments, jail assessments, applicable weapons assessments, applicable environmental assessments, applicable wild animal protection assessments, applicable natural resources assessments, applicable fishing shelter removal assessments, applicable snowmobile registration restitution payments and applicable natural resources restitution payments for violations of ss. 77.09, 90.21, 134.60, 167.10 (3), 167.31 (2), s.174.02(2)(a) and (b), 281.48 (2) to (5), 283.33, 285.57 (2), 285.59 (2), (3) (c) and (4), 287.07, 287.08, 287.81 and 299.64 (2), subch. VI of ch. 77, this chapter and chs. 26 to 31, ch. 169, and ch. 350, and any administrative rules promulgated thereunder, violations specified under s. 285.86, violations of ch. 951 if the animal involved is a captive wild animal, violations of rules of the Kickapoo reserve management board under s. 41.41 (7) (k) or violations of local ordinances enacted by any local authority in accordance with s. 23.33 (1) (am) or 30.77.

**CHAPTER 29**

s. 29.011(2) of the statutes is amended to read:

29.011 (2) The legal title to a wild animal or carcass, taken or reduced to possession in violation of this chapter, or while violating s. 167.31 or 943.13, remains in the state. The title to a wild animal or carcass, lawfully acquired, is subject to the condition that upon the violation of this chapter relating to the possession, use, giving, sale, barter or transportation of a wild animal or carcass by the owner, the ownership shall revert, as a result of the violation, to the state.

s. 29.171(4)(b) of the statutes is amended to read:

s. 29.171(4)(b) Crossbows used in hunting as authorized by a Class A, Class B or Class C permit issued under s. 29.193 (2) or under this subsection or as authorized under sub. (2m) or s. 29.164 (2) (b) shall meet all of the following specifications, except that compound bows equipped with a device that holds the bow at full draw but are not constructed with a stock and designed to be shot from the shoulder or with one hand which do not need to comply with subd. 2.:

2. Shall have a minimum draw weight of 100 pounds.
4. Shall have a working safety.
5. Shall be used with bolts or arrows of not less than 14 inches in length with a broadhead.

29.161 of the statutes is repealed and recreated to read:

29.161 Resident small game hunting license.

(1) Authorization; Restrictions.

(a) Authorization. A license issued under this section authorizes hunting with a firearm or bow and arrow or with a crossbow if the holder of the license is a resident and has a Class A, Class B or Class C permit issued under s. 29.193 (2) that authorizes hunting with a crossbow or has a crossbow permit issued under s. 29.171 (4) (a), or is a resident senior citizen.

(b) Restrictions. A resident small game hunting license shall be issued subject to s. 29.024 by the department to any resident applying for this license. The resident small game hunting license does not authorize the hunting of bear, deer, elk, or wild turkey.



State of Wisconsin

## CORRESPONDENCE/MEMORANDUM

1

Date: September 10, 2004  
 To: Paul Heinen, Policy Advisor – AD/5  
 From: Bureau of Law Enforcement  
 Division of Enforcement & Science  
 Subject: 2005 – 2007 Legislative Proposal.

1. Problem/Issue: MISCELLANEOUS HUNTING AND TRAPPING RULE CHANGE PACKAGE = 11 ITEMS

**A. Dog Injuring Deer or Game Birds or Nest:** Current statutes provide a penalty for the owner of a dog causing injury to a deer, game birds or the nests or eggs of game birds. However, the authority to use the uniform conservation citation is not found in s.23.50, Stats., there for conservation wardens can not use this method to proceed in forfeiture actions for such violations.

**B. Legal Title to a Wild Animals:** Under current law, a wild animal taken in violation of chapter 29, Stats., remains in the state. This provision does not extend to wild animals taken in violation of the road hunting restrictions in s. 167.31 or to trespassing violations of s. 943.13, Stats.

**C. Exempting Compound bows equipped with Draw-loc's from the 100 lb draw weight minimum:** Under current law, a compound bow equipped with a "Draw-Loc" device is be definition a crossbow and therefore, under s. 29.171(4)(b), Stats., in order for a resident senior citizen or a disabled hunter with a crossbow permit to use a compound bow with a "Draw-Loc" device, the bow must have a minimum draw weight of 100 lbs. Very few compound bows are built with a 100 lb. draw and hunters who already have a legal compound bow can not use it if it is equipped with a "Draw-Loc". This proposal is to exempt compound bows that are not built/ designed with a stock and to be shot from the shoulder or with one had like a pistol, from the 100 lb. requirement found in s.29.171(4)(b)2., Stats. *hand?*

**D. Clarification on use of Crossbows to hunt Bear and Small Game:** Under current statutory language found in ss. 29.161, 29.184, and 29.171(2) & (2m), Stats., it is illegal or at least unclear as to whether or not a crossbows may be used by disabled hunters with a Class A, B, C or Crossbow permit or residents over age 65 to hunt bear and small game under a Class A Bear and a Small Game hunting license. Crossbows are legal to use for small game and deer if they hold an archery license and for turkey and elk if the have a license. This proposal is to clarify or make it legal to use a crossbow to hunt bear with a Class A Bear and a Small Game with a Small Game hunting license if the person possesses a Class A, B, C or Crossbow permit or is a resident over age 65.

**E. Blaze Orange Clothing Requirement Exemption for Night Hunting:** Current law requires that all hunters except waterfowl hunters must wear blaze orange when hunting during a deer firearm season. Hunter that hunt raccoon, fox, or coyote at night have asked to also be exempt from this requirement.

**F. Use of Flashlights for Coyote Hunting at Night:** Under current law it is legal to hunt coyotes, fox, raccoons and unprotected species at night without hunting hours restrictions. It is also legal to possess with the intent to use or to use an artificial light at the point of kill while hunting all these except coyotes. This is confusing to hunters, and not being able to use a light to be sure of the target has the potential of creating an unsafe shooting situation or the accidental killing of protected animals such as wolves or domestic dogs.



State of Wisconsin  
2005 - 2006 LEGISLATURE

LRB-1797/1

RPN:.....

cmh

2005 BILL

1 AN ACT <sup>regen cal</sup> ...; relating to: bows used for hunting.

*Analysis by the Legislative Reference Bureau*

<sup>older</sup> Under current law, crossbows may be used for hunting by persons with certain disabilities, persons who are visually handicapped, and residents who are age 65 or over. <sup>For a crossbow to</sup> To be used in hunting, <sup>it</sup> crossbows must meet certain specifications, including a minimum draw weight of 100 pounds. If a compound bow has a device that holds the bow at full draw (a draw-lock), that compound bow is considered a crossbow.

This bill eliminated the 100-pound draw weight minimum for compound bows that are equipped with a device that holds the bow at full draw.

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

2 SECTION 1. 29.171 (4) (b) (intro.) <sup>}</sup> of the statutes is amended to read:

3 29.171 (4) (b) (intro.) Crossbows Except as provide in par. (bc), crossbows used  
4 in hunting as authorized by a Class A, Class B or Class C permit issued under s.  
5 29.193 (2) or under this subsection or as authorized under sub. (2m) or s. 29.164 (2)  
6 (b) shall meet all of the following specifications:

History: 1973 c. 90 s. 538; 1977 c. 232; 1979 c. 34; 1983 a. 27; 1985 a. 270; 1987 a. 353; 1989 a. 31; 1991 a. 39, 77; 1995 a. 293; 1997 a. 27, 168; 1997 a. 248 ss. 231 to 235; Stats. 1997 s. 29.171; 1997 a. 249 s. 25; 1999 a. 32; 2001 a. 18, 109.



**Emery, Lynn**

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**From:** Bruhn, Mike  
**Sent:** Tuesday, February 15, 2005 12:07 PM  
**To:** LRB.Legal  
**Subject:** Draft review: LRB 05-1797/1 Topic: Exempt compound bows equipped with draw-locs from 100 pound draw weight minimum

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

Draft review: LRB 05-1797/1 Topic: Exempt compound bows equipped with draw-locs from 100 pound draw weight minimum