

2005 Assembly Bill 719

Date of enactment: **April 8, 2006**
Date of publication*: **April 20, 2006**

2005 WISCONSIN ACT 290

AN ACT *to amend* 119.04 (1), 120.13 (1) (bm) and 120.13 (1) (c) 2m.; and *to create* 29.095, 29.301 (1) (c), 120.13 (38), 948.605 (2) (b) 8. and 948.61 (3) (f) of the statutes; **relating to:** hunting in school forests.

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

SECTION 1. 29.095 of the statutes is created to read:

29.095 Hunting on land in a school forest. If a school board decides under s. 120.13 (38) that hunting may be allowed in its school forest, as defined in s. 26.39 (1) (a), the department shall establish and maintain open and closed seasons for game located in that school forest that are consistent with the open and closed seasons for game located on the lands adjacent to the school forest.

SECTION 1m. 29.301 (1) (c) of the statutes is created to read:

29.301 (1) (c) Notwithstanding par. (b), this subsection does not prohibit hunting in a school forest if the school board allows hunting under s. 120.13 (38).

SECTION 2. 119.04 (1) of the statutes is amended to read:

119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.0235 (3) (c), 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343, 115.345, 115.361, 115.38 (2), 115.45, 118.001 to 118.04, 118.045, 118.06, 118.07, 118.10, 118.12, 118.125 to 118.14, 118.145 (4), 118.15, 118.153, 118.16, 118.162, 118.163, 118.164, 118.18, 118.19, 118.20, 118.24 (1), (2) (c) to (f), (6) and (8), 118.245, 118.255, 118.258, 118.291, 118.30 to 118.43, 118.51, 118.52, 118.55, 120.12 (5) and (15) to

(26), 120.125, 120.13 (1), (2) (b) to (g), (3), (14), (17) to (19), (26), (34), (35) ~~and~~, (37), and (38), 120.14 and 120.25 are applicable to a 1st class city school district and board.

SECTION 3. 120.13 (1) (bm) of the statutes is amended to read:

120.13 (1) (bm) The school district administrator or any principal or teacher designated by the school district administrator shall suspend a pupil under par. (b) if the school district administrator, principal or teacher determines that the pupil, while at school or while under the supervision of a school authority, possessed a firearm, as defined in 18 USC 921 (a) (3). This paragraph does not apply to the possession of a firearm while legally hunting in a school forest if allowed under s. 120.13 (38).

SECTION 4. 120.13 (1) (c) 2m. of the statutes is amended to read:

120.13 (1) (c) 2m. The school board shall commence proceedings under subd. 3. and expel a pupil from school for not less than one year whenever it finds that the pupil, while at school or while under the supervision of a school authority, possessed a firearm, as defined in 18 USC 921 (a) (3). Annually, the school board shall report to the department the information specified under 20 USC 8921 (d) (1) and (2). This subdivision does not apply to the possession of a firearm while legally hunting in a school forest if allowed under s. 120.13 (38).

* Section 991.11, WISCONSIN STATUTES 2003-04 : Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

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SECTION 5. 120.13 (38) of the statutes is created to read:

120.13 (38) HUNTING IN SCHOOL FORESTS. Allow hunting in its school forest, as defined in s. 26.39 (1) (a), except that the board may not allow hunting for a wild animal when there is not an open season for that animal on land adjacent to the school forest. This subsection does not affect the authority of the department of natural resources to remove a wild animal under s. 29.885 (2) (a).

SECTION 6. 948.605 (2) (b) 8. of the statutes is created to read:

948.605 (2) (b) 8. By a person who is legally hunting in a school forest if the school board has decided that hunting may be allowed in the school forest under s. 120.13 (38).

SECTION 7. 948.61 (3) (f) of the statutes is created to read:

948.61 (3) (f) Possesses or uses a bow and arrow or knife while legally hunting in a school forest if the school board has decided that hunting may be allowed in the school forest under s. 120.13 (38).

