

ASSEMBLY BILL 719 (LRB-2714)

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

2005

- 10-03. A. Introduced by Representatives **Friske, Nerison, Sherman, Gunderson, Musser, Hahn, Albers, Petrowski, McCormick and Pettis**; cosponsored by Senators **Zien, Decker and Jauch**.
- 10-03. A. Read first time and referred to committee on Natural Resources 509
- 10-10. A. Fiscal estimate received.
- 10-28. A. Fiscal estimate received.
- 11-16. A. Public hearing held.

2006

- 01-11. A. Assembly amendment 1 offered by Representative Friske (**LRB a2047**) 717
- 01-18. A. Executive action taken.
- 01-24. A. Report Assembly Amendment 1 adoption recommended by committee on Natural Resources, Ayes 15, Noes 0 739
- 01-24. A. Report passage as amended recommended by committee on Natural Resources, Ayes 15, Noes 0 740
- 01-24. A. Referred to committee on Rules 740
- 01-24. A. Placed on calendar 1-26-2006 by committee on Rules.
- 01-26. A. Read a second time 758
- 01-26. A. **Assembly amendment 1 adopted** 758
- 01-26. A. Ordered to a third reading 758
- 01-26. A. Rules suspended 758
- 01-26. A. Read a third time and **passed** 758
- 01-26. A. Ordered immediately messaged 758
- 01-27. S. Received from Assembly 563
- 01-27. S. Read first time and referred to committee on Natural Resources and Transportation 563
- 03-01. S. Public hearing held.
- 03-01. S. Executive action taken.
- 03-04. S. Report concurrence recommended by committee on Natural Resources and Transportation, Ayes 5, Noes 0.
- 03-04. S. Available for scheduling.
- 03-08. S. Placed on calendar 3-9-2006 by committee on Senate Organization.
- 03-09. S. Read a second time.
- 03-09. S. Ordered to a third reading.
- 03-09. S. Rules suspended.
- 03-09. S. Read a third time and **concurred in**.
- 03-09. S. Ordered immediately messaged.
- 03-09. A. Received from Senate concurred in 937

**2005
ENROLLED BILL**

05en A B-719

ADOPTED DOCUMENTS:

Orig Engr SubAmdt

05-2714/1

Amendments to above (if none, write "NONE"): AA1-a 2047/1

Corrections - show date (if none, write "NONE"): None

Topic Rel

3-14-06 J. R. Miller
Date Enrolling Drafter

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2005 ASSEMBLY BILL 719

October 3, 2005 - Introduced by Representatives FRISKE, NERISON, SHERMAN, GUNDERSON, MUSSER, HAHN, ALBERS, PETROWSKI, McCORMICK and PETTIS, cosponsored by Senators ZIEN, DECKER and JAUCH. Referred to Committee on Natural Resources.

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

Analysis by the Legislative Reference Bureau

Under current law, school districts can acquire land and engage in forestry on that land, creating a school forest. This bill allows a school board to allow hunting in a school forest, but not closer than 1,700 feet from school grounds. If the school board does allow hunting in a school forest, the bill requires the Department of Natural Resources to establish and maintain open and closed seasons for game in that school forest that is consistent with the open and closed seasons for game located on the lands adjacent to the school forest.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

4 **SECTION 1.** 29.095 of the statutes is created to read:
5 **29.095 Hunting on land in a school forest.** If a school board decides under
6 s. 120.13 (38) that hunting may be allowed in its school forest, as defined in s. 26.39

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1 (1) (a), the department shall establish and maintain open and closed seasons for
2 game located in that school forest that are consistent with the open and closed
3 seasons for game located on the lands adjacent to the school forest.

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

5 119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.0235 (3) (c),
6 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343, 115.345, 115.361, 115.38
7 (2), 115.45, 118.001 to 118.04, 118.045, 118.06, 118.07, 118.10, 118.12, 118.125 to
8 118.14, 118.145 (4), 118.15, 118.153, 118.16, 118.162, 118.163, 118.164, 118.18,
9 118.19, 118.20, 118.24 (1), (2) (c) to (f), (6) and (8), 118.245, 118.255, 118.258, 118.291,
10 118.30 to 118.43, 118.51, 118.52, 118.55, 120.12 (5) and (15) to (26), 120.125, 120.13
11 (1), (2) (b) to (g), (3), (14), (17) to (19), (26), (34), (35) and, (37), and (38), 120.14 and
12 120.25 are applicable to a 1st class city school district and board.

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

14 120.13 (1) (bm) The school district administrator or any principal or teacher
15 designated by the school district administrator shall suspend a pupil under par. (b)
16 if the school district administrator, principal or teacher determines that the pupil,
17 while at school or while under the supervision of a school authority, possessed a
18 firearm, as defined in 18 USC 921 (a) (3). This paragraph does not apply to the
19 possession of a firearm while legally hunting in a school forest if allowed under s.
20 120.13 (38).

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

22 120.13 (1) (c) 2m. The school board shall commence proceedings under subd.
23 3. and expel a pupil from school for not less than one year whenever it finds that the
24 pupil, while at school or while under the supervision of a school authority, possessed
25 a firearm, as defined in 18 USC 921 (a) (3). Annually, the school board shall report

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1 to the department the information specified under 20 USC 8921 (d) (1) and (2). This
2 subdivision does not apply to the possession of a firearm while legally hunting in a
3 school forest if allowed under s. 120.13 (38).

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

5 120.13 (38) HUNTING IN SCHOOL FORESTS. Allow hunting in its school forest, as
6 ~~defined in s. 26.39(1) (a), but may not allow hunting closer than 1,700 feet from~~
7 ~~school grounds, as defined by the department.~~ INSERT 2

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

9 948.605 (2) (b) 8. By a person who is legally hunting in a school forest if the
10 school board has decided that hunting may be allowed in the school forest under s.
11 120.13 (38).

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

13 948.61 (3) (f) ~~is~~ legally hunting in a school forest if the school board has decided
14 that hunting may be allowed in the school forest under s. 120.13 (38). INSERT 3

15 (END)

**ASSEMBLY AMENDMENT 1,
TO 2005 ASSEMBLY BILL 719**

January 11, 2006 - Offered by Representative FRISKE.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 2, line 3: after that line insert:

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

4 29.301 (1) (c) Notwithstanding par. (b), this subsection does not prohibit
5 hunting in a school forest if the school board allows hunting under s. 120.13 (38)".

6 **2.** Page 3, line 6: delete lines 6 and 7 and substitute "defined in s. 26.39 (1) (a),

7 except that the board may not allow hunting for a wild animal when there is not an
8 open season for that animal on land adjacent to the school forest. This subsection
9 does not affect the authority of the department of natural resources to remove a wild
10 animal under s. 29.885 (2) (a)".

11 **3.** Page 3, line 13: delete "Is" and substitute "Possesses or uses a bow and
12 arrow or knife while".

13 (END)