

## 2005 DRAFTING REQUEST

### Bill

Received: **04/08/2005**

Received By: **rkite**

Wanted: **As time permits**

Identical to LRB:

For: **Donald Friske (608) 266-7694**

By/Representing: **Jennifer**

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

Drafter: **rnelson2**

May Contact:

Addl. Drafters: **pgrant**

Subject: **Nat. Res. - fish and game  
Education - school boards**

Extra Copies: **PG**

Submit via email: **YES**

Requester's email: **Rep.Friske@legis.state.wi.us**

Carbon copy (CC:) to:

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### Pre Topic:

No specific pre topic given

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### Topic:

Hunting in school forests

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### 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> |
|--------------|--|---|------------------------|----------------|------------------------|-----------------|-----------------|
| /?           | rkite<br>04/12/2005                            |   |                        | _____          |                        |                 | State           |
| /P1          | rnelson2<br>04/19/2005                         | jdyer<br>05/09/2005                           | rschluet<br>05/09/2005 | _____          | lnorthro<br>05/09/2005 |                 | State           |
| /P2          | rnelson2<br>06/02/2005<br>pgrant<br>06/28/2005 | jdyer<br>06/02/2005<br>kfollett<br>07/26/2005 | pgreensl<br>06/03/2005 | _____          | lemery<br>06/03/2005   |                 | State           |

Vers.    Drafted    Reviewed    Typed    Proofed    Submitted    Jacketed    Required

|    |  |  |                                    |  |                                  |  |                                    |
|----|--|--|------------------------------------|--|----------------------------------|--|------------------------------------|
| /1 |  |  | rschluet _____<br>07/27/2005 _____ |  | lemery _____<br>07/27/2005 _____ |  | Inorthro _____<br>09/16/2005 _____ |
|----|--|--|------------------------------------|--|----------------------------------|--|------------------------------------|

FE Sent For:

<END>

*At Intro.*

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/1

rschluet \_\_\_\_\_  
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11/19/05  
7/26

PG  
7/25

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|--------------|---------------------------------|-----------------|--------------------|--------------------|------------------|-----------------|-----------------|
| /?           | rkite<br>04/12/2005<br>rnelson2 | <i>PI 5/16</i>  | <i>[Signature]</i> | <i>[Signature]</i> |                  |                 |                 |

FE Sent For:

<END>

4-8-05 - Drafting request  
Jennifer-Fruske's office

make it possible for school boards to  
decide whether to allow hunting  
in state forests  
school?

if school board decides to allow hunting  
on the forest, DNR must authorize  
hunting



26.39(1)(a)

(a) "School forest" means a community forest that is owned or operated by a school as provided in s. 28.20.

28.20

**28.20 Community forests.** Any city, village, town or school district may acquire land, engage in forestry and appropriate funds for such purpose. The forest property may be located outside the city, village, town or school district limits.

28.20 - ANNOT.

**History:** 1985 a. 218; 1993 a. 246.

28.21

**28.21 Management.** Any municipality, by registering its forest with the department, shall be eligible to receive free planting stock from the state forest nurseries and the services of foresters in preparing and carrying out planting and forest management plans. No trees shall be cut except those marked or designated for cutting by a state forester. Products of the forest may be devoted to public use.

28.22

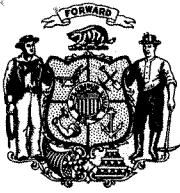
**28.22 Timber sales; community forests.** Any timber sale from a community forest shall be based on the scale, measure or count of the cut products. Any timber sale with an estimated value of \$3,000 or more shall be by public sale after 2 publications of a classified advertisement announcing the sale in a newspaper having general circulation in the county in which the timber to be sold is located.

23.09(2)

**(2) (intro.) Departmental rules; studies; surveys; services; powers; long-range planning.** The department may promulgate such rules, inaugurate such studies, investigations and surveys, and establish such services as it deems necessary to carry out the provisions and purposes of this section. The department shall establish long-range plans, projects and priorities for conservation. The department may:

23.09(2)(b)

(b) *Game refuges.* Designate such localities as it shall find to be reasonably necessary to secure perpetuation of any species of game or bird, and the maintenance of an adequate supply thereof, as game or bird refuges for the purpose of providing safe retreats in which game or birds may rest and replenish adjacent hunting grounds.



State of Wisconsin  
2005 - 2006 LEGISLATURE

LRB-2714/P1

RPN:.....

*D-N*

*Jed*

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

*Gen*  
1 AN ACT ...; relating 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. 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:***

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

3 **29.095 Hunting on land in a school forest.** If a school board decides that  
4 hunting may be allowed in its school forest, as defined in s. 26.39 (1) (a), ✓ the  
5 department shall establish and maintain open and closed seasons for game located  
6 in that school forest that are consistent with the open and closed seasons for game  
7 located on the lands adjacent to the school forest.

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

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

History: 1971 c. 152 s. 38; 1971 c. 154 s. 80; 1973 c. 89 s. 20 (1); 1973 c. 90; 1973 c. 188 s. 6; 1973 c. 243, 254, 290, 307, 333; 1975 c. 39, 41, 95, 220, 379, 395, 422; 1977 c. 29; 1977 c. 203 s. 106; 1977 c. 206, 284, 447; 1979 c. 20; 1979 c. 34 s. 2102 (43) (a); 1979 c. 221, 298, 331; 1979 c. 346 s. 15; 1979 c. 355; 1981 c. 59; 1981 c. 241 s. 4; 1983 a. 193; 1983 a. 339 s. 10; 1983 a. 374 s. 12; 1983 a. 412, 489, 538; 1985 a. 29 s. 3202 (43); 1985 a. 56 s. 43; 1985 a. 214 s. 4; 1985 a. 225, 332; 1987 a. 27, 187, 285, 386, 403; 1989 a. 31, 120, 121, 122, 201, 209, 359; 1991 a. 39, 42, 189, 269; 1993 a. 16, 334, 377, 491; 1995 a. 27, 225; 1997 a. 27, 77, 113, 240, 252, 335; 1999 a. 9, 32, 73; 1999 a. 150 ss. 631, 672; 1999 a. 186.

10 SECTION 3. 120.13 (38) of the statutes is created to read:

11 120.13 (38) HUNTING IN SCHOOL FORESTS. Allow hunting in its school forest, as  
12 defined in s. 26.39 (1) (a).

13 (END)

*note*  
↓

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

LRB-2714/P1dn

RPN: :...  
Jed

Please review this draft carefully to ensure that it is consistent with your intent. ✓

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-2714/P1dn  
RPN:jld:rs

May 9, 2005

Please review this draft carefully to ensure that it is consistent with your intent.

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

**Grant, Peter**

---

**From:** Gary, Tim  
**Sent:** Tuesday, May 31, 2005 1:25 PM  
**To:** Nelson, Robert P.; Grant, Peter  
**Subject:** FW: Hunting in school forests

Bob,

Rep. Friske would like to have an expressed statutory differentiation between schools and school forests as it pertains to the possession of firearms for hunting purposes.

Tim Gary  
RA to Rep. Donald Friske

Cc: Peter Grant

---

**From:** Sheri Krause [mailto:skrause@wasb.org]  
**Sent:** Tuesday, May 31, 2005 12:24 PM  
**To:** Gary, Tim  
**Subject:** RE: Hunting in school forests

Tim,

The question seems to be what exactly do the terms "at school" and "school grounds" mean and whether school forests fall under either of these categories. Our attorneys frequently get calls from school administrators and other school attorneys about this. Given that there is no specific provision in state statutes, case law or an attorney general's opinion indicating that school forests are not school grounds (which isn't clearly defined), our attorneys advise that school officials treat them as they would any other school property.

In regards to these specific statutes, 948.605 Gun-free school zones and 948.61 for other dangerous weapons apply to school grounds and school premises respectively - either of which could arguably include school forests. Statutes 120.13(1)(bm) and 120.13(c)(2m) use the term "at school." But that term is not defined and we would argue that it applies to school premises as well and not limited to just the school "building." Thus, the question comes in as to whether these statutes apply to school forests as well.

Tim, we would prefer to have the exemptions so that school officials are not further confused. Thanks!  
Sheri

---

**From:** Gary, Tim [mailto:Tim.Gary@legis.state.wi.us]  
**Sent:** Thursday, May 26, 2005 12:32 PM  
**To:** Sheri Krause  
**Subject:** FW: Hunting in school forests

Have your folks look at the LRB attorney's opinion and let me know what you think.

Tim

---

**From:** Nelson, Robert P.  
**Sent:** Thursday, May 26, 2005 12:13 PM  
**To:** Gary, Tim  
**Subject:** RE: Hunting in school forests

Tim,

I have talked to Peter Grant, our school drafter, about this issue. He says that a school forest is not a

05/31/2005

school, so these provisions do not apply and do not have to be amended. If a school is located within a school forest, then the provisions would apply and I don't think you would want to allow hunting around that school.

Bob N.

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

**From:** Gary, Tim  
**Sent:** Thursday, May 26, 2005 9:50 AM  
**To:** Nelson, Robert P.  
**Subject:** FW: Hunting in school forests

Bob,

What do you think? Is this something that needs to be done in order to be clear in our intentions?

Tim

---

**From:** Sheri Krause [mailto:skrause@wasb.org]  
**Sent:** Thursday, May 26, 2005 9:47 AM  
**To:** Gary, Tim  
**Subject:** RE: Hunting in school forests

Thanks Tim! The draft as written is fine, but it doesn't create an exemption under 948.605 Gun-free school zones or 948.61 for other dangerous weapons (in the case of bow hunting). We think those exemptions are necessary. Also, there needs to be an exemption in 120.13(1)(bm) and 120.13(c)(2m), which require school boards to suspend a student and begin expulsion proceedings if a student possesses a weapon on school grounds.

If you have any questions or would like to talk about the above suggestions further, just let me know. Thanks for your help!

Sheri

---

**From:** Gary, Tim [mailto:Tim.Gary@legis.state.wi.us]  
**Sent:** Wednesday, May 25, 2005 11:19 AM  
**To:** Sheri Krause  
**Subject:** RE: Hunting in school forests

I have an initial draft and believe we will be sending out a cosponsorship notice in the next week.

Feel free to look at the draft and let me know what you think.

Tim

---

**From:** Sheri Krause [mailto:skrause@wasb.org]  
**Sent:** Wednesday, May 25, 2005 11:05 AM  
**To:** Gary, Tim  
**Subject:** Hunting in school forests

Tim,  
I was just wondering if you have had the opportunity to get anything drafted yet on allowing hunting in school forests.  
Thanks!

Sheri



*Sheri L. Krause*  
*Legislative Services Coordinator*  
*Wisconsin Association of School Boards*  
*122 W. Washington Ave., Suite 400*  
*Madison, WI 53703*  
*Phone: 608-257-2622*  
*Fax: 608-257-8386*



State of Wisconsin  
2005 - 2006 LEGISLATURE

LRB-2714/P1

RPN:jld:rs

2  
L & PG

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

d-note

Regen

1 AN ACT *to amend* 119.04 (1); and *to create* 29.095 and 120.13 (38) of the statutes;  
2 **relating 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. 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.

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6 department shall establish and maintain open and closed seasons for game located

1 in that school forest that are consistent with the open and closed seasons for game  
2 located on the lands adjacent to the school forest.

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8 118.19, 118.20, 118.24 (1), (2) (c) to (f), (6) and (8), 118.245, 118.255, 118.258, 118.291,  
9 118.30 to 118.43, 118.51, 118.52, 118.55, 120.12 (5) and (15) to (26), 120.125, 120.13  
10 (1), (2) (b) to (g), (3), (14), (17) to (19), (26), (34), (35) and, (37), and (38), 120.14 and  
11 120.25 are applicable to a 1st class city school district and board.

Insert  
2-11A  
2-11B

12 SECTION 3. 120.13 (38) of the statutes is created to read:

13 120.13 (38) HUNTING IN SCHOOL FORESTS. Allow hunting in its school forest, as  
14 defined in s. 26.39 (1) (a).

INSERT  
15  
2-14

(END)

Insert 2-11A

Section #. 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).

History: 1973 c. 94, 290; 1975 c. 115, 321; 1977 c. 206, 211, 418, 429; 1979 c. 20, 202, 221, 301, 355; 1981 c. 96, 314, 335; 1983 a. 27, 193, 207, 339, 370, 518, 538; 1985 a. 29 ss. 1725e to 1726m, 1731; 1985 a. 101, 135, 211; 1985 a. 218 ss. 12, 13, 22; 1985 a. 332; 1987 a. 88, 187; 1989 a. 31, 201, 336, 359; 1991 a. 39, 226, 269; 1993 a. 16, 27, 284, 334, 399, 450, 481, 491; 1995 a. 27 ss. 4024, 9126 (19), 9145 (1); 1995 a. 29, 32, 33, 65, 75, 225, 235, 289, 439; 1997 a. 27, 155, 164, 191, 237, 335; 1999 a. 9, 19, 73, 83, 115, 128; 1999 a. 150 s. 672; 1999 a. 186; 2001 a. 38, 98, 103, 105; 2003 a. 254.

This paragraph does not apply to the possession of a firearm in a school forest.

(end Ins 2-11A)

Insert 2-11B

Section #. 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).

History: 1973 c. 94, 290; 1975 c. 115, 321; 1977 c. 206, 211, 418, 429; 1979 c. 20, 202, 221, 301, 355; 1981 c. 96, 314, 335; 1983 a. 27, 193, 207, 339, 370, 518, 538; 1985 a. 29 ss. 1725e to 1726m, 1731; 1985 a. 101, 135, 211; 1985 a. 218 ss. 12, 13, 22; 1985 a. 332; 1987 a. 88, 187; 1989 a. 31, 201, 336, 359; 1991 a. 39, 226, 269; 1993 a. 16, 27, 284, 334, 399, 450, 481, 491; 1995 a. 27 ss. 4024, 9126 (19), 9145 (1); 1995 a. 29, 32, 33, 65, 75, 225, 235, 289, 439; 1997 a. 27, 155, 164, 191, 237, 335; 1999 a. 9, 19, 73, 83, 115, 128; 1999 a. 150 s. 672; 1999 a. 186; 2001 a. 38, 98, 103, 105; 2003 a. 254.

This subdivision does not apply to the possession of a firearm in a school forest.

Cons ins 2-11B)

2005-2006 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB-2714/P2ins  
RPN:jld:rs

1  
2  
3  
4  
5  
6  
7  
8  
9

insert 2-14:

**SECTION 1.** 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 2.** 948.61 (3) (f) of the statutes is created to read:

948.61 (3) (f) 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).

There are currently <sup>of 20</sup> ~~over~~ 20 statutory provisions that refer to "school grounds" or "school premises." The effect of this bill, which explicitly excludes school forests from four statutory provisions, <sup>be to</sup> may be to implicitly include school forests in all of the others.

OK?

PK

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

LRB-2714/P2dn  
PG:jld:pg

June 3, 2005

There are currently 20 statutory provisions that refer to "school grounds" or "school premises." The effect of this bill, which explicitly excludes school forests from four statutory provisions, may be to implicitly include school forests in all of the others. OK?

Peter R. Grant  
Managing Attorney  
Phone: (608) 267-3362  
E-mail: [peter.grant@legis.state.wi.us](mailto:peter.grant@legis.state.wi.us)



(2) (A) It shall be unlawful for any individual knowingly to possess a firearm that has moved in or that otherwise affects interstate or foreign commerce at a place that the individual knows, or has reasonable cause to believe, is a school zone.

on grounds of or within 1,000 ft. from grounds of a school

(B) Subparagraph (A) does not apply to the possession of a firearm -

- (i) on private property not part of school grounds;
- (ii) if the individual possessing the firearm is licensed to do so by the State in which the school zone is located or a political subdivision of the State, and the law of the State or political subdivision requires that, before an individual obtains such a license, the law enforcement authorities of the State or political subdivision verify that the individual is qualified under law to receive the license;
- (iii) that is -
  - (I) not loaded; and
  - (II) in a locked container, or a locked firearms rack that is on a motor vehicle;
- (iv) by an individual for use in a program approved by a school in the school zone;
- (v) by an individual in accordance with a contract entered into between a school in the school zone and the individual or an employer of the individual;
- (vi) by a law enforcement officer acting in his or her official capacity; or
- (vii) that is unloaded and is possessed by an individual while traversing school premises for the purpose of gaining access to public or private lands open to hunting, if the entry on school premises is authorized by school authorities.

(3) (A) Except as provided in subparagraph (B), it shall be unlawful for any person, knowingly or with reckless disregard for the safety of another, to discharge or attempt to discharge a firearm that has moved in or that otherwise affects interstate or foreign commerce at a place that the person knows is a school zone.

(B) Subparagraph (A) does not apply to the discharge of a firearm -

- (i) on private property not part of school grounds;
- (ii) as part of a program approved by a school in the school zone, by an individual who is participating in the program;
- (iii) by an individual in accordance with a contract entered into between a school in a school zone and the individual or an employer of the individual; or
- (iv) by a law enforcement officer acting in his or her official capacity.

(4) Nothing in this subsection shall be construed as preempting or preventing a State or local government from enacting a statute establishing gun free school zones as provided in this subsection.

or subject to 18 USC 922 (g) (2) & (3) allow hq of SF

→ can hunt if SF if at least 1,000' from "sch. grounds"

↳ as defined by SF (or how reg. sd. to define s.g. if it allows hunting in S.F.)

25) The term "school zone" means -

(A) in, or on the grounds of, a public, parochial or private school; or

(B) within a distance of 1,000 feet from the grounds of a public, parochial or private school.

## Grant, Peter

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**From:** Gary, Tim  
**Sent:** Wednesday, June 22, 2005 4:31 PM  
**To:** Grant, Peter  
**Cc:** 'skrause@wasb.org'  
**Subject:** FW: message

**Importance:** High

Peter,

There are 80 schools in or adjacent to school forests in Wisconsin.  
Rep. Friske would like to ensure that a school district may allow a hunting season in the school forest if it so chooses.

If there is a school or an instructional facility (some of the "warming shelters" are designed for an intensive instruction capability) on or adjacent to a school forest where the district allows hunting ...  
Then the existing DNR rules that apply to hunting within a certain distance of buildings and roads should be applied to these properties as well.

I hope this is helpful as we zone in on a final draft.

Tim Gary  
RA for Rep. Don Friske

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**From:** Western, Jennifer  
**Sent:** Wednesday, June 22, 2005 9:42 AM  
**To:** Gary, Tim  
**Subject:** message  
**Importance:** High

Call Jeremy Solin: 715-346-4907  
On school forest numbers  
How many school forests have a right adj to school? 80  
If you have questions, give him a call.

250-5657

7/29 PM

8/19/05

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

Regen

but not closer  
1,700 feet from  
grounds school

AM 29,301

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. 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 that  
6 hunting may be allowed in its school forest, as defined in s. 26.39 (1) (a), the

under s. 120.13 (38)

## SECTION 1

1 department shall establish and maintain open and closed seasons for game located  
2 in that school forest that are consistent with the open and closed seasons for game  
3 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 in a school forest. *while legally hunting* *if permitted under s. 120.13*  
*allowed* *allowed* (38)

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

21 120.13 (1) (c) 2m. The school board shall commence proceedings under subd.  
22 3. and expel a pupil from school for not less than one year whenever it finds that the  
23 pupil, while at school or while under the supervision of a school authority, possessed  
24 a firearm, as defined in 18 USC 921 (a) (3). Annually, the school board shall report

*white legally hunting*

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 in a school forest.

*its allowed under s. 120.13(38)*

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

4 120.13 (38) HUNTING IN SCHOOL FORESTS. Allow hunting in its school forest, as  
5 defined in s. 26.39 (1) (a) *but not closer than*

*Subject to s. 29.201 (1)(b)*

*1700 feet from school grounds, department*

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

7 948.605 (2) (b) 8. By a person who is legally hunting in a school forest if the  
8 ~~school board has decided that hunting may be allowed in the school forest under s.~~  
9 120.13 (38).

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

11 948.61 (3) (f) Is legally hunting in a school forest if the school board has decided  
12 ~~that hunting may be allowed in the school forest under s. 120.13 (38).~~

13 (END)

*if the school board restricts to  
hunting to an area not closer than  
1,700 feet from school grounds,  
as defined by the department*

**Northrop, Lori**

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**From:** Gary, Tim

**Sent:** Friday, September 16, 2005 3:00 PM

**To:** LRB.Legal

**Subject:** Draft review: LRB 05-2714/1 Topic: Hunting in school forests

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

Draft review: LRB 05-2714/1 Topic: Hunting in school forests