

## 2007 DRAFTING REQUEST

### Assembly Amendment (AA-AB672)

Received: 01/23/2008

Received By: rkite

Wanted: As time permits

Identical to LRB:

For: Scott Gunderson (608) 266-3363

By/Representing: Mike Bruhn

This file may be shown to any legislator: NO

Drafter: rkite

May Contact:

Addl. Drafters:

Subject: Nat. Res. - fish and game

Extra Copies:

Submit via email: YES

Requester's email: Rep.Gunderson@legis.wisconsin.gov

Carbon copy (CC:) to:

---

#### Pre Topic:

No specific pre topic given

---

#### Topic:

Various changes

---

#### 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> |
|--------------|---------------------|-----------------------|------------------------|----------------|-----------------------|-----------------------|-----------------|
| /?           |                     |                       |                        |                |                       |                       |                 |
| /1           | rkite<br>01/23/2008 | lkunkel<br>01/25/2008 | rschluet<br>01/25/2008 | _____          | mbarman<br>01/25/2008 | mbarman<br>01/25/2008 |                 |
| /2           | rkite<br>01/28/2008 | lkunkel<br>01/28/2008 | rschluet<br>01/28/2008 | _____          | cduerst<br>01/28/2008 | cduerst<br>01/28/2008 |                 |
| /3           | rkite<br>01/28/2008 | lkunkel<br>01/28/2008 | pgreensl<br>01/28/2008 | _____          | lparisi<br>01/28/2008 | lparisi<br>01/28/2008 |                 |

FE Sent For:

<END>

**2007 DRAFTING REQUEST**

**Assembly Amendment (AA-AB672)**

Received: 01/23/2008

Received By: rkite

Wanted: As time permits

Identical to LRB:

For: Scott Gunderson (608) 266-3363

By/Representing: Mike Bruhn

This file may be shown to any legislator: NO

Drafter: rkite

May Contact:

Addl. Drafters:

Subject: Nat. Res. - fish and game

Extra Copies:

Submit via email: YES

Requester's email: Rep.Gunderson@legis.wisconsin.gov

Carbon copy (CC:) to:

---

**Pre Topic:**

No specific pre topic given

---

**Topic:**

Various changes

---

**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> |
|--------------|---------------------|-----------------------|-----------------------|---------------------|-----------------------|-----------------------|-----------------|
| /?           |                     |                       |                       |                     |                       |                       |                 |
| /1           | rkite<br>01/23/2008 | lkunkel<br>01/25/2008 | rschlue<br>01/25/2008 | _____               | mbarman<br>01/25/2008 | mbarman<br>01/25/2008 |                 |
| /2           | rkite<br>01/28/2008 | lkunkel<br>01/28/2008 | rschlue<br>01/28/2008 | _____<br>1/28<br>P8 | cduerst<br>01/28/2008 | cduerst<br>01/28/2008 |                 |

FE Sent For:

1/31mk1/28  
1/28  
P8  
<END>

**2007 DRAFTING REQUEST**

**Assembly Amendment (AA-AB672)**

Received: 01/23/2008

Received By: rkite

Wanted: As time permits

Identical to LRB:

For: Scott Gunderson (608) 266-3363

By/Representing: Mike Bruhn

This file may be shown to any legislator: NO

Drafter: rkite

May Contact:

Addl. Drafters:

Subject: Nat. Res. - fish and game

Extra Copies:

Submit via email: YES

Requester's email: Rep.Gunderson@legis.wisconsin.gov

Carbon copy (CC:) to:

---

**Pre Topic:**

No specific pre topic given

---

**Topic:**

Various changes

---

**Instructions:**

See Attached

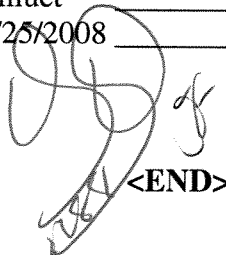
---

**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> |
|--------------|---------------------|-----------------------|------------------------|----------------|-----------------------|-----------------------|-----------------|
| /?           |                     |                       |                        |                |                       |                       |                 |
| /1           | rkite<br>01/23/2008 | lkunkel<br>01/25/2008 | rschluet<br>01/25/2008 |                | mbarman<br>01/25/2008 | mbarman<br>01/25/2008 |                 |

FE Sent For:

/2/mk 1/28

  
<END>

**2007 DRAFTING REQUEST**

**Assembly Amendment (AA-AB672)**

Received: 01/23/2008

Received By: rkite

Wanted: As time permits

Identical to LRB:

For: Scott Gunderson (608) 266-3363

By/Representing: Mike Bruhn

This file may be shown to any legislator: NO

Drafter: rkite

May Contact:

Addl. Drafters:

Subject: Nat. Res. - fish and game

Extra Copies: MGG

Submit via email: YES

Requester's email: Rep.Gunderson@legis.wisconsin.gov

Carbon copy (CC:) to:

---

**Pre Topic:**

No specific pre topic given

---

**Topic:**

Various changes

---

**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 | 1/mk 1/25 |  |  |  |  |  |
|----|-------|-----------|---|--|--|--|--|

FE Sent For:

<END>

Robin,

Rep. Gunderson needs an amendment drafted for AB 672 for an Executive Session next Wednesday. The amendment needs to:

1) A problem which exists under current law which could be corrected by this bill but is not, is the fact that under the provisions of s. 29.304(3)(b)3., and s. 984.60(3), Stats., a person that is 14 or 15 years of age may hunt or target practice with a firearm if they are certified under the hunter education program. 948

2) But, a person who is 16 or 17 years of age may not target practice alone, even if they hold a hunter education certification. A 16 or 17 year old may hunt alone with a firearm if they hold a hunter education certificate, but may not target practice alone. They must be supervised by an adult to target practice with a firearm. 70

3) Please remove the requirement that the DNR provide a pamphlet on hunter's safety. OK

4) Under this bill a person ages 10 or 11, would also now be allowed to possess a firearm to hunt on a Deer Hunting Preserve or Bird Hunting Preserve, or to hunt certain small game animals on their parents land. But under this mentorship requirement, they would be required to hold a hunting approval. Hunting approvals are not required for hunting on such preserves, or for kids hunt rabbits, squirrels, raccoons, coyotes, foxes, woodchucks and beaver on their parents land. No exception is made for situations where a hunting approval is not required for the person doing the hunting. While this does not create any safety concerns, and would in fact likely result in some additional revenue for the department, we do not believe this was the intent of this bill, or that it is necessary. It could add to confusion for landowners and hunters hunting on preserves, not knowing they need a license when others do not. OK

5) Establish a delayed effective date that reads something like: "This act first applies to approvals issued on July 1, 2008." OK

6) Finally, add in that if the Department decides to lower the hunting age after looking at the safety data that it must be done through the Administrative Rule process. a study in bill

If you have any questions, please feel free to contact me at 266-3363.

Sincerely,

Michael Bruhn  
Rep. Gunderson's office

Tom VanHaren  
6-3244

Tom  
VanHaren  
DNR



~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~  
**ASSEMBLY AMENDMENT ,  
TO 2007 ASSEMBLY BILL 672**

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

2 **1.** Page 10, line 8: delete lines 8 to 12. ✓

3 **2.** Page 10, line 18: after that line insert:

4 **“(7)** This section does not apply to a person who is not required to hold a hunting  
5 approval under this chapter.”. ✓

6 **3.** Page 12, line 2: after that line insert: ✓ ✓ ✓

7 **“SECTION 38. Initial applicability.**

8 (1) This act first applies to hunting approvals issued on July 1, 2008, or the day  
9 after the effective date of this subsection, whichever occurs later.”. ✓

10 (END)

dn

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

LRBa1108/dn

RNK:.....

ink

(date)

As requested in your instructions, this amendment draft does the following: ✓

1. Clarifies that the mentorship program does not apply to a person who is not required to have a hunting license to hunt under current law. ✓
2. Provides that the provisions of the bill first apply to approvals issued on the day after the effective date of the bill or July 1, 2008, whichever is later. ✓
3. Eliminates the requirement that the Department of Natural Resources (DNR) provide hunter safety pamphlets. ✓

Your instructions also requested that the bill provide that if DNR lowers the hunting age, it must be done through the rules process. ✓ Please note that the bill already contains this requirement. ✓ See s. 29.592 (6) as created in the bill. ✓

I did not make the change related to target practice under s. 948.60 (3) in current law. ✓  
As I understand the issue, there is concern that current law prohibits a 16- or 17-year old to target practice alone because s. 948.30 (3) (a) requires supervision by an adult. ✓  
But the exception under s. 948.60 (3) (c) in current law would seem to address this concern because it provides that s. 948.60 does not apply to a person under 18 years of age who possesses or is armed with a rifle or shotgun if the person is in compliance with ss. 29.304 or s. 29.593. As you suggested, I attempted to reach Tom Van Haren at DNR to discuss this issue but he was unavailable. ✓ In an effort to provide you with a draft as soon as possible, I am not including this item in this version of the draft. If you or Tom Van Haren believe that I have misunderstood your instruction on this issue, please let me know and we can discuss this further. ✓

I will be out of the office until Monday morning, January 28th. ✓ If you have any questions about this draft during my absence, please contact Mary Gibson-Glass with whom I have discussed this draft. ✓

Robin N. Kite  
Legislative Attorney  
Phone: (608) 266-7291  
E-mail: robin.kite@legis.wisconsin.gov



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

LRBa1108/1dn  
RNK:lmk:rs

January 25, 2008

As requested in your instructions, this amendment draft does the following:

1. Clarifies that the mentorship program does not apply to a person who is not required to have a hunting license to hunt under current law.
2. Provides that the provisions of the bill first apply to approvals issued on the day after the effective date of the bill or July 1, 2008, whichever is later.
3. Eliminates the requirement that the Department of Natural Resources (DNR) provide hunter safety pamphlets.

Your instructions also requested that the bill provide that if DNR lowers the hunting age, it must be done through the rules process. Please note that the bill already contains this requirement. See s. 29.592 (6) as created in the bill.

I did not make the change related to target practice under s. 948.60 (3) in current law. As I understand the issue, there is concern that current law prohibits a 16- or 17- year old to target practice alone because s. 948.30 (3) (a) requires supervision by an adult. But the exception under s. 948.60 (3) (c) in current law would seem to address this concern because it provides that s. 948.60 does not apply to a person under 18 years of age who possesses or is armed with a rifle or shotgun if the person is in compliance with s. 29.304 or s. 29.593. As you suggested, I attempted to reach Tom Van Haren at DNR to discuss this issue but he was unavailable. In an effort to provide you with a draft as soon as possible, I am not including this item in this version of the draft. If you or Tom Van Haren believe that I have misunderstood your instruction on this issue, please let me know and we can discuss this further.

I will be out of the office until Monday morning, January 28th. If you have any questions about this draft during my absence, please contact Mary Gibson-Glass with whom I have discussed this draft.

Robin N. Kite  
Legislative Attorney  
Phone: (608) 266-7291  
E-mail: robin.kite@legis.wisconsin.gov

**Kite, Robin**

---

**From:** Bruhn, Mike  
**Sent:** Friday, January 25, 2008 12:26 PM  
**To:** Kite, Robin; Gibson-Glass, Mary  
**Subject:** FW: LRB 07a1108 Topic: Various changes  
**Attachments:** LRB a1108\_1; LRB a1108/1

Mary,

I believe Robin is out, and you were expecting some possible changes. See the attached comments from the DNR. The first one, I don't know what your feelings are if it is appropriate. The second one (initial applicability) please make that adjustment. I will send the stripes back over. If you have any questions, please feel free to call me at 266-3363.

Thanks,

Mike Bruhn  
Rep. Gunderson's office

---

**From:** Van Haren, Thomas - DNR [mailto:Thomas.VanHaren@Wisconsin.gov]  
**Sent:** Friday, January 25, 2008 12:22 PM  
**To:** Bruhn, Mike  
**Cc:** Stark, Randall J - DNR  
**Subject:** FW: LRB 07a1108 Topic: Various changes

Mike, thanks for the opportunity to look this over. We do have concerns with 2 parts. I have provided our recommended modifications to this amendment language and a short explanation of why we feel these changes are necessary.

Let me know if you have any questions.

LRBa1108/1

At the locations indicated, amend the bill as follows:

**1.** Page 10, line 8: delete lines 8 to 12.

**2.** Page 10, line 18: after that line insert:

“(7) ~~This section does~~ Subsections (1)(b) and (2)(e) do not apply to a person who is not required to hold a hunting approval under s. 29.337, 95.55(5) or 169.19(5) ~~this chapter.~~”.

This change is needed to clarify who and where the mentor and mentored hunter would not need a hunting license, and continue to make the mentorship program an option for hunting on hunting preserves and under landowner authority. It appears that the draft language would not allow a person to hunt under the mentorship program if they were hunting in a situation that would not otherwise require a hunting approval. This would mean no one age 10 or 11, or anyone 12 or older born after 1-1-73 without hunter education certification, would be able to hunt on their own land or these preserves, even if mentored. We believe the above modified language makes it clear that just the hunting license requirement of the mentorship program would not apply in these hunting

situations.

**3.** Page 12, line 2: after that line insert:

**“SECTION 38.0Initial applicability.**

**(1) This act first applies to hunting approvals issued on the first day of the 3rd month after publication, ~~July 1, 2008, or the day after the effective date of this subsection, whichever occurs later.”~~**

I talked with Diane Brookbank and she feels this change is needed to assure our Customer Service & Licensing Bureau has at least 3 months from the time we know the law has been passed to make the needed changes.

I also talked with our legal staff on the target practicing issue we raised regarding 16 and 17 year olds, and the comments provided by Robin Kite. We are comfortable just leaving this one alone.

---

**From:** Bruhn, Mike [mailto:Mike.Bruhn@legis.wisconsin.gov]  
**Sent:** Friday, January 25, 2008 10:17 AM  
**To:** Stark, Randall J - DNR; Van Haren, Thomas - DNR  
**Subject:** FW: LRB 07a1108 Topic: Various changes

Can you please review, and let me know if there are any additional changes, or if we are good to go with this amendment?

Thanks,

Mike

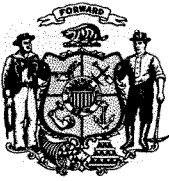
---

**From:** Barman, Mike  
**Sent:** Friday, January 25, 2008 10:08 AM  
**To:** Rep.Gunderson  
**Subject:** LRB 07a1108 Topic: Various changes

The attached proposal has been jacketed for introduction.

A copy has also been sent to:

<<LRB a1108\_1>> <<LRB a1108/1>>



Wanted mon (2/28) am  
State of Wisconsin  
2007 - 2008 LEGISLATURE

NON

RM run  
2  
LRBa1108/4  
RNK:lmk:rs  
stays

ASSEMBLY AMENDMENT,  
TO 2007 ASSEMBLY BILL 672

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

2 1. Page 10, line 8: delete lines 8 to 12.

3 2. Page 10, line 18: after that line insert:

4 "(7) ~~This section does not apply to a person who is not required to hold~~ a hunting  
5 approval under ~~this chapter~~". *The requirements under subs. (1)(b) and (2)(e) do*  
*S. 29.337(1), 95.55(5), or 169.19(5) authorized to hunt without*

6 3. Page 12, line 2: after that line insert:

7 "SECTION 38. Initial applicability.

8 (1) This act first applies to hunting approvals issued on ~~July 1, 2008, or the day~~  
9 ~~after the effective date of this subsection, whichever occurs later~~."

insert  
1-9

10

(END)

keep

**2007-2008 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRBa1108/2ins.  
RNK:.....

INSERT 1-9

*630*  
"SECTION 29. Effective date.

(1) This act takes effect on the first day of the 3rd month beginning after publication." ✓

**Kite, Robin**

**From:** Bruhn, Mike  
**Sent:** Monday, January 28, 2008 10:53 AM  
**To:** Kite, Robin; Van Haren, Thomas - DNR  
**Subject:** FW: LRB 07a1108 Topic: Various changes

1-28-08  
Discussed this issue  
by telephone w/ Mike &  
Tom - decided to  
remove the initial app. &  
just delay the eff. date

Tom,

Please see the attached email on the effective dates.

Mike

---

**From:** Kite, Robin  
**Sent:** Monday, January 28, 2008 10:50 AM  
**To:** Bruhn, Mike  
**Subject:** RE: LRB 07a1108 Topic: Various changes

Mike:

The dates do not conflict. With this amendment, the bill will now have a 3 month delayed effective date and specifically says that the bill first applies to approvals issued **on the effective date**. Therefore, the bill applies to approvals issued after the 3 month delay. I think this is exactly what DNR wants. But you can call me or have them call me if I am misunderstanding DNR's intent.

Robin

---

**From:** Gibson-Glass, Mary  
**Sent:** Monday, January 28, 2008 10:45 AM  
**To:** Bruhn, Mike  
**Cc:** Kite, Robin  
**Subject:** RE: LRB 07a1108 Topic: Various changes

Mike,

Robin is in the office today working on this. So I have sent this on to her.

Mary

---

**From:** Bruhn, Mike  
**Sent:** Monday, January 28, 2008 10:40 AM  
**To:** Gibson-Glass, Mary  
**Subject:** FW: LRB 07a1108 Topic: Various changes

Is there a conflict on the dates?

---

**From:** Van Haren, Thomas - DNR [mailto:Thomas.VanHaren@Wisconsin.gov]  
**Sent:** Monday, January 28, 2008 10:39 AM  
**To:** Bruhn, Mike

**Cc:** Stark, Randall J - DNR

**Subject:** FW: LRB 07a1108 Topic: Various changes

Mike,

Looks like we have 2 conflicting dates regarding when we would have to begin issuing approvals without hunter education certification and to youth ages 10 and 11. Section 38 is not needed and is what we wanted to remove/reword. Section 39 looks good and does contain the language we were seeking.

If we can just delete lines 8-10 (section 38), then we are good with everything in this amendment.

Thanks.

**3.** Page 12, line 2: after that line insert:

**“SECTION 38. Initial applicability.**

(1) This act first applies to hunting approvals issued on the effective date of this subsection.

**SECTION 39. Effective date.**

(1) This act takes effect on the first day of the 3rd month beginning after publication.”.

---

**From:** Bruhn, Mike [<mailto:Mike.Bruhn@legis.wisconsin.gov>]

**Sent:** Monday, January 28, 2008 9:45 AM

**To:** Van Haren, Thomas - DNR; Stark, Randall J - DNR

**Subject:** FW: LRB 07a1108 Topic: Various changes

Latest amendment draft...

---

**From:** Duerst, Christina

**Sent:** Monday, January 28, 2008 9:37 AM

**To:** Rep.Gunderson

**Subject:** LRB 07a1108 Topic: Various changes

The attached proposal has been jacketed for introduction.

A copy has also been sent to:

<<LRB a1108\_2>>



*Now*  
State of Wisconsin  
2007 - 2008 LEGISLATURE

*RM run*  
3  
LRBa1108/2  
RNK:lmk:rs

*stays*

ASSEMBLY AMENDMENT ,  
TO 2007 ASSEMBLY BILL 672

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

2 1. Page 10, line 8: delete lines 8 to 12.

3 2. Page 10, line 18: after that line insert:

4 “(7) The requirements under subs. (1) (b) and (2) (e) do not apply to a person  
5 who is authorized to hunt without a hunting approval under s. 29.337 (1), 95.55 (5),  
6 or 169.19 (5).”

7 3. Page 12, line 2: after that line insert:

8 “SECTION 38. Initial applicability.

9 (1) This act first applies to hunting approvals issued on the effective date of this  
10 subsection.

11 SECTION 39. Effective date.



