2007 ASSEMBLY BILL 753

February 4, 2008 – Introduced by Representatives Gunderson, Albers, Bies, Lemahieu, A. Ott and Soletski, cosponsored by Senator Vinehout. Referred to Committee on Natural Resources.

- AN ACT *to create* 29.336 (5) of the statutes; **relating to:** prohibitions on feeding
- deer for hunting or viewing purposes and providing a penalty.

Analysis by the Legislative Reference Bureau

Current law requires the Department of Natural Resources (DNR) to promulgate rules that prohibit feeding deer for hunting or viewing purposes in counties that include all or part of a chronic wasting disease (CWD) control zone, in counties in which a positive test for CWD or bovine tuberculosis was confirmed in any captive or free–roaming animal after December 31, 1997, and in counties within a ten–mile radius of an animal that has tested to be positive for CWD or bovine tuberculosis after December 31, 1997. In other counties, deer feeding is limited depending on whether the feeding is for hunting or viewing purposes. Generally, depending on the purpose of the feeding, feeding is allowed only within a specified distance from a business or residence, another feeding site, or a roadway. Additionally, not more than two gallons of material are allowed at the feeding site and the material may not contain any animal part or animal byproduct.

This bill creates specific penalties for the illegal feeding of deer. Under the bill, a person who violates the prohibitions against feeding deer is subject to a forfeiture of not more than \$2,500. In addition, a court may revoke the person's hunting approvals and prohibit the issuance of new hunting approvals for a specified period of time. If the person has been issued a guide license by DNR, the bill also authorizes

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the court to revoke that license and prohibit the issuance of a new guide license for a period of up to three years.

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

SECTION 1. 29.336 (5) of the statutes is created to read:

29.336 **(5)** Any person who violates this section may be required to forfeit not more than \$2,500. In addition, the court may do any of the following:

- (a) For a first or 2nd violation by a person other than a person who is required to possess a guide license under s. 29.512 (1), order the revocation of all hunting approvals issued to the person under this chapter and prohibit the issuance of any new hunting approvals under this chapter for a period of up to one year.
- (b) For a 3rd or subsequent violation by a person other than a person who is required to possess a guide license under s. 29.512 (1), order the revocation of all hunting approvals issued to the person under this chapter and prohibit the issuance of any new hunting approvals under this chapter for a period of up to 3 years.
- (c) For any violation of this section by a person who is required to possess a guide license under s. 29.512 (1), order the revocation of all hunting approvals issued to the person under this chapter, order the revocation of any guide license issued under s. 29.512 (1), and prohibit the issuance of any new hunting approvals under this chapter and the issuance of any guide license under s. 29.512 (1) for a period of up to 3 years.

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