

2007 DRAFTING REQUEST

Bill

Received: 12/07/2007

Received By: rkite

Wanted: As time permits

Identical to LRB:

For: Robert Wirch (608) 267-8979

By/Representing: Paula

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: Sen.Wirch@legis.wisconsin.gov

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Hunter mentorship program

Instructions:

Same as LRBb0284 but do not include provisions relating to the casing of firearms

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 12/07/2007	kfollett 12/14/2007		_____			State
	rkite 12/14/2007	wjackson 12/18/2007		_____			
/1			pgreensl 12/19/2007	_____	sbasford 12/19/2007	lparisi 02/05/2008	

FE Sent For:

at  
Intro

2007 DRAFTING REQUEST

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/1			pgreensl 12/19/2007	_____	sbasford 12/19/2007		

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/?	rkite	1 WJ 12/18	P/19 P8	<del>P/19</del> P8/11/11			

FE Sent For:

<END>

3612

**Kite, Robin**

**From:** McGuire, Paula  
**Sent:** Thursday, December 13, 2007 12:20 PM  
**To:** Kite, Robin  
**Subject:** FW: Rep. Gunderson Co-sponsorship of LRB 1099/2 "The Youth Sporting Opportunities Act"  
**Attachments:** 07-10992.pdf

Hello Robin--

In Senator Wirch's bill that would allow the DNR to set the hunting age, he would like to include the target shooting --Thanks!

*provision in LRB 1099/2*

**From:** Bruhn, Mike  
**Sent:** Tuesday, December 11, 2007 3:52 PM  
**To:** \*Legislative Assembly Democrats; \*Legislative Assembly Republicans; \*Legislative Senate Democrats; \*Legislative Senate Republicans  
**Subject:** Rep. Gunderson Co-sponsorship of LRB 1099/2 "The Youth Sporting Opportunities Act"

**DATE:** December 11, 2007  
**TO:** All Legislators  
**FROM:** Representative Scott Gunderson  
**RE:** Co-sponsorship of LRB 1099/2 re: the minimum age for hunting and possessing a firearm, age specific restrictions for hunting and on possessing a firearm while hunting, requirements for obtaining a hunting certificate of accomplishment, establishing a hunting mentorship program, and granting rule-making authority.

Removing the barriers to participation in order to increase the sporting opportunities available to the youth of Wisconsin is an issue that is very important to me. Recent studies have illustrated that the State of Wisconsin is in the bottom 20% for hunter replacement with only 0.53 new hunters for every hunter the state loses, and the biggest obstacle to youth hunter recruitment in Wisconsin is our restrictive age requirement. Most studies show that children, by the time they reach 12 years old, have already made up their minds about recreational activities, and if they have not begun a recreational activity by the age of 12, it is highly unlikely they will ever take up that activity. I am, therefore, introducing the "Youth Sporting Opportunities Act," in order to increase the sporting opportunities for the youth of Wisconsin.

This Legislation would create a mentored hunting program, which would lower the hunting age from 12 to 10 years-old under very specific circumstances. The minor would have to be accompanied by a parent or guardian and both would be required to hold a valid hunting license. Also, the minor and the parent or guardian would be allowed to have only one firearm or bow in their joint possession while hunting, and the minor would have to remain within arms reach of the adult to ensure the minor is

actively being taught how to hunt safely, correctly, and ethically. Finally, this legislation would remove the restrictions on possession and control of a firearm by persons who are under the age of 12 when target practicing if they are accompanied by a parent or guardian.

Currently, there are 32 states that **do not** have any minimum hunting age specified by state law including Iowa, Michigan, and Minnesota.

The legislative Analysis is below. If you are interested in co-sponsoring this legislation, please contact my office (6-3363) by Thursday, December 20, 2007.

---

*Analysis by the Legislative Reference Bureau*

This bill makes various changes to the laws relating to restrictions on hunting and firearm possession and establishes a hunting mentorship program.

*Accompaniment by parent or guardian*

Under current law, a person who is the minimum hunting age but under the age of 16 may hunt or have a firearm in his or her possession or control if the person is accompanied by a parent or guardian and if he or she meets certain other requirements. This bill specifies that such a person may also hunt or have a firearm in his or her possession or control if the person is accompanied by a person who is at least 18 years old and who has been designated by the person's parent or guardian.

*Mentorship program*

Current law requires, with certain exceptions, that every person who obtains a hunting approval must have a certificate of accomplishment issued by the Department of Natural Resources (DNR) indicating that he or she has successfully completed the hunter education program or bow hunter education program established by DNR. Current law also generally prohibits hunting and firearm possession by any person under the age of 12. For persons who are older than 12 but under the age of 16, current law allows hunting and firearm possession but imposes certain restrictions that vary depending on the person's age.

This bill creates a new exception to the general requirement that a person obtain a certificate of accomplishment in order to obtain a hunting approval. The bill also lowers the minimum hunting age from 12 years of age to ten years of age for persons who hunt under the hunting mentorship program established in this bill. The bill authorizes a person who is at least ten years of age to hunt without obtaining a certificate of accomplishment and to possess or control a firearm while hunting if the person has a valid hunting approval and is hunting with a qualified mentor.

Under the hunting mentorship program, to qualify as a mentor, a person must be 18 years of age or older and be the parent or guardian of the person for whom he or she is serving as a mentor or be authorized by the parent or guardian to serve as the mentor. The bill provides that at all times when serving as a mentor, the mentor must be within arm's reach of the person for whom he or she is serving as a mentor, must have a current valid hunting approval, and must have obtained a certificate of accomplishment or be exempt from the requirement to obtain a certificate of accomplishment. The bill provides that a mentor may take only one person hunting at a time and specifies that a mentor and a person who is hunting with the mentor may jointly have only one firearm, bow, or crossbow while hunting. The bill also requires DNR to issue to each person to whom DNR issues a hunting approval a

pamphlet that contains hunter safety information if the person is not required to obtain a certificate of accomplishment and is authorized to hunt with a mentor. The bill authorizes DNR to promulgate rules lowering the minimum age for hunting with a mentor if DNR determines that hunting by persons younger than ten years of age does not present a safety risk. The bill provides that DNR may make this determination only after considering existing studies and data on the safety risk of hunting and firearm possession by persons who are under ten years of age.

#### *Target practice*

The bill also creates a new exception to the restrictions that apply to firearm possession by persons who are under a specified age. The bill provides that those age restrictions do not apply to a person who uses a firearm in target practice if the person is accompanied by his or her parent or guardian or by a person who is at least 18 years of age who is designated by the parent or guardian.

#### *Proof of compliance*

Under current law, an applicant for a hunting approval may show compliance with the hunter education requirement by presenting his or her certificate of accomplishment when submitting an application for a hunting approval. Alternatively, the person may prove compliance by presenting an approval authorizing hunting that was issued to him or her within 365 days before submitting the application or that was issued to him or her for a hunting season that ended within 365 days before submitting the application. This bill requires that when presenting a previously issued hunting approval as proof of compliance, the approval must contain the applicant's hunter education certificate number.

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

Date (time) needed

SOON

Rm not ran

LRB - 3612 / 1

**BILL**

RNK: WLj: \_\_\_\_\_

Use the appropriate components and routines developed for bills.

AN ACT . . . [generate catalog] *to repeal . . . ; to renumber . . . ; to consolidate and renumber . . . ; to renumber and amend . . . ; to consolidate, renumber and amend . . . ; to amend . . . ; to repeal and recreate . . . ; and to create . . .* of the statutes; relating to: *INSERT RELATING CLAUSE* ✓

[NOTE: See section 4.02 (2) (br), Drafting Manual, for specific order of standard phrases.]

*Analysis by the Legislative Reference Bureau*

If titles are needed in the analysis, in the component bar:

- For the main heading, execute: . . . . . **create → anal: → title: → head**
- For the subheading, execute: . . . . . **create → anal: → title: → sub**
- For the sub-subheading, execute: . . . . . **create → anal: → title: → sub-sub**

For the analysis text, in the component bar:

- For the text paragraph, execute: . . . . . **create → anal: → text**

*INSERT ANALYSIS* ↓

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

SECTION #.



LFB:.....Rushmer – Hunter mentorship program and weapons in vehicles  
FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION  
**SENATE AMENDMENT ,**  
**TO 2007 SENATE BILL 40**

Lps: Please  
thaw frozen #5.

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

2 **1.** Page 470, line 9: after that line insert:

3 **SECTION 707g** 29.184 (1) (b) of the statutes is amended to read:

4 29.184 (1) (b) "Minor" means a person who is at least 12 years of age, or the age  
5 specified by the department by rule under s. 29.592 (5), whichever age is lower, but  
6 under 18 years of age.

7 **SECTION 707h** 29.184 (6) (b) 1. of the statutes is amended to read:

8 29.184 (6) (b) 1. The applicant is at least 12 years old, or the age specified by  
9 the department by rule under s. 29.592 (5), whichever age is lower.

10 **2.** Page 471, line 20: after that line insert:

11 **SECTION 712c** 29.235 (1) of the statutes is amended to read:



1           29.235 (1) ISSUANCE. A resident conservation patron license shall be issued  
 2 subject to ss. 29.024 and 54.25 (2) (c) 1. d. by the department to any resident 12 years  
 3 old or older, or the age specified by the department by rule under s. 29.592 (5),  
 4 whichever age is lower, and who applies for the license. A nonresident conservation  
 5 patron license shall be issued subject to s. 29.024 by the department to any person  
 6 12 years old or older, or the age specified by the department by rule under s. 29.592  
 7 (5), whichever age is lower, who is not a resident, and who applies for the license. ✓

8           SECTION ~~712g~~<sup>#</sup> 29.304 (4m) of the statutes is created to read:

9           29.304 (4m) HUNTING MENTORSHIP PROGRAM. The prohibition specified in sub.  
 10 (1) (a) and the restrictions specified in subs. (1) (b) to (d), (2), and (3) do not apply to  
 11 a person who is hunting with a mentor and who complies with the requirements  
 12 specified under s. 29.592. ✓

13           3. Page 472, line 11: after that line insert:

14           SECTION ~~713g~~<sup>#</sup> 29.563 (2) (a) 4. of the statutes is amended to read:

15           29.563 (2) (a) 4. Small game issued to 12-year-olds to 17-year-olds persons  
 16 who are younger than 18 years of age: \$6.25. ✓

17           SECTION ~~713m~~<sup>#</sup> 29.563 (2) (a) 5g. of the statutes is amended to read:

18           29.563 (2) (a) 5g. Deer issued to 12-year-olds to 17-year-olds persons who are  
 19 younger than 18 years of age: \$17.25. ✓

20           4. Page 472, line 13: after that line insert:

21           SECTION ~~714m~~<sup>#</sup> 29.563 (2) (a) 8m. of the statutes is amended to read:

22           29.563 (2) (a) 8m. Archer issued to 12-year-olds to 17-year-olds persons who  
 23 are younger than 18 years of age: \$17.25. ✓

24           5. Page 472, line 15: after that line insert:

Insert  
2-12

1       ~~SECTION 715d~~ # 29.563 (2m) of the statutes is amended to read:

2           29.563 (2m) HUNTING APPROVALS FOR CERTAIN NONRESIDENTS. The fees for  
3       hunting approvals for a 12 to 17 year-old person who is younger than 18 years of age,  
4       who is not a resident, and who exhibits proof that his or her parent is a resident shall  
5       be the same as the fees for hunting approvals for residents under sub. (2) (a) and (c).

6       ~~SECTION 715h~~ # 29.563 (4) (a) 1m. of the statutes is amended to read:

7           29.563 (4) (a) 1m. Sports issued to 12-year-olds to 17-year-olds persons who  
8       are younger than 18 years of age: \$32.25 or a greater amount at the applicant's  
9       option.

10       ~~SECTION 715m~~ # 29.563 (4) (a) 2m. of the statutes is amended to read:

11           29.563 (4) (a) 2m. Conservation patron issued to 12-year-olds to 17-year-olds  
12       persons who are younger than 18 years of age: \$70.25 or a greater amount at the  
13       applicant's option.

14       ~~SECTION 715p~~ # 29.563 (4) (b) 1m. of the statutes is amended to read:

15           29.563 (4) (b) 1m. Sports issued to 12-year-olds to 17-year-olds persons who  
16       are younger than 18 years of age: \$33.25 or a greater amount at the applicant's  
17       option.

18       ~~SECTION 715s~~ # 29.563 (4) (b) 2m. of the statutes is amended to read:

19           29.563 (4) (b) 2m. Conservation patron issued to 12-year-olds to 17-year-olds  
20       persons who are younger than 18 years of age: \$72.25 or a greater amount at the  
21       applicant's option.

22       6. Page 472, line 20: after that line insert:

23       ~~SECTION 717b~~ # 29.592 of the statutes is created to read:

1           **29.592 Hunting mentorship program. (1)** A person who is at least 12 years  
2 of age, or the age specified by the department by rule under sub. (5), whichever age  
3 is lower, may hunt in this state without obtaining a certificate of accomplishment  
4 under s. 29.591 and may, while hunting, possess or control a firearm if all of the  
5 following apply:

6           (a) At all times when hunting, the person is within arm's reach of a mentor who  
7 meets the qualifications under sub. (2).

8           (b) The person holds a hunting approval.

9           **(2)** No person may serve as a qualified mentor for a hunter unless the person  
10 meets all of the following requirements:

11           (a) The person is 18 years of age or older.

12           (b) The person is the parent or guardian of the person for whom he or she is  
13 serving as a mentor or is authorized by the parent or guardian to serve as a mentor.  
14 This requirement does not apply to a person serving as a mentor for a person who  
15 is 18 years of age or older.

16           (c) At all times when serving as a mentor, the person is within arm's reach of  
17 the person for whom he or she is serving as a mentor.

18           (d) The person has been issued a certificate of accomplishment under s. 29.591,  
19 or under s. 29.595 if the person is serving as a mentor for hunting elk, unless the  
20 person was born before January 1, 1973, and is not required to obtain a certificate  
21 of accomplishment.

22           (e) The person holds a current valid hunting approval.

23           **(3)** A mentor under this section may take only one person, for whom he or she  
24 is serving as a mentor, hunting at a time.

1           (4) The department shall issue to each person to whom the department issues  
2 a hunting approval a pamphlet, developed by the department, that contains hunter  
3 safety information if the person is not required to obtain a certificate of  
4 accomplishment under s. 29.591 and is authorized to hunt with a mentor under this  
5 section.

6           (5) The department may promulgate rules lowering the minimum age specified  
7 in sub. (1) for purposes of this section.

8           ~~SECTION 2917d.~~ 29.593 (1) (a) of the statutes is amended to read:

9           29.593 (1) (a) Except as provided under subs. (2), (2m) and (3) and s. 29.592 (1),  
10 no person born on or after January 1, 1973, may obtain any approval authorizing  
11 hunting unless the person is issued a certificate of accomplishment under s. 29.591." ✓

12           7. Page 1349, line 6: after that line insert:

13           "SECTION 2913d. 167.31 (1) (b) of the statutes is renumbered 167.31 (1) (b)  
14 (intro.) and amended to read:

15           167.31 (1) (b) (intro.) "Encased" means any of the following:

16           1. In the case of a firearm, it is enclosed in a case that is expressly made for the  
17 purpose of containing a firearm and that is completely zipped, snapped, buckled, tied  
18 or otherwise fastened with no part of the firearm exposed.

19           SECTION 2913e. 167.31 (1) (b) 2. of the statutes is created to read:

20           167.31 (1) (b) 2. In the case of a bow or a crossbow, it is enclosed in a carrying  
21 case.

22           SECTION 2913g. 167.31 (1) (g) 4. of the statutes is created to read:

23           167.31 (1) (g) 4. In the case of a crossbow, having the crossbow uncocked  
24 without a bolt in firing position.

1           **SECTION 2913j.** 167.31 (2) (a) of the statutes is amended to read:

2           167.31 (2) (a) Except as provided in sub. (4), no person may place, possess, or  
3 transport a firearm, bow, or crossbow in or on a motorboat with the motor running,  
4 unless the firearm is unloaded ~~or unless the bow or~~ unless the crossbow is unloaded  
5 and encased, or unless the bow is unstrung or is enclosed in a carrying case encased.

6           **SECTION 2913k.** 167.31 (2) (b) of the statutes is amended to read:

7           167.31 (2) (b) Except as provided in sub. (4), no person may place, possess or  
8 transport a firearm, ~~bow or crossbow~~ in or on a vehicle, unless the firearm or  
9 crossbow is unloaded and encased ~~or unless the bow or crossbow is unstrung or is~~  
10 enclosed in a carrying case. No person may place, possess, or transport a firearm or  
11 crossbow in or on a vehicle that is moving or has a running motor unless it is also  
12 encased or beyond the arm's reach of the operator and the occupants of the vehicle.

13           **SECTION 2913m.** 167.31 (2) (bn) of the statutes is created to read:

14           167.31 (2) (bn) Except as provided in sub. (4), no person may place, possess, or  
15 transport a bow in a vehicle that is moving or has a running motor unless the bow  
16 is encased or unstrung or unless the bow is beyond the arm's reach of the operator  
17 and the occupants of the vehicle.

18           **SECTION 2913n.** 167.31 (3) (a) of the statutes is amended to read:

19           167.31 (3) (a) Except as provided in sub. (4), no person may place, possess, or  
20 transport a firearm, bow, or crossbow in or on an aircraft, unless the firearm or  
21 crossbow is unloaded and encased or unless the bow is unstrung or encased or  
22 crossbow is unstrung or is enclosed in a carrying case.

23           **SECTION 2913p.** 169.20 (1) (a) of the statutes is amended to read:

24           169.20 (1) (a) The department shall issue a bird dog training license to any  
25 individual who is at least 12 years of age, or the age specified by the department by

1 rule under s. 29.592 (5), whichever age is lower, and who files a proper application  
2 and who pays the applicable fee.

3 SECTION ~~2913a~~<sup>#</sup> 169.20 (2) (a) of the statutes is amended to read:

4 169.20 (2) (a) The department shall issue a hound dog training license to any  
5 individual who is at least 12 years of age, or the age specified by the department by  
6 rule under s. 29.592 (5), whichever age is lower, and who pays the applicable fee.

7 SECTION ~~2913a~~<sup>#</sup> 169.33 (2) (d) of the statutes is amended to read:

8 169.33 (2) (d) An individual who applies for a bird dog training license or a  
9 hound dog training license shall be at least 12 years of age, or the age specified by  
10 the department by rule under s. 29.592 (5), whichever age is lower.

11 **8.** Page 1655, line 10: after that line insert:

12 "SECTION **3834c.** 941.237 (1) (c) of the statutes is amended to read:

13 941.237 (1) (c) "Encased" has the meaning given in s. 167.31 (1) (b) means  
14 enclosed in a case that is expressly made for the purpose of containing a firearm and  
15 that is completely zipped, snapped, buckled, tied, or otherwise fastened with no part  
16 of the firearm exposed."

17 **9.** Page 1655, line 24: after that line insert:

18 "SECTION **3836c.** 948.605 (1) (a) of the statutes is amended to read:

19 948.605 (1) (a) "Encased" has the meaning given in s. 167.31 (1) (b) means  
20 enclosed in a case that is expressly made for the purpose of containing a firearm and  
21 that is completely zipped, snapped, buckled, tied, or otherwise fastened with no part  
22 of the firearm exposed."

23

(END)

2007-2008 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB-3612/1ins.  
RNK:.....

INSERT RELATING CLAUSE

**relating to:** age-specific restrictions on hunting and possessing a firearm; requirements for obtaining a hunting certificate of accomplishment; establishing a hunting mentorship program; and granting rule-making authority.

INSERT ANALYSIS

Current law generally prohibits hunting and firearm possession by any person under the age of 12. Current law allows persons who are at least 12 years old but under the age of 16 to hunt and possess a firearm but imposes certain restrictions that vary depending on the person's age. Current law also requires, with certain exceptions, that every person who obtains a hunting approval must have a certificate of accomplishment issued by the Department of Natural Resources (DNR) indicating that he or she has successfully completed the hunter education program or bow hunter education program established by DNR.

This bill establishes a hunting mentorship program that creates <sup>an</sup> ~~a new~~ exception to the general requirement that a person obtain a certificate of accomplishment ~~in order~~ to obtain a hunting approval. The bill authorizes a person who is at least 12 years of age to hunt without obtaining a certificate of accomplishment and to possess or control a firearm while hunting if the person has a valid hunting approval and is hunting with a qualified mentor. The bill also authorizes DNR to promulgate rules lowering the minimum age at which a person may hunt <sup>a</sup> qualifying mentor.

*with* Under the hunting mentorship program established in the bill, to qualify as a mentor, a person must be 18 years of age or older and be the parent or guardian of the person for whom he or she is serving as a mentor or be authorized by the parent or guardian to serve as the mentor. The bill provides that at all times when serving as a mentor, the mentor must be within arm's reach of the person for whom he or she is serving as a mentor, must have a current valid hunting approval, and must have obtained a certificate of accomplishment or be exempt from the requirement to obtain a certificate of accomplishment. The bill provides that a mentor may take only one person hunting at a time. The bill also requires DNR to issue to each person to whom DNR issues a hunting approval a pamphlet that contains hunter safety information if the person is not required to obtain a certificate of accomplishment and is authorized to hunt with a mentor.

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

2007-2008 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB-3612/1ins.A  
RNK:.....

INSERT ANALYSIS A

This bill <sup>also</sup> creates a target practice exception to the restrictions that apply to firearm possession by persons who are under a specified age. The bill provides that those age restrictions do not apply to a person who uses a firearm in target practice if the person is accompanied by his or her parent or guardian or by a person who is at least 18 years of age who is designated by the parent or guardian.

INSERT 2-12

SECTION ~~1~~ 29.304 (5) (title) <sup>✓</sup> of the statutes is repealed and recreated to read:

29.304 (5) (title) EXCEPTIONS.

SECTION ~~2~~ 29.304 (5) of the statutes is renumbered 29.304 (5) (a).

SECTION ~~3~~ 29.304 (5) (b) <sup>✓</sup> of the statutes is created to read:

29.304 (5) (b) The restrictions on the possession <sup>or</sup> ~~and~~ control of a firearm under sub. (1) do not apply to a person using a firearm in target practice if he or she is accompanied by his or her parent or guardian or by a person at least 18 years of age who is designated by the parent or guardian. <sup>+</sup>



**Parisi, Lori**

---

**From:** Kite, Robin  
**Sent:** Tuesday, February 05, 2008 4:18 PM  
**To:** Parisi, Lori  
**Subject:** FW: LRB-3612--Youth Hunting

**Attachments:** 20080204110321863.pdf



2008020411032186  
3.pdf (387 KB)...

**Lori:**

**Please jacket LRB-3612 for Senator Wirch's office.**

**Thanks.**

**—Original Message—**

**From:** McGuire, Paula  
**Sent:** Tuesday, February 05, 2008 4:15 PM  
**To:** Kite, Robin  
**Subject:** FW: LRB-3612--Youth Hunting

**Hello, Robin--**

**Can I get this bill jacketed for introduction? Thanks!**

**Did you see that the carbon monoxide bill was passed unanimously by the Senate last week--I would have never thought that would have happened, but it shows all your hard work, and million changes really paid off--THANKS!**

**Paula**

**—Original Message—**

**From:** McGuire, Paula  
**Sent:** Monday, February 04, 2008 11:17 AM  
**To:** \*Legislative Assembly Democrats; \*Legislative Assembly Republicans; \*Legislative Senate Democrats; \*Legislative Senate Republicans  
**Subject:** LRB-3612--Youth Hunting

**TO: Legislative Colleagues**

**FROM: Senator Robert Wirch**

**DATE: 2/4/08**

**RE: LRB-3612**