

**2011 DRAFTING REQUEST**

**Senate Amendment (SA-SB226)**

Received: **01/31/2012**

Received By: **rkite**

Wanted: **As time permits**

Companion to LRB:

For: **Fred Risser (608) 266-1627**

By/Representing: **Sarah Briganti**

May Contact:

Drafter: **rkite**

Subject: **Nat. Res. - fish and game**

Addl. Drafters:

Extra Copies:

Submit via email: **YES**

Requester's email: **Sen.Risser@legis.wisconsin.gov**

Carbon copy (CC:) to:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Regulating the use of conibear traps

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**Instructions:**

See attached

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**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>
/?							
/P1	rkite 02/02/2012	mduchek 02/08/2012	jmurphy 02/08/2012	_____	sbasford 02/08/2012		
/1	rkite 02/13/2012	mduchek 02/14/2012	rschluet 02/14/2012	_____	lparisi 02/14/2012	lparisi 02/14/2012	

FE Sent For:

<END>

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FE Sent For:

*Handwritten notes:*  
2/14/12  
1/11/12  
<END>

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/?	rkite		jm 2/8	self 2/8			
FE Sent For:		2/8/12					

<END>

## Kite, Robin

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**From:** Briganti, Sarah  
**Sent:** Tuesday, January 31, 2012 2:54 PM  
**To:** Kite, Robin  
**Subject:** Drafting request

Robin,

Senator Risser would like the following drafted as an amendment to Senate Bill 226.

" It is unlawful to set, place or operate any killer trap (conibear trap) greater than 6x6 inches unless partially or wholly submerged in water."

Thanks for your assistance. Please let me know if you have any questions.

Sarah

*Sarah Briganti*

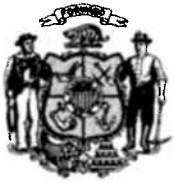
*Legislative Assistant*

*Office of Senator Fred Risser*

*130 South, State Capitol*

*608-266-1627*

NR 10.13(1)(b)8.



(soon)  
State of Wisconsin  
2011 - 2012 LEGISLATURE



LRBa2225

RNK:.....

Am run

PI

red

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION  
SENATE AMENDMENT,  
TO 2011 SENATE BILL 226**

In  
2/2

D-Note

- 1 At the locations indicated, amend the bill as follows:
- 2 **1.** Page 1, line 11: after "event," insert "regulating body gripping traps,".
- 3 **2.** Page 7, line 4: after that line insert:
- 4 "SECTION 7m. 29.331 (1m) of the statutes is created to read:
- 5 29.331 (1m) BODY GRIPPING TRAPS. No person may set, place, or operate a body
- 6 gripping trap of a type designed to kill an animal unless the trap is smaller than 6
- 7 by 6 inches in size or is partially or completely submerged in water."
- 8 (END)

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

LRBa2225/1/01

RNK:.....

*Date*

*pl*  
*med*

This amendment is in preliminary form. The Department of Natural Resources regulates "body-grip traps" (conibear traps) under NR 10.13 (1) (b) 8. Generally, there is no prohibition on these traps if they are less than or equal to 60 square inches in size. A body-grip trap that is between 60 and 75 square inches in size may be set on land if the trap is enclosed or 5 feet off the ground. No body-grip trap may be set on land if the trap is 75 square inches or larger in size. The rules also allow the use of a body-grip trap that is larger than 60 square inches if the trap is set in water and at least one-half of the trap is submerged at all times.

I have drafted this amendment so that it prohibits the use of body-grip traps that are greater than 6 by 6 inches in size unless partially or completely submerged in water. You may wish to consider expressing the limitation in square inches as under current DNR rules. Also, do you want to require that a trap set in water be one-half submerged? As drafted, it is not clear how much of the trap must be in water before it may be considered "partially" submerged.

Please feel free to contact me if you have any questions with regard to this amendment.

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

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

LRBa2225/P1dn  
RNK:med:jm

February 8, 2012

This amendment is in preliminary form. The Department of Natural Resources regulates "body-grip traps" (conibear traps) under NR 10.13 (1) (b) 8. Generally, there is no prohibition on these traps if they are less than or equal to 60 square inches in size. A body-grip trap that is between 60 and 75 square inches in size may be set on land if the trap is enclosed or 5 feet off the ground. No body-grip trap may be set on land if the trap is 75 square inches or larger in size. The rules also allow the use of a body-grip trap that is larger than 60 square inches if the trap is set in water and at least one-half of the trap is submerged at all times.

I have drafted this amendment so that it prohibits the use of body-grip traps that are greater than 6 by 6 inches in size unless partially or completely submerged in water. You may wish to consider expressing the limitation in square inches as under current DNR rules. Also, do you want to require that a trap set in water be one-half submerged? As drafted, it is not clear how much of the trap must be in water before it may be considered "partially" submerged.

Please feel free to contact me if you have any questions with regard to this amendment.

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

**Kite, Robin**

---

**From:** Briganti, Sarah  
**Sent:** Monday, February 13, 2012 12:51 PM  
**To:** Kite, Robin  
**Subject:** RE: Drafters note on LRB a2225 re trapping

Please draft in final form. Senator Risser would like to keep this moving.

Thanks,

Sarah

---

**From:** Kite, Robin  
**Sent:** Monday, February 13, 2012 12:40 PM  
**To:** Briganti, Sarah  
**Subject:** RE: Drafters note on LRB a2225 re trapping

Sarah:

I'll make this change. Should I redraft the amendment in final form or do you want me to keep it in preliminary form?

Robin

---

**From:** Briganti, Sarah  
**Sent:** Monday, February 13, 2012 12:16 PM  
**To:** Kite, Robin  
**Subject:** Drafters note on LRB a2225 re trapping

Robin,

Thanks for the notes on the amendment to SB 226.

I had a chance to review with Senator Risser. We've decided:

- 1) using square inches is fine in order to make it consistent with current rules;
- 2) rather than partially submerged, please state as "at least one-half submerged". This is also consistent with the DNR rule language.

Let me know if you have any additional questions.

Sarah

*Sarah Briganti*  
*Legislative Assistant*  
*Office of Senator Fred Risser*  
*130 South State Capitol*  
*608-266-1627*





State of Wisconsin  
2011 - 2012 LEGISLATURE



LRBa2225/00

RNK:med:jm

Stamps

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

SENATE AMENDMENT,  
TO 2011 SENATE BILL 226

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6 gripping trap of a type designed to kill an animal unless the trap is smaller than

7 ~~6~~ inches in size or ~~is partially or completely~~ submerged in water."

8 36 square

(END)

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the trap is