

2015 DRAFTING REQUEST

Bill

Received: 8/10/2015 Received By: rkite  
 For: Joel Kleefisch (608) 266-8551 Same as LRB:  
 May Contact: By/Representing: Ashlee  
 Subject: Nat. Res. - fish and game Drafter: rkite  
 Addl. Drafters:  
 Extra Copies:

Submit via email: YES  
 Requester's email: Rep.Kleefisch@legis.wisconsin.gov  
 Carbon copy (CC) to: elisabeth.shea@legis.wisconsin.gov  
 zachary.wyatt@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Allow adults to shoot to kill an animal shot by a youth hunter

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	rkite 8/11/2015		_____			
/P1	rkite 8/27/2015	anienaja 8/14/2015	_____	mbarman 8/14/2015		
/P2	rkite 11/3/2015	anienaja 8/31/2015	_____	srose 8/31/2015		

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1		anienaja 11/3/2015	_____ _____	mbarman 11/3/2015	sbasford 11/3/2015	

FE Sent For:

↳ Not  
Needed

<END>

**Shea, Elisabeth**

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**From:** Moore, Ashlee  
**Sent:** Thursday, August 06, 2015 1:54 PM  
**To:** Shea, Elisabeth  
**Subject:** Drafting Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hey Liz,

I wanted to submit a natural resources drafting request to you. Joel would like a bill that does the following:

Allows the license holder accompanying a minor during a youth hunt or a mentee during a mentored hunt to issue a dispatching kill shot following a non-fatal shot by the youth/mentee --- during all seasons (all small game, birds/turkey, and deer) and with all weapons (crossbows, bows, and guns). He would like this to apply during the youth hunting weekend, on any youth hunt, and in all mentored hunting scenarios –

Let me know if you have any questions – feel free to give me a call

Thanks!

Ashlee Moore  
Office of Representative Joel Kleefisch  
38<sup>th</sup> Assembly District  
(608) 266-8552

For Anna Heering & Larry Konopacki -

Rep. Klafusch wants to address the situation where a child has wounded an animal while hunting with an adult but doesn't want to (or can't) shoot to kill the animal -

Allow an adult w/ a hunting license to kill the animal - the adult doesn't need a "tag" nor does it count toward the adult's tag limit



**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

SAV ✓  
Xref ✓

D-Note

Gen.

- 1 **AN ACT ...; relating to:** authorizing an adult to shoot to kill an animal wounded
- 2 by a youth while hunting.

***Analysis by the Legislative Reference Bureau***

This bill allows an adult to kill an animal shot and wounded by another person who is under the age of 18 (youth).

Generally, current law prohibits a person from hunting unless the person holds a license, permit, tag, or other approval issued by the Department of Natural Resources. Current law also imposes various other restrictions on hunters, including season restrictions and bag and possession limits, that vary depending on the animal for which a hunting approval is issued.

This bill allows an adult to shoot to kill an animal lawfully shot and wounded by a youth. The bill provides that if a youth mortally wounds an animal while hunting, and if the youth requests that the adult shoot to kill the animal, the adult may do so as long as the adult has any valid hunting approval. Under the bill, an adult who kills an animal for a youth as authorized under the bill is exempt from any bag or possession limits that would otherwise apply to the hunting of the animal killed.

but not killed

lawfully

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

- 3 **SECTION 1.** 29.322 of the statutes is created to read:

1           **29.322 Taking certain wounded animals.** (1) In this section, “youth”  
2 means a person under the age of 18.

3           (2) An adult who holds any valid hunting approval may shoot to kill, with a  
4 firearm, bow and arrow, or crossbow, any animal shot by a youth if all of the following  
5 apply:

6           (a) The youth mortally wounded the animal while lawfully hunting.

7           (b) The youth ~~requests~~<sup>requested</sup> that the adult shoot to kill the animal.

8           (3) An adult who shoots to kill an animal as authorized under sub. (2) is exempt  
9 under this section from any bag, possession, or size limit established by the  
10 department.

11

(END)

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

LRB-2889/P1dn

RNK:...

*ann*

*- Date -*

This draft allows any adult who holds any valid hunting approval to shoot to kill an animal mortally wounded by a person under the age of 18. I have assumed that you did not want to limit the bill to those situations where the youth is hunting under the hunting mentorship program or hunting only during a "youth hunt". Consequently, under this draft, any time that a youth is lawfully hunting and wounds<sup>s</sup> but does not kill an animal, the youth may ask any adult with a hunting approval to kill the animal. An "adult" is defined under current law as<sup>s</sup> a person who has attained the age of 18 years.<sup>^</sup> See s. 990.01 (3). Is the draft consistent with your intent?

Please feel free to contact me if you have any questions about this draft.

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

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

LRB-2889/P1dn  
RNK:amn

August 14, 2015

This draft allows any adult who holds any valid hunting approval to shoot to kill an animal mortally wounded by a person under the age of 18. I have assumed that you did not want to limit the bill to those situations where the youth is hunting under the hunting mentorship program or hunting only during a "youth hunt." Consequently, under this draft, any time that a youth is lawfully hunting and wounds but does not kill an animal, the youth may ask any adult with a hunting approval to kill the animal. An "adult" is defined under current law as "a person who has attained the age of 18 years." See s. 990.01 (3). Is the draft consistent with your intent?

Please feel free to contact me if you have any questions about this draft.

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



## Kite, Robin

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**From:** Moore, Ashlee  
**Sent:** Thursday, August 27, 2015 2:30 PM  
**To:** Kite, Robin  
**Subject:** Re: LRB-2889

Hey robin

I want to be expand the provisions of the draft to include any person hunting with a qualified mentor under the hunting mentor ship program, regardless of age.

I want to keep everything already in the bill, I just want to add the mentor/mentee scenario

Let me know if that makes sense

Ashlee Moore  
Representative Joel Kleefisch  
Office: (608) 266-8552

On Aug 27, 2015, at 1:56 PM, Kite, Robin <[Robin.Kite@legis.wisconsin.gov](mailto:Robin.Kite@legis.wisconsin.gov)> wrote:

Ashlee:

You had requested a redraft that would provide that any "mentor" can shoot to kill an animal wounded by another person hunting with a mentor, regardless of age. Did you mean to restrict the provisions of the draft so that it only applies to a person hunting with a qualified mentor under the hunting mentorship program? See s. 29.592. What about, for example, a 17 year old person hunting with a parent but who is not hunting under the mentorship program. Or do you want the bill to apply to any adult hunting with another person, regardless of age? If so, we will need to talk about what it means to be hunting with another person. Please give me a call to discuss these issues when you have a chance.

Thanks.  
Robin

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Robin N. Kite  
Senior Legislative Attorney  
Wisconsin Legislative Reference Bureau  
1 E. Main St., Suite 200  
Madison, WI 53703  
(608) 266-7291



**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

SA✓

Regen!

1 AN ACT to create 29.322 of the statutes; relating to: authorizing an adult <sup>a person</sup> to  
2 shoot to kill an animal wounded by a youth while hunting. <sup>of certain hunters</sup>

*Analysis by the Legislative Reference Bureau* <sup>a person, under certain circumstances,</sup>

This bill allows an adult to kill an animal shot and wounded by another person <sup>while hunting</sup> who is under the age of 18 (youth).

Generally, current law prohibits a person from hunting unless the person holds a license, permit, tag, or other approval issued by the Department of Natural Resources. Current law also imposes various other restrictions on hunters, including season restrictions and bag and possession limits, that vary depending on the animal for which a hunting approval is issued.

This bill allows an adult to shoot to kill an animal lawfully shot by a youth but not killed. The bill provides that if a youth mortally wounds an animal while lawfully hunting, and if the youth requests that the adult shoot to kill the animal, the adult may do so as long as the adult has any valid hunting approval. Under the bill, an adult who kills an animal for a youth, as authorized under the bill is exempt from any bag or possession limits that would otherwise apply to the hunting of the animal killed. <sup>a person</sup> <sup>another person</sup> INS. Analysis

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

3 SECTION 1. 29.322 of the statutes is created to read:

1           **29.322 Taking certain wounded animals.** (1) In this section, "youth"  
2 means a person under the age of 18.

3           ~~(2) An adult who holds any valid hunting approval may shoot to kill, with a  
4 firearm, bow and arrow, or crossbow, any animal shot by a youth if all of the following  
5 apply:~~

6           ~~(a) The youth mortally wounded the animal while lawfully hunting.~~

7           ~~(b) The youth requested that the adult shoot to kill the animal.~~

MS.  
2-7

8           (3) ~~An adult~~ <sup>A person</sup> who shoots to kill an animal as authorized under sub. (2) is exempt  
9 under this section from any bag, possession, or size limit established by the  
10 department.

11

(END)

INSERT ANALYSIS

Under current law, the hunting mentorship program allows a person with a valid hunting license to hunt without obtaining a hunter safety certificate if he or she hunts with a qualified mentor and meets certain other conditions. This bill allows a person serving as a qualified mentor under the hunter mentorship program to shoot to kill an animal mortally wounded but not killed by a person for whom he or she is serving as a mentor. The mentor's authority to shoot to kill the animal applies only if the person who wounded the animal requests that the mentor shoot to kill the animal.

INSERT 2-7

- 1           (2) A person who holds any valid hunting approval may shoot to kill, with a  
2 firearm, bow and arrow, or crossbow, any animal shot and mortally wounded by  
3 another person if any of the following apply:
- 4           (a) The other person is a youth and all of the following apply:
- 5               1. The youth wounded the animal while lawfully hunting.
- 6               2. The person shooting to kill the animal is an adult.
- 7               3. The youth requested that the adult shoot to kill the animal.
- 8           (b) The other person was hunting with a qualified mentor under s. 29.592 when  
9 he or she wounded the animal and he or she requested that the qualified mentor  
10 shoot to kill the animal.

## Kite, Robin

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**From:** Rep.Kleefisch  
**Sent:** Tuesday, November 03, 2015 9:24 AM  
**To:** LRB.Legal  
**Cc:** Kite, Robin  
**Subject:** RE: Draft review: LRB -2889/P2 Topic: Allow adults to shoot to kill an animal shot by a youth hunter

Please jacket this proposal for introduction. Thanks!

Ashlee Moore  
Office of Representative Joel Kleefisch  
38<sup>th</sup> Assembly District  
(608) 266-8552

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**From:** LRB.Legal  
**Sent:** Monday, August 31, 2015 4:17 PM  
**To:** Rep.Kleefisch <Rep.Kleefisch@legis.wisconsin.gov>  
**Subject:** Draft review: LRB -2889/P2 Topic: Allow adults to shoot to kill an animal shot by a youth hunter

**Following is the PDF version of draft LRB -2889/P2.**



**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

SJA ✓

- 1 AN ACT *to create* 29.322 of the statutes; **relating to:** authorizing a person to
- 2 shoot to kill an animal wounded by certain hunters.

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***Analysis by the Legislative Reference Bureau***

This bill allows a person, under certain circumstances, to kill an animal shot and wounded by another person while hunting.

Generally, current law prohibits a person from hunting unless the person holds a license, permit, tag, or other approval issued by the Department of Natural Resources. Current law also imposes various other restrictions on hunters, including season restrictions and bag and possession limits, that vary depending on the animal for which a hunting approval is issued.

This bill allows an adult to shoot to kill an animal lawfully shot by a youth but not killed. The bill provides that if a youth mortally wounds an animal while lawfully hunting, and if the youth requests that the adult shoot to kill the animal, the adult may do so as long as the adult has any valid hunting approval. Under current law, the hunting mentorship program allows a person with a valid hunting license to hunt without obtaining a hunter safety certificate if he or she hunts with a qualified mentor and meets certain other conditions. This bill allows a person serving as a qualified mentor under the hunter mentorship program to shoot to kill an animal mortally wounded but not killed by a person for whom he or she is serving as a mentor. The mentor's authority to shoot to kill the animal applies only if the person who wounded the animal requests that the mentor shoot to kill the animal.



**Barman, Mike**

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**From:** LRB.Legal  
**To:** Rep.Kleefisch  
**Subject:** Draft review: LRB -2889/1  
**Attachments:** 15-2889/1

**State of Wisconsin - Legislative Reference Bureau  
One East Main Street - Suite 200 - Madison**

**The attached draft was prepared at your request. Please review it carefully to ensure that it satisfies your intent.** If you have any questions concerning the draft or would like to have it redrafted, please contact Robin N. Kite, Senior Legislative Attorney, at (608) 266-7291, at [robin.kite@legis.wisconsin.gov](mailto:robin.kite@legis.wisconsin.gov), or at One East Main Street, Suite 200.

**We will jacket this draft for introduction in the Assembly.** (per RNK)

If the last paragraph of the analysis states that a fiscal estimate will be prepared, the LRB will submit a request to DOA when the draft is introduced. You may obtain a fiscal estimate on the draft prior to introduction by contacting our program assistants at [LRB.Legal@legis.wisconsin.gov](mailto:LRB.Legal@legis.wisconsin.gov) or at (608) 266-3561. If you requested a fiscal estimate on an earlier version of this draft and would like to obtain a fiscal estimate on the current version before it is introduced, you will need to request a revised fiscal estimate from our program assistants.

**Please call our program assistants at (608) 266-3561 if you have any questions regarding this email.**