

2017 DRAFTING REQUEST

Bill

For: **Adam Jarchow (608) 267-2365** Drafter: **eshea**
 By: **Mitch Sands** Secondary Drafters:
 Date: **6/9/2017** May Contact:
 Same as LRB: **-4753**

Submit via email: **YES**
 Requester's email: **Rep.Jarchow@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:

Law enforcement cooperation regarding federal wolf management programs

Instructions:

Redraft 15-1755

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	eshea 6/9/2017	anienaja 6/9/2017			
/P1	eshea 11/3/2017	eweiss 11/3/2017	mbarman 6/9/2017		State S&L
/P2	eshea 11/3/2017	aernsttr 11/3/2017	dwalker 11/3/2017		State S&L
/P3	eshea 11/8/2017	anienaja 11/8/2017	lparisi 11/3/2017		State S&L
/P4			dwalker		State

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1			lparisi 11/8/2017	lparisi 11/8/2017	S&L State S&L

FE Sent For: *At Intro*

<END>



State of Wisconsin
2015 - 2016 LEGISLATURE

LRB-1755/P2 3737/P1
RNK/ld amn
EHS

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

SA
xref
[scribble]

Due 6/9 if possible

Gen.

1 **AN ACT to create** 29.603 of the statutes; **relating to:** enforcement of federal laws
2 relating to the management of the wolf population and to the killing of wolves
3 and expenditure of funds for wolf management purposes.

Analysis by the ^{the} Legislative Reference Bureau

This bill makes changes to the laws regulating wolf hunting and the laws authorizing funding for wolf management activities.

Under current law, the Department of Natural Resources is required to allow the hunting and trapping of wolves if wolf is not listed on the U.S. list of endangered and threatened species and is not listed on the state endangered list.

This bill prohibits a law enforcement officer from enforcing a federal law that relates to the management of the wolf population in this state or that prohibits the killing of wolf in this state. The bill also prohibits DNR from expending any funds for the purpose of managing the wolf population in this state other than for the purpose of making payments under the endangered resources program to persons who apply for reimbursement for certain damage caused by wolves. The bill specifies that these prohibitions apply only if wolves are listed on the U.S. list of endangered and threatened species. Under the bill, if wolves are removed from that list, the prohibitions in the bill will no longer apply.

Shea, Elisabeth

From: Johnson, Roy
Sent: Thursday, November 02, 2017 4:55 PM
To: Shea, Elisabeth
Subject: Please make these changes to LRB 3737
Attachments: Wolf Changes.pdf

Feel free to call if you can't read it or it didn't scan correctly.

Thanks!

Roy B. Johnson

Legislative Assistant
Office of Representative Adam Jarchow
Assembly District 28
608.267.2365

Feel free to print this email. Paper is a biodegradable, renewable, sustainable product made from trees.
Growing and harvesting trees provides family supporting jobs for thousands of our fellow Wisconsinites.



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-3737/P1
EHS:amn

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

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

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

1 **SECTION 1.** 29.603 of the statutes is created to read:

2 **29.603 Restrictions on wolf regulation.** (1) In this section:

3 (a) "Endangered resources program" has the meaning given in s. 71.10 (5) (a)

4 2.

5 (b) "Federal endangered list" means the U.S. list of endangered and threatened
6 species, as it applies to this state.

7 (c) "Law enforcement officer" has the meaning given in s. 165.85 (2) (c).

8 (2) If the wolf is listed on the federal endangered list, and notwithstanding the
9 authority of the department to regulate activities concerning wild animals under s.
10 29.604, all of the following apply:

11 (a) No law enforcement officer may knowingly enforce or attempt to enforce a
12 federal law that relates to the management of the wolf population in this state or that
13 prohibits ^{↳ or state} the killing of wolves in this state.

14 (b) No law enforcement officer may be discharged, disciplined, demoted, or
15 suspended; denied promotion, transfer, or reassignment; or otherwise discriminated
16 against with regard to employment; or threatened with any such treatment for
17 complying with the prohibition under par. (a).

18 (c) The department may not expend funds for the purpose of managing the wolf
19 population in this state ^{↳ or its staff} other than for the purpose of paying claims under the
20 endangered resources program for damage caused by wolves. *and may not*

21 (END)

*take any action to inform
or support federal law
enforcement.*

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-9737/P2
EHS:...
|
emw

— Date —

I added some language to the requested prohibition on DNR informing or supporting federal law enforcement to make it clear it is relating to the enforcement of federal law regarding wolves (and not relating to the enforcement of other federal laws). Let me know if this is not your intent. ✓

Elisabeth Shea
Legislative Attorney
(608) 266-5446
elisabeth.shea@legis.wisconsin.gov



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-3737/P1 PZ
EHS:amn REMW

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

In 11/3
Due today

D-NOTE

JAV
XCC
DWF

1

AN ACT to create 29.603 of the statutes; **relating to:** enforcement of federal laws ^{and state}

2

relating to the management of the wolf population and to the killing of wolves

3

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and prohibits DNR from taking any action to inform or support federal law enforcement officers regarding the enforcement of any federal law relating to wolves

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

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1 SECTION 1. 29.603 of the statutes is created to read:

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6 species, as it applies to this state.

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9 authority of the department to regulate activities concerning wild animals under s.
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12 federal ^{or state} law that relates to the management of the wolf population in this state or that
13 prohibits the killing of wolves in this state.

14 (b) No law enforcement officer may be discharged, disciplined, demoted, or
15 suspended; denied promotion, transfer, or reassignment; or otherwise discriminated
16 against with regard to employment; or threatened with any such treatment for
17 complying with the prohibition under par. (a).

18 (c) ^{Neither} The department ^{nor its staff} may not expend funds for the purpose of managing the wolf
19 population in this state ³ other than for the purpose of paying claims under the
20 endangered resources program for damage caused by wolves.

21 (END)

INS. 2-21

part of the...
...
...

**2017-2018 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-3737/P2ins
EHS:amn

1 **INSERT 2-21**

2 (c) Neither the department nor its staff may do any of the following:

3 1. Expend funds for the purpose of managing the wolf population in this state

4 other than for the purpose of paying claims under the endangered resources program

5 for damage caused by wolves.

6 2. Take any action to inform or support federal law enforcement officers

7 regarding the enforcement of any federal law relating to wolves.

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

LRB-3737/P2
EHS:emw

November 3, 2017

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Elisabeth Shea
Legislative Attorney
(608) 266-5446
elisabeth.shea@legis.wisconsin.gov



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-3737/P2
EHS:amw/emw

P3
/ane

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

In 11/3

Due today

sa ✓

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or state

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15 suspended; denied promotion, transfer, or reassignment; or otherwise discriminated
16 against with regard to employment; or threatened with any such treatment for
17 complying with the prohibition under par. (a).

18 (c) Neither the department nor its staff may do any of the following:

19 1. Expend funds for the purpose of managing the wolf population in this state
20 other than for the purpose of paying claims under the endangered resources program
21 for damage caused by wolves.

1
2
3

2. Take any action to inform or support federal law enforcement officers regarding the enforcement of any federal law relating to wolves.

(END) or state

Shea, Elisabeth

From: Sands, Mitch
Sent: Friday, November 03, 2017 3:21 PM
To: Shea, Elisabeth
Cc: Ohly, Mitchel
Subject: FW: Draft review: LRB -3737/P2

Lis – very last sentence should say “federal or state” law.

Thanks.

From: Jarchow, Adam
Sent: Friday, November 03, 2017 3:20 PM
To: Sands, Mitch <Mitch.Sands@legis.wisconsin.gov>
Cc: Ohly, Mitchel <Mitchel.Ohly@legis.wisconsin.gov>
Subject: Re: Draft review: LRB -3737/P2

Very last sentence should say "federal or state" law

Sent from my iPhone

On Nov 3, 2017, at 3:03 PM, Sands, Mitch <Mitch.Sands@legis.wisconsin.gov> wrote:

New draft of the wolf bill.

From: LRB.Legal
Sent: Friday, November 03, 2017 2:51 PM
To: Rep.Jarchow <Rep.Jarchow@legis.wisconsin.gov>
Subject: Draft review: LRB -3737/P2

Following is the PDF version of draft LRB -3737/P2 and drafter's note.

<17-3737_P2.pdf>

<17-3737_P2dn.pdf>

WISCONSIN LEGISLATIVE REFERENCE BUREAU

Information Services 608-266-0341—Legal Services 608-266-3561



4/7/17 Larry - LC

add at end of 2-21: "or taking action to protect private property, incl. dom. cattle, from wolf depredation."



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-3737/P3 p4
EHS:amn/emw/ahe

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

In 11/8
Due today

SA ✓

Regen ✓

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The bill
also

including domestic cattle,

or protecting private property from wolf depredation.

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17 complying with the prohibition under par. (a).

18 (c) Neither the department nor its staff may do any of the following:

19 1. Expend funds for the purpose of managing the wolf population in this state
20 other than for ^{any of the following purposes: a. Paying} the purpose of paying claims under the endangered resources program
21 for damage caused by wolves.

b. Taking action to protect private property, including domestic
cattle, from wolf depredation.

Shea, Elisabeth

From: Sands, Mitch
Sent: Wednesday, November 08, 2017 10:36 AM
To: Shea, Elisabeth
Cc: Ohly, Mitchel
Subject: FW: Draft review: LRB -3737/P4
Attachments: 17-3737/P4.pdf

Lis,

Please jacket this for introduction. Also, jacket a Senate version for Senator Tiffany.

Thanks,

Mitch

From: LRB.Legal
Sent: Wednesday, November 08, 2017 10:26 AM
To: Rep.Jarchow <Rep.Jarchow@legis.wisconsin.gov>
Subject: Draft review: LRB -3737/P4

Following is the PDF version of draft LRB -3737/P4.



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-3737/P4
EHS:amn/emw/ahe

1
No
changes

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

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Barman, Mike

From: Sands, Mitch
Sent: Wednesday, November 08, 2017 10:49 AM
To: LRB.Legal
Subject: Draft Review: LRB -3737/1

Please Jacket LRB -3737/1 for the ASSEMBLY.