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State of Misconsin 2013 - 2014 LEGISLATURE



2013 SENATE BILL 17

February 12, 2013 – Introduced by Senators Erpenbach, Miller, Risser and T. Cullen, cosponsored by Representatives C. Taylor, Hebl, Sargent, Berceau, Pope, Richards and Hulsey. Referred to Natural Resources.

1 AN ACT to repeal 29.089 (1m); to amend 29.089 (title), 29.089 (1) and 29.089 (2)

(intro.); and *to create* 29.089 (3) of the statutes; **relating to:** hunting, fishing, and trapping on land in state parks.

Analysis by the Legislative Reference Bureau

Current law requires, with certain exceptions, that state parks be open to hunting, fishing, and trapping by persons who hold the appropriate hunting, fishing, or trapping license, permit, or other approval. One of the exceptions to this general requirement provides that the Department of Natural Resources (DNR) may prohibit hunting, fishing, or trapping in a state park within 100 yards of a designated use area. DNR may also prohibit hunting, fishing, or trapping in a state park if the Natural Resources Board determines that the prohibition is necessary to protect public safety or to protect a unique animal or plant community.

This bill generally eliminates the requirement that state parks be open to hunting, fishing, and trapping. The bill prohibits a person from hunting in a state park unless the person is hunting deer, elk, wild turkeys, or small game in the state park and DNR has promulgated a rule that authorizes the hunting of that type of game in the state park. The bill also prohibits a person from trapping in state parks.

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

SENATE BILL 17

| 1 | SECTION 1. 29.089 (title) of the statutes is amended to read: |
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| 2 | 29.089 (title) Hunting, fishing, and trapping on land in state parks and |
| 3 | state fish hatcheries. |
| 4 | Section 2. 29.089 (1) of the statutes is amended to read: |
| 5 | 29.089 (1) No Except as provided in sub. (3), no person may hunt or trap on land |
| 6 | located in state parks or state fish hatcheries. |
| 7 | Section 3. 29.089 (1m) of the statutes is repealed. |
| 8 | Section 4. 29.089 (2) (intro.) of the statutes is amended to read: |
| 9 | 29.089 (2) (intro.) No Except as provided in sub. (3), no person may have in his |
| 10 | or her possession or under his or her control a firearm on land located in state fish |
| 11 | hatcheries unless the firearm is unloaded and enclosed within a carrying case. This |
| 12 | subsection does not apply to any of the following: |
| 13 | Section 5. 29.089 (3) of the statutes is created to read: |
| 14 | 29.089 (3) A person may hunt deer, elk, wild turkeys, or small game in a state |
| 15 | park, or in a portion of a state park, if the department has authorized by rule the |
| 16 | hunting of that type of game in the state park, or in the portion of the state park, and, |
| 17 | except as provided in s. 29.063 (5), if the person holds the approvals required under |
| 18 | this chapter for hunting that type of game. |
| 19 | (END) |