

There are two main ways that Wisconsin's bowhunting laws and regulations can be enhanced or diminished: either by DNR rule or by the state legislature enacting or changing a law. Generally, especially in the past, legislators recognize that the DNR is primarily responsible for these types of issues and leaves administration of hunting, fishing, natural resources to the DNR.

However, if the DNR is reluctant to act on an issue, is unresponsive to the public, or a legislator doesn't agree with DNR policy, legislators can, and do, step in. This can go both ways, and unfortunately because the majority of our legislators do not hunt, what comes out of our state legislature is often not in the best interest of hunters. And once a law is passed, it is very difficult to undo it.

Legislators normally introduce a bill at the request of constituents, donors or other special interest groups. They run the first draft passed the lawyers that check for legal conflicts and financial implications, and then circulate it for other legislator sponsors. The resulting bill is entered as either an Assembly bill or a Senate bill. Often, identical bills will be introduced to both houses to speed things up and/or avoid conflicts later.

The bills are eventually forwarded to specific Senate, Assembly or Joint Committees that have knowledge or an interest in the subject of the bill. Most hunting related bills go to the Sporting Heritage or Natural Resources Committees. These committees hear testimony from the public and can decide to send the bill to the full floor for a vote. As noted, because most legislators don't hunt, they usually take their lead from the committee recommendation – unless their constituents have contacted them in large enough numbers to convince them to vote otherwise. An identical bill must pass in both houses before it goes to the governor to be signed into law. As a general rule, bills generated by members of the majority party in the legislature have a much better chance of making it to the governor's desk.

As also previously noted, there aren't too many bills introduced that deal with hunting and other natural resources matters, because most of those issues are regulated by DNR "rules". DNR rules are approved by the Natural Resources Board and can be changed/adjusted easier, although they are subordinate to state law – bills that are passed by the legislature.

Right now the legislature is wrangling over the proposed state budget. Budget negotiations can go on for months, especially if the legislature is controlled by a different party than the governor. During this time, when legislators are focused on the budget, some legislators try to "sneak through" bills, often characterized as "minor housekeeping" measures.

Such is the case of two potential new identical bills being proposed that would "simplify" things by "just making crossbows a part of the archery season". In speaking to the office of one of the bill's authors as to why it is being proposed, he indicated that they are worried that the crossbow season could be shortened and to lump them in with archery would make it more difficult to do that. What he didn't say was that this bill would allow them to conceal the high crossbow kill by combining it with the lower archery kill success. But eventually that would mean that the combined success would be too high, and archers, by association, would be further restricted as well.

We know from past history that even with compound bows, archery success isn't the problem. Archers' chances of harvesting a buck have always been equal or less than gun hunter's chances. Not so with crossbows.

Legislators usually do want to do what's best, but they sometimes only hear from one person or group and don't always get both sides of the story. That's why hearing from us is so important when issues like

this come up. They also like to get re-elected, so responding to the wishes of those in their districts is also important.

So, in order to make sure they understand all the negative ramifications of these two bills, and to make sure they understand that this won't be "snuck through", the following email was sent to the authors, with a follow-up letter to the members of the Sporting Heritage Committees in both houses.

*Dear Representative Tittl and Senator Feyen:*

*I have read your memo to all legislators regarding this legislation which you are again proposing, and would like to clarify some of the information it presents.*

*However, one statement is absolutely correct: "Archery is archery". And by definition, crossbows are not archery equipment. The fact that this mechanically pre-drawn and fixed-braced device shares some characteristics and terminology with archery equipment doesn't make it so. There is a new weapon on the market called an Airbow that uses compressed air to propel an arrow/bolt at very high speed. Like a crossbow, it uses a fixed stock and telescopic sight. Because it incorporates the word bow, does that also make it archery equipment? The commonly accepted definition of archery equipment is as follows:*

- 1. A device for launching an arrow, which derives its propulsive energy solely from the bending and recovery of two limbs.*
- 2. The bow must be hand drawn by a single and direct, uninterrupted pulling action of the shooter. The bowstring must be moved from brace height to the full draw position by the muscle power of the shooter's body. The energy used to propel the arrow shall not be derived from any other source such as hydraulic, pneumatic, mechanical or similar devices. These limitations shall not exclude the mechanical leverage advantage provided by eccentric wheels or cams so long as the available energy stored in the bent limbs of the bow is the sole result of a single, continuous, and direct pulling effort by the shooter.*
- 3. The bow must be hand-held. One hand shall hold the bow and the other hand draw the bowstring. The bowstring must be moved and/or held at all points in the draw cycle entirely by the muscle power of the shooter until release. The bowstring must be released as a direct and conscious action of the shooter's either relaxing the tension of the fingers or triggering the release action of a hand-held release aid.*

*What is surprising about this proposed legislation is that when Wisconsin's crossbow bill was passed in 2013, crossbows were still in their infancy regarding performance potential, and still, legislators realized it was imperative to differentiate them from archery equipment. Since then, crossbows have started to take advantage of the almost unlimited potential of a mechanically drawn, fixed-braced device, to the point that many now consider the newest crossbows to be more effective than a muzzleloader or a shotgun with slugs. Their heavier, faster projectiles generate more kinetic energy at 100 yards than most compound bows do at 10 yards. The manufacturers are now advertising 1 to 3 inch groups at 100 yards, with special scopes calibrated to 200 yards, and a new illuminated crossbow scope that laser ranges the target, calculates the exact drop and instantly centers the crosshairs out to 175 yards. There are also semi-automatic crossbows, double barreled crossbows and electronic cocking crossbows. Yes, archery is archery, and that's not archery.*

*Your letter goes on to state that gun deer licenses have been declining and that "creates problems related to controlling our deer herd. It also hurts businesses, especially in the northern part of the state which depends on hunters for a significant portion of their income". Very true. What it doesn't point out is that the long crossbow season has been a major contributor to that decline. It further doesn't explain that while some gun hunters switched to crossbows, many others just quit. The same is true for bowhunters whose numbers were not declining - until crossbows were added. The data shows crossbows brought in very few new hunters, and most just switched from guns or bows. But because so many left because of crossbows, the net result has been a sharper decline in deer hunters since crossbows have been legalized for a 4 month season. Some are trying to conceal that by counting the same hunters twice like in the table you presented, where an archer or crossbow hunter can buy a second "authority" for \$3.*

*So who/what prompted this proposed legislation again, and why? Crossbow hunters already enjoy the same season and regulations as archers. The rules have been in place for 7 years and I have never heard a report that anyone is confused by them.*

*What seems most likely is that someone realized that because of the high crossbow kill before the gun season, where in the last 4 years, the percentage of bucks killed before opening morning of gun season has risen to over 40% - gun hunters that aren't quitting will be demanding stricter regulation of this firearms-type weapon. But if your legislation was passed, crossbow numbers and harvest would no longer be tracked and could be concealed in the archery hunters' statistics that now show a significantly lower success rate.*

*That is a primary reason why, back in 2013, archery hunting and crossbow hunting were kept separate: So that archers wouldn't be penalized for the greater effectiveness of what we knew even then, was a vastly superior weapon. The reasons NOT to change that are far more clear today.*

*The reality is that if we are to halt the inequality that is causing Wisconsin to hemorrhage deer hunters that Mr. Hauge warned about, at some point the high early crossbow harvest will have to be addressed.*

*Hundreds of our 4,200+ members reside in each of your districts. If you want to discuss this further, we can arrange to have you meet with them.*

*Respectfully,*

*Mike Brust*

*President,  
Wisconsin Bowhunters Association*

*PS. For the record, Wisconsin Bowhunters is NOT opposed to crossbows. They are a viable and very effective weapon. However, we strongly believe that their season must be regulated so they provide a similar chance of success as archery hunters have in their season and gun hunters have in their season.*

And the follow-up letter to the committee members:

*Dear member of the Sporting Heritage Committee:*

*Thank you for all you do in service to our state.*

*We are writing to alert you to proposed legislation that if passed, would actually exacerbate the problems it proposes to resolve.*

*It is listed as LRB-1556/1 and LRB-1714/1 and is being circulated for sponsorship. After reading the justification for the bill, we would ask that you consider the attached letter to the authors before lending your support to it.*

*Aside from all the other problems, it should be noted that the last time it was proposed, and failed, the financial analysis indicated that it would increase expense to the DNR, and decrease revenue.*

*Should this go forward, many of the archery clubs across the state have already requested that legislators supporting these bills be invited to their club meetings to explain the reasons for that support and hear the opinions of their constituents.*

*Respectfully,*

*Wisconsin Bowhunters Association*

*The nation's oldest and largest state bowhunting organization*

Should this move forward, we may ask members or clubs to contact their respective legislators to express their opinions on the subject.

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Another issue before the legislature is the "railroad crossing" bill. Several years ago, some of the railroad companies closed off access to thousands of acres of public hunting land by prohibiting the crossing of their right-of-ways, ostensibly due to liability concerns. In the last session several hunting groups, including WBH, supported a bill that would re-open access and addressed the liability concerns. It failed, but is being re-entered this session with our support. This is a good example of how WBH works closely with the other sporting groups in the state, and also how WBH is constantly working not just for bowhunters, but all hunters in almost every case.

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Finally, I would like to address the other avenue for changes in our regulations: DNR rules. Historically our DNR has been very supportive of all hunting. However, in recent years the non-hunting and anti-hunting movement has made inroads in Madison, culminating in the latest example where hunters had to sue the DNR to hold a legally-required wolf hunting season.

And it's not just wolves. Although we have deer hunting seasons that have been developed over years of compromise and experience, as well as 60,000+ citizens providing input at spring hearings, and CDAC's in every county made up of all the deer stakeholder groups, the DNR recently selected and convened a small Deer Stakeholders Committee, made up of a majority of groups that don't specifically represent deer hunters - to recommend "changes to the deer hunting season structure". Not surprisingly, they are recommending changes to deer hunting that are intended to further reduce the deer population statewide. Many of the recommendations further limit bowhunting, including earlier and longer firearms seasons. Because this is effectively an insult to both the Conservation Congress and the CDAC's, WBH will be working with those groups and others to convince the Natural Resources Board to disregard many of the suggestions of this small DNR-picked committee.

As always, WBH will be monitoring and responding to these type of issues.

Respectfully submitted,

Mike Brust

WBH Legislative Liaison