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# Wisconsin Legislative Council

## AMENDMENT MEMO

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**2021 Assembly Bill 49**

**Assembly Amendment 1**

### BACKGROUND

Current law authorizes a person who owns, leases, or controls land on which certain wild animals cause damage to crops or livestock to apply to the county for a wildlife damage claim payment (payment) and for wildlife damage abatement assistance (abatement assistance). With certain exceptions, the person may receive a payment or abatement assistance only if the person opens the land for hunting the type of animal that caused the wildlife damage. Wildlife damage for which a person is eligible to receive a payment or abatement assistance includes damage caused by, among other animals, bears.

A payment may not exceed \$10,000 for each claim. Payment is provided at 100 percent for the amount of the claim between \$500 and \$5,250 and at 80 percent for the amount of the claim that exceeds \$5,250.<sup>1</sup>

### 2021 ASSEMBLY BILL 49

2021 Assembly Bill 49 transfers administration of the payment and abatement assistance programs from each county to the Department of Natural Resources (DNR).

The bill eliminates the \$10,000 limit on payments, and increases from \$5,250 to \$5,500 the threshold at which payments switch from 100 percent to 80 percent.

The bill makes three changes with regard to wildlife damage caused by a bear, as follows:

- It requires any bear trap acquired with abatement assistance on or after July 2, 1983, to be equipped with a remote monitor.
- It allows a payment for damage to commercial seedlings or crops growing on agricultural land caused by operating a vehicle in a field in order to place a bear trap pursuant to the abatement assistance program.
- It does not require a landowner, who acquires a bear trap with abatement assistance, to open to hunting leased land on which the bear trap is located, provided that the landowner waives eligibility to receive a payment for damage caused by a bear.

The above three provisions regarding wildlife damage caused by a bear have an effective date of June 30, 2021. The remainder of the bill has an effective date of January 1, 2022.

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<sup>1</sup> No payment is made for a claim below \$500.

## **ASSEMBLY AMENDMENT 1**

Assembly Amendment 1 changes effective dates in the bill, as follows:

- The requirement that a bear trap be equipped with a remote monitor has an effective date of June 30, 2022 (rather than June 30, 2021).
- The elimination of the \$10,000 limit on payments, and the increased threshold for payments to switch from 100 percent to 80 percent, each have a retroactive effective date of January 1, 2022.
- The remainder of the bill, such as the transfer of administration from each county to DNR, has an effective date of January 1, 2023 (rather than January 1, 2022).

## **BILL HISTORY**

Representative Edming offered Assembly Amendment 1 on January 18, 2022. On February 1, 2022, the Assembly Committee on Agriculture recommended adoption of the amendment, and passage of the bill, as amended, on votes of Ayes, 12; Noes, 1.

EL:ksm