



## Legislative Fiscal Bureau

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Joint Committee on Finance

Paper #471

### **Repeal Car-Killed Deer Appropriations (DNR -- Fish, Wildlife, and Recreation)**

[LFB 2015-17 Budget Summary: Page 318, #2]

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#### **CURRENT LAW**

The Department of Natural Resources (DNR) is provided \$701,400 annually for the removal and disposal of car-killed deer from highways. Beginning with 1997 Act 27, 50% of these funds are from the fish and wildlife account and 50% are from GPR.

#### **GOVERNOR**

Repeal the appropriations for the removal and disposal of car-killed deer from highways and delete \$350,700 GPR and \$350,700 SEG annually.

#### **DISCUSSION POINTS**

1. Contracts for removal of car-killed deer are managed at the county level. In addition, the City of Superior and the City of Brookfield currently have contracts with DNR for removal of car-killed deer on roads within their cities. Currently all contracts are provided on a flat fee per year for deer removal services, while in the past some of the contracts reimbursed on a per-carcass basis. Contracting for removal at a flat fee carries the benefit of predictable annual costs; however, it provides little leverage against contractors who may not perform as efficiently as desired. Under the contracts, deer are to be removed from any roadway including state, county, and local roads. According to the Department, compliance is monitored via complaints; if DNR receives a large number of calls, the Department reviews the situation and roads and contacts the contractor. Expenditures under the contracts from fiscal years 2009-10 through 2013-14 are shown in the following table. In addition, fiscal year 2012-13 and 2013-14 car killed deer contracted pickups and

expenditures by county are shown in the attachment. Motorists involved in collisions with deer may also request a free permit from law enforcement officials, enabling them to keep the deer. However, DNR stopped collecting data regarding the number of free permits issued after fiscal year 2010-11.

### **Car-Killed Deer Removal**

<u>Fiscal Year</u>	<u>Contractor Pickup</u>	<u>Free Permits*</u>	<u>Total Deer</u>	<u>Costs***</u>
2010	23,060	3,428	26,488	\$781,100
2011	21,673	4,441	26,114	711,400
2012	7,784**		7,784	670,500
2013	22,995		22,995	684,500
2014	23,800		23,800	687,500

\*DNR stopped collecting data regarding free permits after fiscal year 2010-11.

\*\*Fiscal year 2011-12 contractor pickup data does not include three to four months of data for most counties.

\*\*\*Actual expenditures may differ from the totals shown due to timing of contract expenditures from year to year.

2. The bill would repeal the appropriations that require DNR to pay for the removal and disposal of car killed deer from highways. As the appropriation language is the only statutory language which requires DNR to pay these costs, under the bill, DNR would no longer have the responsibility for contracting for car-killed deer removal and disposal. Responsibility for car-killed deer would likely fall to the entity responsible for maintenance of the roadway on which the deer is located, such as the state, county, or local municipality. Or the deer could be left uncollected. DNR indicates that under current law and under the bill, DNR wardens would only respond to a car-killed deer if there was a threat to human safety, such as a deer or elk in the middle of the road where cars were unable to maneuver around safely, and no local law enforcement or state patrol agent was able to respond.

3. Prior to 1997, funding for the removal of car-killed deer from the roadside was split evenly between transportation fund SEG and fish and wildlife account SEG. This 50/50 split was instituted in part to recognize that car-killed deer removal from Wisconsin highways has both a highway maintenance and a wildlife management component. The state's large deer herd combined with increasing use of state roads has resulted in increased insurance costs, significant property damage and safety concerns from car-deer collisions. According to the Department of Transportation (DOT), there were a total of 18,338 car-deer collisions reported in calendar year 2013, resulting in 402 people injured and eight fatalities and a preliminary number of 17,766 in calendar year 2014, resulting in 407 people injured and nine fatalities. DOT officials indicate that these numbers may understate the number of car-deer collisions in part because not all car-deer collisions are officially reported.

4. Dead and decaying deer on the roadside are unsightly and can dampen Wisconsin's reputation as a tourist destination. If the Committee wished to restore funding for removal of car-killed deer, several alternatives could be considered. Arguably car-deer collisions are an important statewide safety concern and therefore, GPR is a potential funding source for car-killed deer removal. On the other hand, DNR is responsible for managing the state's deer herd so fish and wildlife account funds (from hunting and fishing licenses) could be seen as an appropriate

continuing funding source. However, removal of car-killed deer from roadways is arguably a transportation-related activity, so the transportation fund could be an appropriate source of funding.

5. Additionally, other sources could be considered. Forest acreage and forest habitat in the state have been increasing and may have some effect on both deer populations and the likelihood of collisions with vehicles. Therefore, the forestry account of the conservation fund may be an appropriate source of funding for a portion of car-killed deer costs. Further, areas of production agriculture may also attract deer and other wildlife and increase the carrying capacity of the surrounding habitat. Therefore, the agricultural chemical management fund (pesticide and fertilizer product and licensing fees) may be viewed by some as an appropriate source of revenue to pay a portion of car-killed deer costs. The segregated forestry account, and the agricultural chemical management fund are both expected to have available balances on June 30, 2017. Alternative A2 includes a number of potential sources to continue the program.

6. Currently, most routine state trunk highway system maintenance (which includes state, interstate, and U.S. highways), such as snowplowing, mowing and weed control, trash pickup, and recycling is performed by county workforces under contract with the state. An alternative could be to provide additional transportation fund SEG for these contracts and specify that routine highway maintenance activities under such contracts include the removal of car-killed deer [Alternative A3]. While this option would address this issue on the state trunk highway system, it would not provide funds for removal of car-killed deer from county and local roadways. As noted, the current contracts provide for the removal of deer from any roadway including state, county, and local roads.

7. If funding for car-killed deer removal is restored, administration of the program could continue to be the responsibility of DNR. However, in recent years DNR has stopped collecting certain data related to the program. DNR indicates that the Department agrees with the Governor's proposal to eliminate the car-killed deer program. In addition, concerns have been raised over the effectiveness of the current program administered by DNR. An alternative could be to have DOT administer the program [Alternative A3, or B2].

## ALTERNATIVES

### A. Funding

1. Adopt the Governor's recommendation to repeal the appropriations for the removal and disposal of car-killed deer from highways and delete \$350,700 GPR and \$350,700 SEG annually.

2. Modify the car killed deer appropriations to provide \$701,400 annually and require that car killed deer removal be split funded from some or all of the following sources:

ALT A2	Change to Bill
Total	\$1,402,800

- a. Fish and wildlife account SEG
- b. GPR
- c. Transportation fund SEG
- d. Forestry account SEG
- e. Agricultural chemical management fund SEG

3. Provide \$701,400 transportation fund SEG annually for contracts between DOT and counties for removal of car-killed deer from state trunk highways and specify that routine maintenance activities under such contracts include the removal of car-killed deer.

ALT A3	Change to Bill
SEG	\$1,402,800

**B. Administration**

In addition to Alternative A.2. specify one of the following:

- 1. Require the Department of Natural Resources (DNR) to administer the program for removal of car-killed deer from state highways.
- 2. Require the Department of Transportation (DOT) to administer the program for removal of car-killed deer from highways. Further, specify that any contracts for routine maintenance activities include the removal of car-killed deer.

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Attachment

**ATTACHMENT**

**Car-Killed Deer Collected and Cost by County  
Fiscal Years 2012-13 and 2013-14**

<u>County</u>	<u>Fiscal Year 2012-13</u>		<u>Fiscal Year 2013-14</u>	
	<u>Deer Collected</u>	<u>Cost</u>	<u>Deer Collected</u>	<u>Cost</u>
Adams	165	\$9,400	164	\$9,400
Ashland	185	5,400	105	5,400
Barron	432	7,700	504	7,700
Bayfield	343	12,300	276	10,200
Brookfield, City of	58	2,000	76	2,000
Brown	526	10,700	526	10,800
Buffalo	305	7,700	395	7,700
Burnett	47	6,600	46	7,500
Calumet	209	4,800	227	12,000
Chippewa	388	12,000	583	12,000
Clark	203	6,000	125	6,000
Columbia	539	11,900	491	11,900
Crawford	40	4,600	47	4,600
Dane	620	16,100	598	16,100
Dodge	545	11,900	525	11,900
Door	399	8,000	458	8,200
Douglas	5	6,900	19	10,200
Dunn	456	10,200	315	11,400
Eau Claire	458	12,000	603	12,000
Florence	145	2,000	109	3,000
Fond du Lac	658	12,900	387	4,800
Forest	140	2,000	66	4,300
Grant	328	9,800	433	9,800
Green	236	7,300	225	7,300
Green Lake	385	9,700	377	9,700
Iowa	174	6,900	151	6,900
Iron	44	5,500	27	5,500
Jackson	369	4,100	416	4,100
Jefferson	146	9,900	406	9,900
Juneau	353	3,700	379	3,700
Kenosha	138	7,700	124	7,700
Kewaunee	376	6,600	381	6,900
LaCrosse	376	8,100	520	8,100
Lafayette	210	6,100	110	6,100
Langlade	113	7,700	105	7,700

County	Fiscal Year 2012-13		Fiscal Year 2013-14	
	Deer Collected	Cost	Deer Collected	Cost
Lincoln	156	\$8,300	97	\$6,300
Manitowoc	502	8,400	550	8,400
Marathon	526	10,800	560	10,800
Marinette	275	14,300	326	14,300
Marquette	485	11,700	409	11,700
Milwaukee	124	6,200	135	6,200
Monroe	486	8,100	545	8,100
Oconto	388	16,700	412	16,700
Oneida	167	6,200	110	6,200
Outagamie	469	12,100	380	12,100
Ozaukee	193	7,600	161	8,400
Pepin	293	5,600	290	5,600
Pierce	143	8,000	72	7,800
Polk	255	8,600	178	8,400
Portage	258	6,600	147	6,600
Price	194	5,800	176	5,800
Racine	181	6,600	138	6,600
Richland	97	5,900	236	5,900
Rock	149	7,300	118	7,300
Rusk	158	6,500	216	7,200
Sauk	294	8,600	500	8,600
Sawyer	212	5,500	220	5,500
Shawano	845	33,700	798	33,700
Sheboygan	580	15,000	579	15,000
St. Croix	313	11,800	301	11,800
Superior, City of	23	1,500	13	1,500
Taylor	203	8,900	208	8,900
Trempealeau	501	8,100	528	8,100
Vernon	375	10,300	417	10,300
Vilas	166	10,500	106	10,500
Walworth	308	18,000	415	18,000
Washburn	439	10,000	433	10,000
Washington	684	30,000	817	24,000
Waukesha	628	20,400	1,098	24,000
Waupaca	777	11,900	812	11,900
Waushara	309	10,100	272	10,100
Winnebago	230	11,900	151	11,900
Wood	<u>495</u>	<u>10,800</u>	<u>577</u>	<u>10,800</u>
Total*	22,995	\$684,500	23,800	\$687,500

\*Actual expenditures differ from the totals shown due to timing of contract expenditures from year to year.