

**CHAPTER 528.**

AN ACT to amend 20.20 (19) and to consolidate, renumber and revise 29.595, 29.596 and 29.597 of the statutes, relating to damage caused by deer and bear.

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

SECTION 1. 20.20 (19) of the statutes is amended to read:

20.20 (19) Annually, beginning July 1, \* \* \* 1949, \$40,000 for the purpose of carrying out the provisions of sections 29.596 and 29.597. Any unexpended balance at the close of any fiscal year shall revert to the conservation fund and may be used by the conservation commission for any of the purposes specified in section 20.20.

SECTION 2. 29.595, 29.596 and 29.597 of the statutes are consolidated, renumbered 29.595 and revised to read:

29.595 DAMAGES CAUSED BY DEER AND BEAR. (1) DEER OR BEAR CAUSING DAMAGE. Upon complaint in writing by an owner or lessee of land to the commission that deer or bear are causing damage thereon the commission shall inquire into the matter; and if upon investigation, or otherwise, it shall appear to the commission that the facts stated in each such complaint are true, the commission by its agents may capture or destroy such deer or bear, and dispose of the same as provided in section 29.06.

(2) CLAIMS FOR DEER OR BEAR DAMAGE. (a) Any person claiming damage to property caused by deer or bear shall file a verified statement of his claim with the commission within 10 days from the time such damage is alleged to have been done. No person shall be entitled to damage under this section who shall have posted his lands against trespass or hunting.

(b) The commission shall investigate and settle all claims. In all cases where the commission and the claimant cannot agree upon the amount of the damage the commission shall upon not less than 10 days' written notice, to such claimant, apply to the judge of the circuit court of the county wherein the claimant resides to try and determine all the issues. At the time set such judge shall hear the parties, and in such manner as he may in his discretion determine, inform himself in respect to the matter, and within 5 days make his award in writing and file the same, and his finding shall be final. All witnesses necessary to such proceedings shall receive the same pay as witnesses in a court of record.

(c) All claims for deer and bear damage shall be filed with the commission and shall be paid on a pro rata basis at the end of each fiscal year from the funds provided in section 20.20 (19).

(3) DEER FENCES. If, upon careful examination by the commission, it appears that a deer proof fence can be built or that other appropriate preventive measures can be taken at less cost than the estimated damage that might be done by deer in any area inhabited by deer, the commission may pay any part or all of the costs of a deer proof fence around such area or any part thereof, or take such other measures as it may deem advisable and necessary to prevent deer damage in such area. Expenditures hereunder shall be charged against the funds provided by section 20.20 (19).

Approved July 26, 1949.

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