

JUN 23 1995



George E. Meyer
Secretary

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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June 21, 1995

The Honorable DuWayne Johnsrud
Room 418
100 N. Hamilton Street
Madison, WI

*Mussen
Bill*

Dear Representative Johnsrud:

Late last week Tom Liebe and I spoke about an Assembly Amendment to 1995 Assembly Bill 234 -- Collision with Deer. He asked me to forward my thoughts to you, perhaps for committee consideration.

The Department strongly supports AB 234 as written. Some concerns arise from the amendment forwarded to me. First, lines 2 through 4 amend language which would extend to off highway collisions of automobiles and trucks with deer. Conservation wardens have received complaints of intentional running down of deer in fields and have successfully caused prosecution of some individuals. Often by the time the warden becomes involved, complaints involve multiple incidents and also result in damage to agricultural fields. This change is very likely to make such investigations more difficult. More preferable language may be found in AB 120 which reads, in part:

"s. 29.40(5) COLLISIONS WITH DEER. Any person who while operating a motor vehicle on a highway or while operating an airplane accidentally collides with ..."

Lines 18 and 19 (page 1) of the Assembly Amendment add all-terrain vehicles and snowmobiles to a definition which would enable those deer so struck and fatally injured to be salvaged by the operator or another. I remain somewhat uncomfortable with the notion of adding these vehicles, as a historic reason for creation of Chapter 350 in large part was the public furor over snowmobiles pursuing and running over game. True, prohibitions against pursuit of game will still exist after this proposed amendment, but we do inch closer to this quite disgusting activity. However, if it is the wisdom of the Legislature to include snowmobiles and all-terrain vehicles to AB 234, it is suggested doing so thusly:

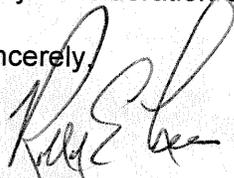
"s. 29.40(5) COLLISIONS WITH DEER. Any person who while operating a motor vehicle on a highway or while operating an airplane, all-terrain vehicle, or snowmobile accidentally collides with ..."

Lines 6 and 7 (page 2) amends the time limit for obtaining a carcass tag from "within 24 hours" to "at the end of the next working day, as defined in s. 227.01(14)." This time limit will

have to be communicated each time a deer is to be claimed. Usually the explanation will have to come from radio dispatchers who are often over burdened with pressing duties. The proposed amendment will take more time to explain than "within 24 hours" and is not desirable. If the proposed amendment is meant to allow additional time, "within 48 hours" is easier to communicate and understand than the proposed amendment. Weather conditions usually dictate that it is to everyone's benefit to have the deer tagged as soon as possible. As a practical matter, someone taking possession of a deer ought to want to have a carcass tagged without delay.

AB 234 with or without the proposed amendments, or my suggestions to them, is a good bill. It ought to save Sheriff's deputies and wardens time, and more importantly provide easier opportunity for the public to claim title to deer fatally injured from collisions. Thank you for early consideration of this bill.

Sincerely,



Rolland E. Lee
Assistant Chief Conservation Warden

cc: Representative Terry Musser
Paul Heinen - AD/5
John Fryatt - AD/5



D.J.
ASK ME
ABOUT THIS...

WISCONSIN LEGISLATIVE COUNCIL STAFF MEMORANDUM

One East Main Street, Suite 401; P.O. Box 2536; Madison, WI 53701-2536
Telephone (608) 266-1304
Fax (608) 266-3830

D.J. Did you
MUSSEK W/
MUSSEK ON
THIS?

DATE: June 7, 1995
TO: REPRESENTATIVE DUWAYNE JOHNSRUD
FROM: Mark C. Patrosky, Senior Staff Attorney
SUBJECT: Amendment to 1995 Assembly Bill 234, Relating to Possession and Removal of Deer Killed in Collisions

Attached to this memorandum is a copy of WLCS: 0219/1, prepared according to your request for an amendment to 1995 Assembly Bill 234. The Bill relates to the possession and removal of deer killed on highways.

Under current law, a motor vehicle operator who accidentally kills a deer on a highway may keep the carcass if he or she has it tagged by a conservation warden or a law enforcement officer who is designated by the Department of Natural Resources to tag such carcasses. Assembly Bill 234 allows a person other than the motor vehicle operator to keep the carcass. The Bill also allows the person claiming the carcass to give to a law enforcement officer or conservation warden his or her name and other identifying information. The person may remove the carcass if the officer or warden approves the removal and gives the person instructions for having the carcass tagged at a later time within the next 24 hours.

You asked for an amendment which expands the scope of the Bill so that it applies to all situations in which a deer is killed in a collision with a vehicle, whether or not the collision occurs on a highway. This memorandum contains a brief description of WLCS: 0219/1.

1. The amendment expands the Bill, as it affects current statutes, so that the authorization to retain a deer killed in a collision would apply to deer killed in collisions ~~by~~ a motor vehicle, a snowmobile, an all-terrain vehicle, or an airplane. add: while operating

2. The amendment eliminates the requirement in the current statute that the deer must be killed in a collision on a highway. retain current law

3. The amendment expands the current statute by providing that the authorization to retain a deer killed in a collision applies not only to deer killed in a collision, but also to any deer fatally injured in a collision.

oh (I think)

4. The amendment narrows the scope of current s. 29.06 (1), Stats., which relates to sale of confiscated wild animals or carcasses and which is amended by the Bill. The current statute provides a complete exemption for deer killed or injured in a collision with a motor vehicle on a highway. WLCS: 0219/1 requires, in addition, that the procedures for tagging a deer must be followed in order for the exemption to apply.

5. The amendment replaces the requirement to obtain a tag within 24 hours after reporting the collision to a law enforcement officer with a requirement to obtain the tag at the end of the next working day. A "working day" is Monday through Friday, excluding holidays.

If I can provide further information on this subject, please feel free to contact me at the Legislative Council Staff offices. If this amendment suits your needs, it should be submitted to the Legislative Reference Bureau for drafting.

MCP:kjf;lah

Attachment

oh
to
MCP

~~Keep at home or change to 48 hrs~~

2/15/10

FISCAL ESTIMATE

DOA-2048 (R 11/90)

ORIGINAL
 CORRECTED

UPDATED
 SUPPLEMENTAL

Subject

GROUP HUNTING FOR ARCHERS

Fiscal Effect

State: No State Fiscal Effect

Check columns below only if bill makes a direct appropriation or affects a sum sufficient appropriation

- Increase Existing Appropriation
- Decrease Existing Appropriation
- Create New Appropriation
- Increase Existing Revenues
- Decrease Existing Revenues

Increase Costs - May be possible to Absorb Within Agency's Budget Yes No

Decrease Costs

Local: No local government costs

- 1. Increase Costs
 Permissive Mandatory
- 2. Decrease Costs
 Permissive Mandatory

- 3. Increase Revenues
 Permissive Mandatory
- 4. Decrease Revenues
 Permissive Mandatory

5. Types of Local Governmental Units Affected:
- Towns Villages Cities
 - Counties Others
 - School Districts VTAE Districts

Fund Sources Affected

GPR FED PRO PRS SEG SEG-S

Affected Ch. 20 Appropriations
20.370(3)(mu)

Assumptions Used in Arriving at Fiscal Estimate

This proposal allows archers to group deer hunt. This practice would allow archers to kill another's deer provided that the archers are in visual or voice contact with each other. Currently an archer must tag the deer with his or her issued deer tag that he or she personally killed. Only in the sport of gun deer hunting where deer drives composed of 3-20 or more hunters is this practice legal. For all other hunting and fishing activities, group bagging is prohibited.

This proposal will have consequences on conservation law enforcement in Wisconsin. Currently 7,000-9,000 hours of complaint and patrol time is spent on archery enforcement. Based on law enforcement's experience of group deer hunting during the gun deer season we estimate that complaints on a portion of the 230,000 hunters not complying with group hunting conditions will be considerable. It is estimated wardens would devote from 75 to 150 hours per warden in increased patrol and investigation hours during the 90 day season or 10,000 to 20,000 additional hours for the warden service. The costs for additional patrol time will be 5.5 to 11.0 FTE or \$344,600 to \$689,200 in increased continuing costs. If new positions are attained to address the workload, one time costs for capital purchases (vehicle, radio, standard law enforcement equipment) would be \$142,200 to \$260,700. The continuing costs for one FTE conservation warden including salary fringe and travel costs is \$62,650.

Long-Range Fiscal Implications

None

Agency/Prepared by: (Name & Phone No.)

Natural Resources

Authorized Signature/Telephone No.

John Polansky 6-2794

Date

03/16/95

FISCAL ESTIMATE WORKSHEET

Detailed Estimate of Annual Fiscal Effect

DOA-2047(R 11/90)

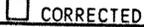
Subject



ORIGINAL



UPDATED



CORRECTED



SUPPLEMENTAL

1995 SESSION

LRB or Bill No./Adm. Rule No.

LRB 3024/1

Amendment No.

GROUP DEER HUNTING FOR ARCHERS

I. One-time Costs or Revenue Fluctuations for State and/or Local Government (do not include in annualized fiscal effect):
\$142,200 TO 260,700

II. Annualized Costs:

A. State Costs by Category	Annualized Fiscal Impact on State funds from:	
	Increased Costs	Decreased Costs
State Operations-Salaries and Fringes	\$ 263,750 TO 527,500	\$ - 0
(FTE Position Changes)	(5.5 TO 11 FTE)	(- 0 FTE)
State Operations-Other Costs	80,850 TO 161,700	- 0
Local Assistance		-
Aids to Individuals or Organizations		-
TOTAL State Costs by Category	\$ 344,600 TO 689,200	\$ - 0
B. State Costs by Source of Funds	Increased Costs	Decreased Costs
GPR	\$	\$ -
FED	\$	\$ -
PRO/PRS	\$	\$ -
SEG/SEG-S	\$ 344,600 TO 689,200	\$ -
III. State Revenues-	Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fees, etc.)	
GPR Taxes	Increased Rev.	Decreased Rev.
	\$	\$ -
GPR Earned		-
FED		-
PRO/PRS		-
SEG/SEG-S		-
TOTAL State Revenues	\$	\$ -

NET ANNUALIZED FISCAL IMPACT

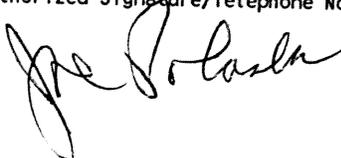
	STATE	LOCAL
NET CHANGE IN COSTS	\$ 344,600 TO 689,200	\$
NET CHANGE IN REVENUES	\$	\$

Agency/Prepared by: (Name & Phone No.)
Natural Resources

Authorized Signature/Telephone No.

6-2794

Date
03/16/95



APR 11 1995

REF:
A3234

Columbia & Sauk Counties
PILOT CAR-KILL DEER PROJECT SAVING
MONEY AND CUTTING THROUGH RED TAPE

BARABOO -- A pilot project in Columbia and Sauk Counties which allows a motorist to immediately take home a car-killed deer has been a "rousing success," according to Conservation Warden Supervisor Dennis Jameson here.

Warden Jameson reports that 274 car-killed deer have been picked up from highways in the two counties since the program started on Oct. 1, 1994.

Most deer were kept by folks with a hankering for venison, others for their hide value, while some were taken for a set of trophy antlers.

For years, the public, law enforcement agencies and even Department of Natural Resources employees have complained about the difficulty in claiming a car-killed deer. Except in Columbia and Sauk Counties, a motorist striking a deer must contact the local law enforcement agency (usually the sheriff's department). A motorist can't take the deer until an officer arrives and tags it.

If the motorist doesn't want the animal, than more often than not a contractor hired by DNR picks it up for disposal.

"Not only is this time consuming and costly for law enforcement agencies and the public, it also leads to frustration on the part of motorists, to potentially salvageable deer going to waste and often creates traffic hazards," notes Warden Jameson.

Through fiscal year 1993-94, 39,830 deer were struck and killed on Wisconsin highways. During that same period, 1145 and 752 deer were picked up by DNR contractors in Columbia and Sauk Counties, respectively, at a cost of over \$24,000. Statewide, contractor costs were about \$326,000.

So, in an attempt to lower costs and reduce beaucratic red tape, the experimental program was launched on a trial run in the two south central

-more-

Serving the Counties of Columbia, Dane, Dodge, Fond du Lac, Grant, Green, Green Lake, Iowa, Jefferson, Lafayette, Marquette, Richland, Rock and Sauk

11 <

CAR-KILL DEER - add one

Matthews

Wisconsin Counties.

The benefits have been immediate, especially on sheriff's department budgets and motorist's patience.

Deputies no longer need to drive, often long distances, and spend time on non-reportable (less than \$500 damage) to tag deer. This frees deputies to direct their efforts towards more important, law enforcement related activities.

Sheriff's dispatchers are spending less time on the phone answering questions about car-killed deer. Instead, they are able to direct motorists to seven locations in the two counties if they wish to claim the deer for personal use.

Motorists no longer find themselves cooling their heels while waiting for a deputy to tag the deer, especially if law enforcement officers are busy with more important matters.

"When the public becomes more aware of the ease in which they can claim a car-killed deer, I believe around 40 percent of all deer hit and killed will probably be salvaged from Columbia and Sauk County highways. This not only benefits the public, but also reduces the high contract costs of picking up deer," notes the Warden.

During the 1993-94 fiscal year, 21.5 percent or 522 out of a total 2,419 deer reported struck and killed on Columbia and Sauk County highways were picked up by motorists.

Warden Jameson reminds motorists of the following guidelines for car-killed deer in Columbia and Sauk Counties.

* If you hit a deer with your vehicle and it's a reportable accident (over \$500 damage) or if you're on the scene of a reportable accident, you must have the local law enforcement officer affix a free deer tag.

* If you strike a deer and it's not a reportable accident (under \$500 damage) or if you find a car-killed deer along the highway and would like to claim it, immediately contact the sheriff's department and give them your name, address and location of the accident. The dispatcher or officer will then give you permission to pick up the deer and transport it to the car-kill registration station nearest your location. There, an attendant will affix a free deer tag and it's yours to take home.

-more-

Serving the Counties of Columbia, Dane, Dodge, Fond du Lac, Grant, Green, Green Lake, Iowa, Jefferson, Lafayette, Marquette, Richland, Rock and Sauk

CAR-KILL DEER - add two

Matthews

Warden Jameson warns motorists "not to remove the deer from its location until you have been granted permission to do so."

Failure to follow this procedure may result in enforcement action and a fine of up to \$250.00

Since the project is still experimental, the Warden is encouraging public comments and suggestions for improvement. You can contact Warden Jameson at 608-356-8301 or write to Department of Natural Resources, Attn: Dennis Jameson, Devil's Lake State Park, 55975 Park Road, Baraboo, WI 53913.

-30-

FOR MORE INFORMATION, CONTACT:

Dennis Jameson, DNR

Warden Supervisor

Baraboo: 608-356-8301 or 608-356-9050