

1999 ASSEMBLY BILL 861

March 8, 2000 - Introduced by Representatives SUDER, SKINDRUD, JOHNSRUD, MUSSER, GRONEMUS and SYKORA. Referred to Committee on Natural Resources.

1 **AN ACT to renumber and amend** 29.889 (7) (d) 1. and 29.889 (7) (d) 2.; **to amend**
2 20.370 (5) (fq) and 29.889 (11) (a) 5.; and **to create** 20.370 (5) (fb), 29.889 (1) (f)
3 and 29.889 (7) (f) of the statutes; **relating to:** wildlife damage caused by
4 raccoons and making an appropriation.

Analysis by the Legislative Reference Bureau

Under current law, the department of natural resources (DNR) assists counties in developing and administering a wildlife damage abatement program and a wildlife damage claim program. Under the abatement program, a participating county may provide wildlife damage assistance to the owner or lessee of land or the owner of an apiary or of livestock. The county may provide the assistance where wildlife damage is occurring or is likely to occur for the reimbursement of costs associated with authorized wildlife damage abatement measures. In order to be eligible for wildlife damage abatement assistance, the type of wildlife damage to be abated is limited to damage to commercial seedings or crops growing on agricultural land, damage to crops that have been harvested for sale but not yet removed from the land, damage to orchard trees or nursery stock or damage to apiaries or livestock. DNR pays each participating county 75% of the cost of providing wildlife damage abatement assistance provided that the county complies with certain rules promulgated by DNR.

Under the damage claim program, a person may be eligible for a wildlife damage claim payment for the occurrence of wildlife damage if the land where the wildlife damage occurred is located in a county that is participating in both the

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wildlife damage abatement program and the wildlife damage claim program. The person must also have complied with wildlife damage abatement measures to abate the damage as recommended by the participating county. The type of wildlife damage that is eligible for a claim payment is the same type as the type that is eligible for abatement assistance. The amount of the wildlife damage claim payment is determined by the participating county and is paid to the claimant by DNR.

Under current law, both the wildlife damage abatement program and the wildlife damage claim program apply to damage caused by deer, bear, geese, turkey and sandhill crane if hunting of sandhill cranes is authorized by DNR. Under this bill, both the wildlife damage abatement program and the wildlife damage claim program would also apply to damage caused by raccoons.

Under current law, the amounts appropriated to pay for both programs come from the conservation fund. Under this bill, the amounts appropriated to pay for abatement measures and damage claims relating to damage caused by raccoons comes from the general fund.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

1 **SECTION 1.** 20.005 (3) (schedule) of the statutes: at the appropriate place, insert
2 the following amounts for the purposes indicated:

				1999-00	2000-01
3					
4	20.370	Natural resources, department of			
5	(5)	CONSERVATION AIDS			
6	(fb)	Wildlife damage claims — rac-			
7		coons	GPR A	-0-	-0-

8 **SECTION 2.** 20.370 (5) (fb) of the statutes is created to read:

9 20.370 (5) (fb) *Wildlife damage claims—raccoons.* From the general fund, the
10 amounts in the schedule for damage caused by raccoons under the wildlife damage
11 abatement program under s. 29.889 (5) (c) and the wildlife damage claim program
12 under s. 29.889 (7) (f).

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1 **SECTION 3.** 20.370 (5) (fq) of the statutes is amended to read:

2 20.370 (5) (fq) *Wildlife damage claims and abatement.* All moneys received
3 under ss. 29.181 (3) and 29.563 (13) and not appropriated under par. (fr) and sub. (1)
4 (Ls) to provide state aid under the wildlife damage abatement program under s.
5 29.889 (5) (c) and the wildlife damage claim program under s. 29.889 (7) ~~(d)~~ (e) and
6 for county administration costs under s. 29.889 (2) (d).

7 **SECTION 4.** 29.889 (1) (f) of the statutes is created to read:

8 29.889 (1) (f) Raccoon.

9 **SECTION 5.** 29.889 (7) (d) 1. of the statutes is renumbered 29.889 (7) (d) and
10 amended to read:

11 29.889 (7) (d) *State aid.* ~~Except as provided under subd. 2., the~~ The department
12 shall pay claimants the full amount of wildlife damage claim payments calculated
13 in accordance with par. (b) ~~and, in accordance with~~ funding requirements adopted
14 under sub. (2) (b) and in the manner provided in pars. (e) and (f). The department
15 shall make these payments no later than June 1 of the calendar year after the
16 calendar year in which the statement of claims were filed.

17 **SECTION 6.** 29.889 (7) (d) 2. of the statutes is renumbered 29.889 (7) (e) and
18 amended to read:

19 29.889 (7) (e) *Funding.* The department shall pay claimants under ~~subd. 1. par.~~
20 (d) from the appropriation under s. 20.370 (5) (fq), except for payments made under
21 par. (f). The department shall pay claimants for wildlife damage claims, other than
22 the payments under par. (f), after first deducting from s. 20.370 (5) (fq) that
23 appropriation payments made for county administrative costs under sub. (2) (d) and
24 payments made for wildlife damage abatement assistance under sub. (5) (c) that
25 relate to wildlife damage caused by the wild animals listed under sub. (1) (a) to (e).

ASSEMBLY BILL 861**SECTION 6**

1 If the amount remaining after these deductions from the appropriation under s.
2 20.370 (5) (fq) are is not sufficient to pay the full amount required under subd. 1. par.
3 (d), the department shall pay claimants on a prorated basis.

4 **SECTION 7.** 29.889 (7) (f) of the statutes is created to read:

5 29.889 (7) (f) *Funding; damage by raccoons.* The department shall pay
6 claimants whose claims are for wildlife damage caused by raccoons from the
7 appropriation under s. 20.370 (5) (fb) after first deducting from that appropriation
8 payments made for wildlife damage abatement assistance under sub. (5) (c) that
9 relate to wildlife damage caused by raccoons. If the amount remaining after these
10 deductions from the appropriation under s. 20.370 (5) (fb) is not sufficient to pay the
11 full amount of claims for wildlife damage caused by raccoons, the department shall
12 pay claimants on a prorated basis.

13 **SECTION 8.** 29.889 (11) (a) 5. of the statutes is amended to read:

14 29.889 (11) (a) 5. The percentage of the total number of wildlife damage claims
15 for which the amount of the payment to the claimant was prorated under sub. (7) ~~(d)~~
16 (e) or (f).

17 **(END)**