

**1999 DRAFTING REQUEST**

**Bill**

Received: **07/14/1999**

Received By: **rkite**

Wanted: **As time permits**

Identical to LRB:

For: **Scott Suder (608) 267-0280**

By/Representing: **Randy**

This file may be shown to any legislator: **NO**

Drafter: **rkite**

May Contact: **Lane Stoll - DNR**

Alt. Drafters:

Subject: **Nat. Res. - fish and game**

Extra Copies:

**Pre Topic:**

No specific pre topic given

**Topic:**

Damage caused by raccoons

**Instructions:**

See Attached

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	rkite 07/26/1999	chanaman 08/25/1999	martykr 08/26/1999	_____	lrb_docadmin 08/26/1999	lrb_docadminS&L 10/13/1999	

FE Sent For:

<END>

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1/?	rkite	cmr 8/25	Jm 8/26	JF 8/26			
FE Sent For:		11					

<END>

7-9-99

Per Randy in Rep. Aude's office

Provide compensation to people who  
incurred damage by racoons similar to current  
law re: deer etc. Damage  
Damage - crop or livestock damage

compensation from GPR

29 889

Lane Stoll - DNR - can talk to him  
266-5463

want compensation from same fund as under  
current law under which a person  
can get compensation for damage by  
deer, goose, turkeys & others  
Randy doesn't know where this is in  
statutes or if this may be in admin.  
rules - but add racoons to list  
call Lane Stoll for ~~more~~ info. -

7-16-99-

Per Randy - does want GPR funding for this  
not SEG as under current law for  
other wildlife damage



State of Wisconsin  
1999 - 2000 LEGISLATURE

RMR

LRB-3282/1

RNK.....

D-Note

cmf

1999 BILL

1 AN ACT <sup>general</sup> ...; relating to <sup>wildlife</sup> damage caused by raccoons <sup>and making an appropriation</sup>

**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 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.

BILL

*abatement measures and damage or claims relating to*

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 ~~are~~ come from the conservation fund. Under this bill, the amounts appropriated to pay for ~~claims for~~ damage caused by raccoons under ~~the wildlife damage claim~~ program 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.

*under s. 29.889(5)(c)*

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

*Insert 1-1*

*abatement program and the wildlife damage*

SECTION 1. 20.370 (5) <sup>(fb)</sup> ~~(ga)~~ of the statutes is created to read:  
20.370 (5) <sup>(fb)</sup> ~~(ga)~~ *Wildlife damage claims-raccoons*. From the general fund, the amounts in the schedule for damage caused by raccoons under the wildlife damage claim program under s. 29.889 (7) ~~(f)~~ <sup>(f)</sup>

*Insert 1-4*

SECTION 2. 29.889 (1) (f) of the statutes is created to read:  
29.889 (1) (f) Raccoon.

SECTION 3. 29.889 (7) (d) 2. of the statutes is amended to read:  
29.889 (7) (d) 2. The Except as provided under subd. 3, the department shall pay claimants under subd. 1. from the appropriation under s. 20.370 (5) (fq) after first deducting from s. 20.370 (5) (fq) payments made for county administrative costs under sub. (2) (d) and payments made for wildlife damage abatement assistance under sub. (5) (c). If the amount remaining after these deductions from the appropriation under s. 20.370 (5) (fq) are not sufficient to pay the full amount required under subd. 1., the department shall pay claimants on a prorated basis.

History: 1983 a. 27; 1985 a. 29 ss. 662 to 668m, 3202 (39) (g); 1985 a. 332 ss. 41, 251 (1); 1987 a. 280; 1989 a. 31, 336; 1995 a. 27, 29; 1997 a. 27, 237; 1997 a. 248 ss. 396, 645 to 668, 706; Stats. 1997 s. 29.889

SECTION 4. 29.889 (7) (d) 3. of the statutes is created to read:

**BILL**

1           29.889 (7) (d) 3. The department shall pay claimants under subd. 1 whose  
2           claims are for wildlife damage caused by raccoons from the appropriation under s.  
3           20.370 (5) (ga).

Insert  
3-3 →

(END)

1999-2000 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB-3282/lins  
RNK.....

Insert 1-1

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

3 1999-00 2000-01

4 20.370 Natural resources, department of

5 (5) CONSERVATION AIDS

6 (fb) Wildlife damage claims-racoons <sup>c</sup> GPR = 14 - 0 - - 0 -

Insert 3-3

The department shall make special payments

7 SECTION 2. 29.889 (7) (d) 1. of the statutes is renumbered 29.889 (7) (d) and  
8 amended to read:

9 29.889 (7) (d) <sup>I</sup> Except as provided under subd. 2., the department shall pay  
10 claimants the full amount of wildlife damage claim payments calculated in  
11 accordance with par. (b) and <sup>e</sup> in accordance with funding requirements adopted  
12 under sub. (2) (b) <sup>en</sup> and in the manner provided in pars. (e) and (f) no later than June  
13 1 of the calendar year after the calendar year in which the statement of claims were  
14 filed.

3961640r; 668370a.27; 1985 9729. 39.882 to 668m, 3202 (39) (g); 1985 a. 332 ss. 41,251 (1); 1987 a. 280311939; a 1997, 79; 997 a27,237; 1997 a 248 ss.

15 SECTION 3. 29.889 (7) (d) 2. of statutes renumbered 29.889 (7) (e) and  
16 amended to read:

17 29.889 (7) (e) <sup>✓</sup> Funding. The department shall pay claimants under subd. 1. par.  
18 (d) from the appropriation under s. 20.370 (5) (fq), ~~except for wildlife damage claim~~  
19 ~~payments made under par. (f). The department shall pay claimants for wildlife~~  
20 ~~damage claims. other than the payments under par. (f), after first deducting from s.~~

plan space



strike

that appropriation

1 ~~20.370 (5) (f)~~ payments made for county administrative costs under sub. (2) (d) and  
 2 payments made for wildlife damage abatement assistance under sub. (5) (c) ~~that~~  
 3 ~~relate to wildlife damage caused by the wild animals listed under sub. (1) (a) to (e)~~ If the  
 4 amount remaining after these deductions from the appropriation under s. 20.370 (5)  
 5 (f) are is not sufficient to pay the full amount required under ~~sub. 1. par. (d)~~, the  
 6 department shall pay claimants on a prorated basis.

History: 1983 a. 27; 1985 a. 29 ss. 662 to 668m, 3202 (39) (g); 1985 a. 332 ss. 41,251 (1); 1981 a. 280; 1989 a 31,336; 1995 a 27, 79; 1997 a. 27, 237; 1997 8.248 ss. 396,645 to 668,706; Stats. 1997 s. 29.889.

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

8 29.889 (7) (f) *Funding; damage by raccoons.* The department shall pay  
 9 claimants whose claims are for wildlife damage caused by raccoons from the  
 10 appropriation under s. 20.370 (5) <sup>(fb)</sup> ~~(ga)~~ after first deducting from <sup>that appropriation</sup> s. 20.370 (5) ~~(ga)~~  
 11 ~~payments made for county administrative costs under sub. (2) (d) and~~ payments  
 12 made for wildlife damage abatement assistance under sub. (5) (c) that relate to  
 13 wildlife damage caused by raccoons. If the amount <sup>stet</sup> remaining after ~~these~~ <sup>stet</sup> deductions  
 14 from the appropriation under s. 20.370 (5) <sup>(fb)</sup> ~~(ga)~~ is not sufficient to pay the full amount  
 15 of claims for wildlife damage caused by raccoons, the department shall pay claimants  
 16 on a prorated basis.

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

18 29.889 (11) (a) 5. The percentage of the total number of wildlife damage claims  
 19 for which the amount of the payment to the claimant was prorated under sub. (7) ~~(d)~~  
 20 ~~(e)~~ <sup>or</sup> ~~(f)~~.

History: 1983 n. 27; 1985 8.29 ss. 662 to 668m, 3202 (39) (g); 1985 a. 332 ss. 41,251 (1); 1987 a. 280; 1989 a 31,336; 1995 a 27, 79; 1997 a 21,237; 1997 a. 248 ss. 396,645 to 668,706; stats. 1997 s. 29.889.

that relate to wildlife damage  
caused by the wild animals  
listed under sub. (1)(a) to (e)

Insert 1-4

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

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

**History:** 1971 c. 40, 95; 1971 c. 125 ss. 101 to 121, 522 (1); 1971 c. 211, 215, 277, 330, 336; 1973 c. 12 s. 37; 1973 c. 90.100; 1973 c. 243 s. 82; 1973 c. 296, 298, 301, 318, 333, 336; 1975 c. 8, 39, 51, 91, 198; 1975 c. 224 ss. 7d, 7f, 7m, 17 to 19p; 1977 c. 29 ss. 181 to 234.1657 (34); 1977 c. 274, 370, 374, 376, 377; 1977 c. 418 ss. 95 to 110, 929 (37); 1977 c. 421, 432; 1977 c. 447 ss. 42 to 44, 210; 1979 c. 34 ss. 199 to 322.2102 (39) (a); 1979 c. 221; 1979 c. 361 s. 113; 1981 c. 1, 20, 86, 95, 131, 294, 330; 1981 c. 374 ss. 6, 7, 148, 150; 1983 a. 27 ss. 216m to 269.2202 (23); 1983 a. 75, 181, 243, 397; 1983 a. 410 ss. 5m to 11, 2202 (38); 1983 a. 413; 1983 a. 416 ss. 1, 19; 1983 a. 426; 1985 a. 16, 22; 1985 a. 29 ss. 282d to 356, 3202 (26) (a), (39) (a), (c), (dm), (i); 1985 a. 46, 60, 65, 120, 202, 296; 1987 a. 27, 98, 110, 290, 295, 298, 305; 1987 a. 312 s. 17; 1987 a. 384, 397, 399, 403, 418; 1989 a. 31, 128, 284, 288, 326; 1989 a. 335 ss. 22nn to 30g, 89; 1989 a. 336, 350, 359, 366; 1991 a. 32; 1991 a. 39 ss. 326b to 394, 594c; 1991 a. 254, 269, 300, 309, 315; 1993 a. 16, 75, 166, 213, 343, 349, 415, 421, 453, 464; 1993 a. 490 ss. 18, 271; 1995 a. 27, 201, 225, 227, 296, 378, 459; 1997 a. 27.35; 1997 a. 237 ss. 33 to 38d, 727g; 1997 a. 248.

(END OF INSERT)

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-3282/1dn  
RNK.....

CM 1

1. For this draft, I have included an appropriation but have specified "\$-0-" for expenditure in fiscal years 1999-00 and 2000-01. When you know the dollar amounts that you need to include in the proposal, contact me and I will either redraft the proposal or draft an amendment, whichever is appropriate.

Robin N. Kite  
Legislative Attorney  
Phone: (608) 266-7291  
E-mail: Robin.Kite@legis.state.wi.us

2. This draft specifies that the funding for abatement measures for raccoon damage, as well as funding for claims for raccoon damage, comes from GPR. As this is consistent with your intent.

It also specifies that

~~although~~ ~~shall~~ count administrative costs for damage caused by any of the covered animals, ~~covered~~ <sup>of</sup> ~~the~~ conservation fund.

**SUBMITTAL  
FORM**

**LEGISLATIVE REFERENCE BUREAU  
Legal Section Telephone: 266-3561  
5th Floor, 100 N. Hamilton Street**

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and sign on the appropriate line(s) below.

**Date:** 08/26/1999

**To:** Representative Suder

**Relating to LRB drafting number:** LRB-3282

**Topic**

Damage caused by raccoons

**Subject(s)**

Nat. Res. - fish and game

1. **JACKET** the draft for introduction \_\_\_\_\_



in the **Senate** OR the **Assembly**  (check only one). Only the requester under whose name the drafting request is entered in the LRB's drafting records may authorize the draft to be submitted. Please allow one day for the preparation of the required copies.

2. **REDRAFT.** See the changes indicated or attached \_\_\_\_\_

A revised draft will be submitted for your approval with changes incorporated.

3. Obtain **FISCAL ESTIMATE NOW**, prior to introduction \_\_\_\_\_

If the analysis indicates that a fiscal estimate is required because the proposal makes an appropriation or increases or decreases existing appropriations or state or general local government fiscal liability or revenues, you have the option to request the fiscal estimate prior to introduction. If you choose to introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon introduction. It takes about 10 days to obtain a fiscal estimate. Requesting the fiscal estimate prior to introduction retains your flexibility for possible redrafting of the proposal.

If you have any questions regarding the above procedures, please call 266-3561. If you have any questions relating to the attached draft, please feel free to call me.

Robin N. Kite, Legislative Attorney  
Telephone: (608) 266-729 1