

1999 DRAFTING REQUEST

Assembly Amendment (AA-AB133)

Received: **05/24/99**

Received By: **gibsom**

Wanted: **Soon**

Identical to LRB:

For: **Legislative Fiscal Bureau 68314**

By/Representing: **Kava**

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

Drafter: **gibsom**

May Contact:

Alt. Drafters:

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

Extra Copies:

Pre Topic:

LFB:.....Kava -

Topic:

Processing venison from deer causing damage

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	gibsom 05/26/99	gilfokm 05/27/99	jfrantze 05/28/99	_____	lrb_docadmin 05/28/99		
/2	gibsom 06/10/99	gilfokm 06/10/99	mclark 06/10/99	_____	lrb_docadmin 06/11/99		

FE Sent For:

<END>

1999 DRAFTING REQUEST

Assembly Amendment (AA-AB133)

Received: 05/24/99

Received By: gibsom

Wanted: Soon

Identical to LRB:

For: Legislative Fiscal Bureau 68314

By/Representing: Kava

This file may be shown to any legislator: NO

Drafter: gibsom

May Contact:

Alt. Drafters:

Subject: Nat. Res. - fish and game

Extra Copies:

Pre Topic:

LFB:.....Kava -

Topic:

Processing venison from deer causing damage

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	gibsom 05/26/99	gilfokm 05/27/99	jfrantze 05/28/99	_____	lrb_docadmin 05/28/99		
FE Sent For:		1-6-10-99 KMG	MRC 6/10	MRC/KJF 6/10			<END>

1999 DRAFTING REQUEST

Assembly Amendment (AA-AB133)

Received: 05/24/99

Received By: gibsom

Wanted: Soon

Identical to LRB:

For: Legislative Fiscal Bureau 68314

By/Representing: Kava

This file may be shown to any legislator: NO

Drafter: gibsom

May Contact:

Alt. Drafters:

Subject: Nat. Res. - fish and game

Extra Copies:

Pre Topic:

LFB:.....Kava -

Topic:

Processing venison from deer causing damage

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?	gibsom	1-5-2698 kmg	9/5/28	6/5/28			

FE Sent For:

<END>

Representative Gard

NATURAL RESOURCES -- FISH AND WILDLIFE

Payment of Venison Processing Costs

Motion:

Move to allow DNR to pay participating counties, from wildlife damage program funds, an amount equal to the cost of processing deer taken anywhere in the county during a deer herd control season established by the Department to abate deer damage, when such deer are donated to food pantries or other charitable organizations.

larger deer management hunts
(5)(fg)

Note:

The wildlife damage program is funded by revenue from a surcharge on most hunting licenses and bonus deer hunting permit fees. The program had expenditures of \$3.4 million in 1997-98 and an available balance of \$1.7 million on July 1, 1998.

P 14-2

MO#	Y	N
Z Burke	Y	N
Decker	Y	N
Jauch	Y	N
Moore	Y	N
Shibitski	Y	N
Plache	Y	N
Cowlee	Y	N
Panzer	Y	N
Gard	Y	N
Porter	Y	N
Kaufert	Y	N
Albers	Y	N
Duff	Y	N
Ward	Y	N
Huber	Y	N
Riley	Y	N

1921
5052-1

Motion #793



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb0398/1
MGG... King
RMR

D-N
Egon

LFB:.....Kava - Processing venison from deer causing damage ✓

FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

LFB AMENDMENT

TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45

✓ # . Page 405, line 14 : delete "under" and substitute "under for"
✓ # . Page 405, line 16 : delete that line and substitute:
" 29.889 (7) (d) and, for county administration
costs under s. 29.889 (2) (d) and for payments
under s. 29.89. "
⊖

1 At the locations indicated, amend the bill as follows:

2 SECTION ~~29~~ 20.370 (5) (fq) of the statutes is amended to read:

3 20.370 (5) (fq) *Wildlife damage claims and abatement.* All moneys received
4 under ss. 29.181 (3) and 29.563 (13) and not appropriated under par. (fr) and sub. (1)
5 (Ls) to provide state aid under the wildlife damage abatement program under s.
6 29.889 (5) (c) and the wildlife damage claim program under s. 29.889 (7) (d) and, for
7 county administration costs under s. 29.889 (2) (d) and for payments under s. 29.89.

Keep
History: 1971 c. 40, 95; 1971 c. 125 ss. 101 to 121, 522 (1); 1971 c. 411, 415, 477, 830, 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), (f); 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.

8 "SECTION ~~29~~ 29.001 (28) of the statutes is created to read:

9 29.001 (28) "Food distribution service" means a program that provides food or
10 serves meals directly to individuals with low incomes or to elderly individuals, or ✓

✓ # . Page 502, line 21: after that line insert:

✓ # Page 505, line 19: after that line: *Insert:*

1 that collects and distributes food to persons who provide food or serve meals directly
2 to these individuals."

3 → " ^{730m} SECTION ~~29~~ 29.347 (2) of the statutes is amended to read:

4 29.347 (2) DEER TAGS. Except as provided under sub. (5) and s. 29.324 (3), any
5 person who kills a deer shall immediately attach to the ear or antler of the deer a
6 current validated deer carcass tag which is authorized for use on the type of deer
7 killed. Except as provided under sub. (2m) ^{plain} or s. 29.871 (7), (8) or (14) ^{or s. 29.89 (b)},
8 no person may possess, control, store or transport a deer carcass unless it is tagged ⁶
9 as required under this subsection. The carcass tag may not be removed before
10 registration. The removal of a carcass tag from a deer before registration renders the
11 deer untagged. "

History: 1975 c. 97, 199; 1983 a. 546; 1991 a. 269, 316; 1995 a. 79, 126; 1997 a. 248 s. 504; Stats. 1997 s. 29.347.

12 " SECTION ~~29~~ 29.89 of the statutes is created to read:

13 ^{754m} 29.89 Venison processing grants. (1) DEFINITION "Deer damage
14 management season" means a season for hunting deer that is established or
15 extended by the department in order to reduce the deer population because the
16 department determines that an excess population of deer will result in the increase
17 of damage to agricultural or forest lands.

18 (2) ESTABLISHMENT OF PROGRAM. The department shall establish a program to
19 reimburse counties for the costs ^{that} they incur in processing venison from certain deer
20 carcasses.

21 (3) ELIGIBILITY REQUIREMENTS. A county is eligible for reimbursement under
22 this section if all of the following apply:

23 (a) The county participates in the administration of both the wildlife damage
24 abatement ^{program} and the wildlife damage claim programs under s. 29.889. "

✓ # Page 513, page 11: after that line insert:

✓
✓
5

1 (b) The county accepts deer carcasses for processing and pays for the cost of
2 processing.

3 (c) The venison that is processed comes from deer that were killed in the county
4 during a deer damage management season. *to a food distribution service
or a charitable organization*

5 (d) The county pay^s for the cost^s of processing the venison. (4)

6 (e) The processed venison is donated as provided under sub. (3).

7 (B) (4) (3) DONATIONS AUTHORIZED. A county may have processed and donate for free
8 venison that comes from deer that were killed in the county during a deer damage
9 management season. *dressed*
field dressed
The county may require that the carcasses
be before accepting them for processing.

10 (B) (5) (4) GRANTS; AMOUNTS; FUNDING. (a) Reimbursement under this section shall
11 equal the amount that it cost^s a county to process the venison.

12 (b) The department shall reimburse counties under this section from the
13 appropriation under s. 20.370 (5) (fq) after first deducting from s. 20.370 (5) (fq)
14 payments made for county administrative costs, payments made for wildlife damage
15 abatement assistance and wildlife damage claim payments under s. 29.889. *check spacing*

16 (B) (6) (5) TAGGING EXEMPTION. The requirement under s. 29.347 (2m) (a) that the
17 tags remain with the deer carcass or venison does not apply to a deer carcass or
18 venison that is subject to this section. "

19 #. Page 3 line 3: delete lines 3 to 3 and substitute:
513 12 12 25

20 SECTION 29.936 (1) of the statutes is amended to read:
21 29.936 (1) Notwithstanding s. 29.06 *plain space* 29.934 *keep* the department may distribute
22 for free carcasses from fish and game seized or confiscated under s. 29.05 29.931
23 that are suitable for eating to food distribution services, as defined in s. 46.765 (1)

24 (b). The department may have the fish or game that is seized or confiscated processed

1 before distributing that fish or game to food distribution services. The department
2 may collect the costs of the processing of the fish or game from the person from whom
3 the fish and game was seized or confiscated. //

History: 1997 a. 321; s. 13.93 (1) (b).

4

(END)

1 registration. The removal of a carcass tag from a deer before registration renders the
2 deer untagged.

3 SECTION 2. 29.543 of the statutes is created to read:

4 **29.543 Disposal of unclaimed carcasses. (1) DEFINITIONS.** In this section.

5 (a) "Charitable organization" means a nonprofit corporation, charitable trust
6 or other nonprofit association that is described in section 501 (c) (3) of the Internal
7 Revenue Code and that is exempt from taxation under section 501 (a) of the Internal
8 Revenue Code.

9 (b) "Processor" means a person who is engaged in the business of processing
10 carcasses of wild animals.

11 (2) AUTHORIZATION. A processor who has accepted a carcass of a wild animal for
12 processing may destroy the carcass or donate the carcass to a charitable organization
13 if all of the following apply:

14 (a) The processor has sent the customer a notice to the customer's last-known
15 mailing address. The notice shall state that the carcass must be claimed and
16 removed from the premises of the processor within 5 days following the postmarked
17 date of the notice or the carcass will be destroyed or donated to a charitable
18 organization.

19 (b) The customer who left the carcass has failed to remove the carcass from the
20 premises of the processor within 5 days after being notified under par. (a).

21 (3) TAX CREDIT. A processor who is authorized to destroy or donate a wild animal
22 carcass under sub. (2) may claim a tax credit under s. 71.07 (5d) or 71.28 (5d) in an
23 amount equal to the total cost of processing and storing the wild animal carcass.

24 (4) TAGGING. A processor may require that a customer leaving a carcass of a
25 wild animal for processing also leave the appropriate tag, but the requirement that

Handwritten:
2-7-11

Handwritten:
2
4

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

LRBb0398/¹dn
MGG...:.....
img

1. Do you want any prorating language if there is not enough money for every county that applies?
2. I assume you do not want to include storage costs.
3. The definition of "deer damage management season" is based on NR 10.117. Please review carefully. S.A.

Mary Gibson-Glass
Senior Legislative Attorney
Phone: (608) 267-3215

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

LRBb0398/1dn
MGG:kmg:jf

May 28, 1999

1. Do you want any prorating language if there is not enough money for every county that applies?
2. I assume you do not want to include storage costs.
3. The definition of "deer damage management season" is based on s. NR 10.117. Please review carefully.

Mary Gibson-Glass
Senior Legislative Attorney
Phone: (608) 267-3215



State of Wisconsin
1999 - 2000 LEGISLATURE

soon

✓ 2RMR

LRBb0398A
MGG:kmg:jf

LFB:.....Kava - Processing venison from deer causing damage

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

LFB AMENDMENT

TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45

J-Note

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 405, line 14: delete “under” and substitute “under for”.

3 **2.** Page 405, line 16: delete that line and substitute “29.889 (7) (d) and, for
4 county administration costs under s. 29.889 (2) (d) and for payments under s. 29.89.”.

5 **3.** Page 502, line 21: after that line insert:

6 “SECTION 722m. 29.001 (28) of the statutes is created to read:

7 29.001 (28) “Food distribution service” means a program that provides food or
8 serves meals directly to individuals with low incomes or to elderly individuals, or
9 that collects and distributes food to persons who provide food or serve meals directly
10 to these individuals.”.

11 **4.** Page 505, line 19: after that line insert:

1 **“SECTION 730m.** 29.347 (2) of the statutes is amended to read:

2 29.347 (2) DEER TAGS. Except as provided under sub. (5) and s. 29.324 (3), any
3 person who kills a deer shall immediately attach to the ear or antler of the deer a
4 current validated deer carcass tag which is authorized for use on the type of deer
5 killed. Except as provided under sub. (2m) or s. 29.871 (7), (8) or (14) or 29.89(6), no
6 person may possess, control, store or transport a deer carcass unless it is tagged as
7 required under this subsection. The carcass tag may not be removed before
8 registration. The removal of a carcass tag from a deer before registration renders the
9 deer untagged.”.

10 **5.** Page 513, line 11: after that line insert:

11 **“SECTION 784m.** 29.89 of the statutes is created to read:

12 **29.89 Venison processing grants. (1) DEFINITIONS.** In this section:

13 (a) “Charitable organization” means a nonprofit corporation, charitable trust
14 or other nonprofit association that is described in section 501 (c) (3) of the Internal
15 Revenue Code and that is exempt from taxation under section 501 (a) of the Internal
16 Revenue Code.

17 (b) “Deer damage management season” means a season for hunting deer that
18 is established or extended by the department in order to reduce the deer population
19 because the department determines that an excess population of deer will result in
20 the increase of damage to agricultural or forest lands.

21 **(2) ESTABLISHMENT OF PROGRAM.** The department shall establish a program to
22 reimburse counties for the costs that they incur in processing venison from certain
23 deer carcasses.

1 (3) ELIGIBILITY REQUIREMENTS. A county is eligible for reimbursement under
2 this section if all of the following apply:

3 (a) The county participates in the administration of both the wildlife damage
4 abatement program and the wildlife damage claim program under s. 29.889.

5 (b) The county accepts deer carcasses for processing and pays for the costs of
6 processing.

7 (c) The venison that is processed comes from deer that were killed in the county
8 during a deer damage management season.

9 (d) The county pays for the costs of processing the venison.

10 (e) The processed venison is donated as provided under sub. (4). *the processed venison*

11 (4) DONATIONS AUTHORIZED. A county may ~~have processed and~~ donate to a food *the processed venison*
12 distribution service or a charitable organization ~~for free venison that comes from~~
13 ~~deer that were killed in the county during a deer damage management season.~~ The
14 county may require that the carcasses be field dressed before accepting them for
15 processing.

16 (5) GRANTS; AMOUNTS; FUNDING. (a) Reimbursement under this section shall
17 equal the amount that it costs a county to process the venison.

18 (b) The department shall reimburse counties under this section from the
19 appropriation under s. 20.370 (5) (fq) after first deducting from s. 20.370 (5) (fq)
20 payments made for county administrative costs, payments made for wildlife damage
21 abatement assistance and wildlife damage claim payments under s. 29.889.

22 (6) TAGGING EXEMPTION. The requirement under s. 29.347 (2m) (a) that the tags
23 remain with the deer carcass or venison does not apply to a deer carcass or venison
24 that is subject to this section." *establish a system to*

(c) If the total amount of reimbursable costs under par. (a) exceeds the amount available after making the deductions under par. (b), the department shall prorate the reimbursement payments among the eligible counties.

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

LRBb0398/2dn
MGG:kmg:mrc

June 10, 1999

Reading s. 29.89 (3) and (4) together makes it clear that the venison must come from deer killed in the county during a deer management season.

Mary Gibson-Glass
Senior Legislative Attorney
Phone: (608) 267-3215



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb0398/2
MGG:kmg:mrc

LFB:.....Kava - Processing venison from deer causing damage

FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

LFB AMENDMENT

TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 405, line 14: delete "under" and substitute "under for".

3 **2.** Page 405, line 16: delete that line and substitute "29.889 (7) (d) and, for
4 county administration costs under s. 29.889 (2) (d) and for payments under s. 29.89.".

5 **3.** Page 502, line 21: after that line insert:

6 "SECTION 722m. 29.001 (28) of the statutes is created to read:

7 29.001 (28) "Food distribution service" means a program that provides food or
8 serves meals directly to individuals with low incomes or to elderly individuals, or
9 that collects and distributes food to persons who provide food or serve meals directly
10 to these individuals."

11 **4.** Page 505, line 19: after that line insert:

1 **SECTION 730m.** 29.347 (2) of the statutes is amended to read:

2 29.347 (2) DEER TAGS. Except as provided under sub. (5) and s. 29.324 (3), any
3 person who kills a deer shall immediately attach to the ear or antler of the deer a
4 current validated deer carcass tag which is authorized for use on the type of deer
5 killed. Except as provided under sub. (2m) or s. 29.871 (7), (8) or (14) or 29.89 (6), no
6 person may possess, control, store or transport a deer carcass unless it is tagged as
7 required under this subsection. The carcass tag may not be removed before
8 registration. The removal of a carcass tag from a deer before registration renders the
9 deer untagged.”.

10 **5.** Page 513, line 11: after that line insert:

11 **SECTION 784m.** 29.89 of the statutes is created to read:

12 **29.89 Venison processing grants. (1) DEFINITIONS.** In this section:

13 (a) “Charitable organization” means a nonprofit corporation, charitable trust
14 or other nonprofit association that is described in section 501 (c) (3) of the Internal
15 Revenue Code and that is exempt from taxation under section 501 (a) of the Internal
16 Revenue Code.

17 (b) “Deer damage management season” means a season for hunting deer that
18 is established or extended by the department in order to reduce the deer population
19 because the department determines that an excess population of deer will result in
20 the increase of damage to agricultural or forest lands.

21 **(2) ESTABLISHMENT OF PROGRAM.** The department shall establish a program to
22 reimburse counties for the costs that they incur in processing venison from certain
23 deer carcasses.

1 **(3) ELIGIBILITY REQUIREMENTS.** A county is eligible for reimbursement under
2 this section if all of the following apply:

3 (a) The county participates in the administration of both the wildlife damage
4 abatement program and the wildlife damage claim program under s. 29.889.

5 (b) The county accepts deer carcasses for processing and pays for the costs of
6 processing.

7 (c) The venison that is processed comes from deer that were killed in the county
8 during a deer damage management season.

9 (d) The county pays for the costs of processing the venison.

10 (e) The processed venison is donated as provided under sub. (4).

11 **(4) DONATIONS AUTHORIZED.** A county may donate the processed venison to a food
12 distribution service or a charitable organization. The county may require that the
13 carcasses be field dressed before accepting them for processing.

14 **(5) GRANTS; AMOUNTS; FUNDING.** (a) Reimbursement under this section shall
15 equal the amount that it costs a county to process the venison.

16 (b) The department shall reimburse counties under this section from the
17 appropriation under s. 20.370 (5) (fq) after first deducting from s. 20.370 (5) (fq)
18 payments made for county administrative costs, payments made for wildlife damage
19 abatement assistance and wildlife damage claim payments under s. 29.889.

20 (c) If the total amount of reimbursable costs under par. (a) exceeds the amount
21 available after making the deductions under par. (b), the department shall establish
22 a system to prorate the reimbursement payments among the eligible counties.

23 **(6) TAGGING EXEMPTION.** The requirement under s. 29.347 (2m) (a) that the tags
24 remain with the deer carcass or venison does not apply to a deer carcass or venison
25 that is subject to this section.”.

1 **6.** Page 513, line 12: delete lines 12 to 25 and substitute:

2 “**SECTION 785d.** 29.936 (1) of the statutes is amended to read:

3 29.936 (1) Notwithstanding s. ~~29.06~~ 29.934, the department may distribute for
4 free carcasses from fish and game seized or confiscated under s. ~~29.05~~ 29.931 that are
5 suitable for eating to food distribution services, ~~as defined in s. 46.765 (1) (b)~~. The
6 department may have the fish or game that is seized or confiscated processed before
7 distributing that fish or game to food distribution services. The department may
8 collect the costs of the processing of the fish or game from the person from whom the
9 fish and game was seized or confiscated.”

10

(END)