

2001 DRAFTING REQUEST

Bill

Received: 11/16/2000

Received By: gibsom

Wanted: Soon

Identical to LRB:

For: Administration-Budget 67973

By/Representing: Grinde

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:

DOA:.....Grinde -

Topic:

Deer management, venison processing, and master hunter education program

Instructions:

See Attached

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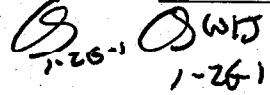
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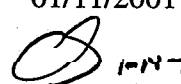

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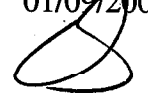
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2001-2003 Statutory Language Proposals

Division: LAND

Bureau: WILDLIFE MANAGEMENT

Issue/Topic: DEER 2000

Proposed Change: This proposal would make the statutory changes needed to implement the Natural Resources Board-approved recommendations of the Deer Management for 2000 and Beyond Project study committee. These changes focus on maintaining a healthy deer herd, providing recreational opportunities for a wide range of user groups, simplifying and providing consistency in deer management goals and policies, and providing flexibility to adjust management goals when necessary.

Explanatory Note: In 1997, the Natural Resources Board recognized the ever increasing challenges of managing Wisconsin's deer herd, and directed the Wisconsin Conservation Congress and the Department to conduct a review of the state's deer program and make recommendations for the future. The NR Board is scheduled to act on those recommendations at the October, 2000 meeting. At that time, the Department will provide specific recommended statutory changes needed to implement the NR Board approved recommendations.

Desired Effective Date: The effective date of the 2001 - 2003 biennial budget.

Contact Person: Eric Thompson, Bureau of Management & Budget, 266-8251. or Tom Hauge, Bureau of Wildlife Management, 266-2193.

Gibson-Glass, Mary

From: Thompson, Eric R
Sent: Monday, November 13, 2000 11:14 AM
To: Gibson-Glass, Mary
Cc: Grinde, Kirsten; Felker-Donsing, Susan
Subject: Deer 2000 Statutory Language

Mary,

Attached is more specific guidance for the Deer 2000 Management statutory language proposal, DI 5111. As we discussed on the phone, the Department is proposing to use Tribal Gaming Revenue at this time to fund activities associated with Deer 2000. I believe we would need 2 separate appropriations, one in Program 1 and one in Program 5, unless there was some way to add the Deer 2000 activities to the existing Tribal gaming revenue appropriation in Program 1. These recommendations are still not completely final, so it will be important for us to be able to react to a draft. If you have any questions, please let me know. Thanks.



Stat Lan Deer 2000
2nd vers.do...

Statutory Changes Required for Deer 2000 Recommendations

- Restriction of deer hunting on lands enrolled in the Wisconsin Damage Abatement and Claims (WDACP) Program to antlerless only unless authorized by the landowner.

① Wildlife damage abatement and claim programs
Statute change required:

s. 29.889(7m)(ae)5. is created to read:

s. 29.889(7m)(ae)5. Where a person is enrolled in the WDACP for deer damage, and must allow hunting access under par. (a) that person may restrict hunting access to antlerless deer as defined in s. NR10.001(1), Wis. Admin. Code, and a hunter may not shoot a "buck deer" s. NR 10.001(5), unless in possession of written approval by the person enrolled in the WDACP.

② Wildlife removal statutes

- Wildlife Damage Tier Program- Tier 1: Shooting permits with harvest quota issued, no hunting access requirements, no claims can be filed, no enrollment in the WDACP required, no fee hunting restrictions imposed. ?

Statute change required:

s. 29.885(4m) intro. is renumbered to (4m) (a) and (b) is created to read:

For persons authorized to remove deer causing damage, they may choose not to enroll in the Wildlife Damage Abatement and Claims Program (WDACP) under s. 29.889. If they choose not to enroll in the WDACP to seek abatement or claims assistance they are not subject to the hunting access requirement under par. (a).

①

- Wildlife Damage Tier Program- Tier 2: Payment of 33% of damage claims to a maximum of \$5,000, with a \$250 deductible; hunting access requirement of 1 hunter per 60 acres of land suitable for hunting; must implement recommended abatement no fee hunting allowed.

Statute changes required:

s. 29.889(7)(b) 5. is created to read:

s. 29.889(7)(b)5. A person enrolled in the Wildlife Damage Claims Program may select a lower hunting access density that established in par. (7m)(ae)4. a. Such a person is eligible for payment of only 33% of appraised damage losses, up to a maximum of \$5,250, with a \$250 deductible, if that person allows at least 1 hunter per 60 acres of land suitable for hunting.

s. 29.889(7m)(ae)4.e. is created to read:

s. 29.889(7m)(ae)4.e. The presence of at least 1 hunter per 60 acres of eligible land when the hunter notifies the landowner that he or she intends to hunt on the land if the person seeking claims selects the claims participation option described in par. (7)(b)5.

- ① ● Wildlife Damage Tier Program- Tier 3: 100% of damage claims to a maximum of \$15,000 and a \$250.00 deductible. Hunting access requirement of 2 hunters per 40 acres and no fee hunting allowed.

Statute changes required:

s. 29.889(7)(b)3. is repealed.

s. 29.889(7)(b)4 is renumbered to s.29.889(7)(b)3.

③ Agricultural damage permit

- Creation of an "X" tag program where the department may issue special agricultural damage deer hunting permits for use by hunters, during established deer hunting seasons, to harvest antlerless deer only within ½ mile of land where deer damage shooting permits have been issued.

Statute changes required:

how many deer?

s. 29.553(1)j is created to read:

j. Agricultural damage deer hunting permit.

s. 29.563(14)(a) 3 is created to read:

3. Agricultural damage deer hunting permit: \$2.75.

s. 29.563(14)(c)3 is amended to read:

3. Each application for a hunter's choice permit, bonus deer permit, agricultural damage deer hunting permit, wild turkey hunting license, Canada goose hunting permit, sharp-tailed grouse hunting permit, bobcat hunting and trapping permit, otter trapping permit, fisher trapping permit or sturgeon fishing permit: 25 cents.

^{17g}
s. 29.178 is created to read:

s. 29.178. AGRICULTURAL DAMAGE DEER HUNTING PERMITS. (a) The department may issue special agricultural damage deer hunting permits for use by hunters during the established deer hunting seasons. These permits may be used to harvest antlerless deer only within ½ mile of land where a deer damage shooting permit has been issued under s. 29.885 and/or the land is enrolled under s. 29.889.

④ Deer hunting seasons

- Allow the use of archery equipment during the regular gun deer season using the gun license.

s. 29.173(2)(a) is amended to read:

✓ s. 29.173(2)(a) AUTHORIZATION. (a) A resident deer hunting license authorizes the hunting of deer with firearms only or a bow during the traditional deer gun hunting season that includes the Thanksgiving holiday.

s. 29.211(2) is amended to read:

✓ s. 29.211(2) AUTHORIZATION. A non resident deer hunting license authorizes the hunting of deer with firearms only or a bow during the traditional deer gun hunting season that includes the Thanksgiving holiday

- Develop guidelines for spending a portion of WDACP funds for educating the general public on issues relating to agricultural deer damage in Wisconsin and for research related to the occurrence of wildlife damage in Wisconsin.

⑤ Use of bonus deer hunting permit fees
Statute change required:

s. 29.181(3) is amended to read:

USE OF FEES. The fees received from issuing permits under this section shall be credited to the appropriation under s. 20.370(5)(fq), except 2 percent which will be allocated equally to department research and education efforts associated with department powers described in s. 29.889, Stats.

⑥ Venison processing

- Establish a voluntary \$1.00 minimum donation, when purchasing a hunting license, for the venison processing and food pantry donation programs in units where the deer population is over goal.

Statute change required:

s. 29.89 is amended to read:

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

- (a) "Charitable organization" means a nonprofit corporation, charitable trust or other nonprofit association that is described in section 501(c)(3) of the Internal Revenue Code and that is exempt from taxation under section 501(a) of the Internal Revenue Code.
- (b) "~~Deer damage management~~ hunting season" means a season for hunting deer using either a gun or bow that is established ~~or extended~~ by the department. ~~in order to reduce the deer population because the department determines that an excess population of deer will result in the increase of damage to agricultural or forest lands.~~
- (2) ESTABLISHMENT OF PROGRAM. The department shall establish a program to reimburse counties for the costs they incur in processing venison from ~~certain deer carcasses.~~
- (3) ELIGIBILITY REQUIREMENTS. A county is eligible for reimbursement under this section if all of the following apply:
 - (a) The county participates in the administration of both the wildlife damage abatement program and the wildlife damage claim program under s. 29.889.
 - (b) The county accepts deer carcasses for processing and pays for the costs of the processing.
 - (c) The venison that is processed comes from deer that were killed in the county during a deer damage management season.
 - (d) The county pays for the costs of processing the venison.
 - (e) The processed venison is donated as provided under sub. (4).
- (4) DONATIONS AUTHORIZED. A county may donate the processed venison to a food distribution service under this section ~~from the appropriation under s. 20.370(5)(fq) after first deducting from s. 20.370(5)(fq) payments made for county administrative costs, payments,~~

made for wildlife damage abatement assistance and wildlife damage claim payments under s. 29.889.

(5) GRANTS; AMOUNTS; FUNDING.

- (a) Reimbursement under this section shall be equal the amount that it costs a county to process the venison.
- (b) The department shall reimburse counties under this section from ~~the appropriation under s. 20.370(5)(fg) after first deducting from s. 20.370(5)(fg) payments made for county administrative costs, payments made for wildlife damage abatement assistance and wildlife damage claim payments under s. 29.889~~ revenues received from a voluntary minimum \$1 donation to deer processing and food pantry donation program. When selling any resident or non-resident hunting license the department or its license vendors shall offer hunting license buyers the opportunity to donate an additional minimum \$1 to fund county and non-profit deer processing and food pantry donation programs. The department shall provide the reimbursement through the existing wildlife damage abatement program and the wildlife damage claim program established under s. 29.889, Stats. These funds shall only be used by ^{appr} the counties to pay for deer processing for donation to food pantries and the counties costs, or those of the county's agents, to administer a deer processing and food pantry donation program. Counties shall submit their proposed venison processing and food pantry donation budgets as part of their annual plan of administration budgets required under s. 29.889(3)(c)8., Stats.
- (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 establish a system to prorate the reimbursement payments among the eligible counties.~~
- (6) TAGGING EXEMPTION. The requirement under s. 29.347(2m)(a) that the tags remain with the deer carcass or venison does not apply to a deer carcass or venison that is subject to this section.

⑦ Master hunting program

- Creation of a Master Hunter Program to improve relationships between hunters and private landowners and to increase public hunting access on private lands.

Statute change required:

597

s. 29.595 is created to read: **Master Hunter Program. (1) ESTABLISHMENT; PROGRAM REQUIREMENTS.**

- (a) The Department may establish and supervise the administration of a master hunter program funded from tuition and certification fees paid by the enrollees.
- (b) The master hunter program shall provide classroom instruction and instruction by correspondence that includes all of the following:
1. Principles of wildlife management.
 2. Responsibilities of hunters to landowners.
 3. Wildlife damage abatement and claims program under s. 29.889.
 4. Wildlife damage shooting permit program under s. 29.885.
 5. Hunter ethics and firearms safety.
- (c) The master hunter education course shall consist of:
1. Home study course and classroom sessions with instructors.
 2. Firearms proficiency test.

3. Volunteer work for a landowner.

(2) ADMINISTRATION. The department may appoint county, regional and statewide directors and categories of master hunter education instructors needed to implement the master hunter education program. These appointees are responsible to the department and shall serve on a voluntary basis without compensation.

(3) ENROLLMENT FEE. The department shall establish an enrollment fee to pay for the cost of the master hunter education program. The instructor shall collect the enrollment fee from each person who receives instruction under the master hunter program and remit the fee to the department. The department may authorize an instructor to retain up to 50% of this fee or, if nothing is retained, the entire fee to the department.

(4) CERTIFICATE OF ACCOMPLISHMENT. (a) *Issuance.* The department shall issue a certificate of accomplishment to a person who successfully completes the course of instruction under the master hunter program and who pays the enrollment fee.

(b) The department shall issue a duplicate certificate of accomplishment to a person who is entitled to a duplicate of accomplishment upon paying the fee established under s. 29.563 (12)(c)4.

⑧ New program?

● This group recommends the creation of a private lands access program to make more private lands accessible to hunters. It is recommended that additional Tribal Gaming Revenue be provided to the Department for deer management activities and to implement the leased land program.

Statute change for funding as follows:

Create separate appropriations funded from Tribal Gaming Revenue for Deer Management and Public Deer Hunting Access to Private Lands: CREATE SEPARATE APPROPRIATIONS IN PROGRAM 1 FOR DEER MANAGEMENT ACTIVITIES RELATED TO DEER MANAGEMENT 2000 (DEER POPULATION MONITORING AND MANAGEMENT) AND IN PROGRAM 5 FOR PUBLIC DEER HUNTING ACCESS TO PRIVATE LANDS. A citizen board appointed by the Secretary shall approve the expenditures for deer management and public deer hunting access.

pay people to ^{open land to} allow hunting in general grants



State of Wisconsin
2001 - 2002 LEGISLATURE

RMR

LRB-1046 P1

MGChish

soon
(in 11/27/00)

DOA:.....Grinde – Deer management, wildlife damage, and master hunter education program

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

LPS:
Fix request
sheet

Do not generate

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

✓ NATURAL RESOURCES

✓ FISH, GAME, AND WILDLIFE

This is a preliminary draft. An analysis will be provided in a later version.
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:

2 SECTION 1. 20.370 (1) (ik) of the statutes is created to read:

3 20.370 (1) (ik) *Deer management*. From the general fund, the amounts in the
4 schedule for the costs associated with the management of the deer ^{population} in the state. All
5 moneys transferred from the appropriation account under s. 20.505 (8) (hm) 8h. shall
6 be credited to this appropriation account.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

1 SECTION 2. 20.370 (1) (Lv) of the statutes is created to read:

2 20.370 (1) (Lv) *Master hunter education program.* As a continuing
3 appropriation, all moneys remitted to the department under s. 29.592 (3) (b) and all
4 moneys received from fees collected under s. 29.563 (12) (c) 2m. for the master hunter
5 education program under s. 29.592.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

6 SECTION 3. 20.370 (5) (fk) of the statutes is created to read:

7 20.370 (5) (fk) *Hunting access payments.* From the general fund, the amounts
8 in the schedule for the purpose of making payments to landowners under s. 29.339.
9 All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 8n.
10 shall be credited to this appropriation account.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

11 SECTION 4. 20.370 (5) (fq) of the statutes is amended to read:

12 20.370 (5) (fq) *Wildlife damage claims and abatement.* All moneys received
13 under ss. 29.181 (3) (a), 29.559 (1r) (b) 1., and 29.563 (13) and not appropriated under
14 par. (fr) and sub. (1) (Ls) to provide state aid for the wildlife damage abatement
15 program under s. 29.889 (5) (c) and the wildlife damage claim program under s.
16 29.889 (7) (d), and for county administration costs under s. 29.889 (2) (d) and for
17 payments under s. 29.89.

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; 1999 a. 9, 32, 74, 92; 1999 a. 150 s. 672; 1999 a. 185.

18 SECTION 5. 20.370 (5) (fs) of the statutes is created to read:

1 20.370 (5) (fs) *Wildlife damage claims and abatement; technical assistance.* All
 2 moneys received under ss. 29.181 (3) (b) ~~2~~ and 29.559 (1r) (b) 2. for technical
 3 assistance, research, education and demonstration services provided for the wildlife
 4 damage abatement program and the wildlife damage claim program under s. 29.889
 5 (2) (a).

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

6 **SECTION 6.** 20.370 (5) (ft) of the statutes is created to read:

7 20.370 (5) (ft) *Venison processing; voluntary contributions.* As a continuing
 8 appropriation, all moneys received from voluntary contributions under s. 29.565 to
 9 be used for payments under the venison processing and donation program under s.
 10 29.89 and for promotional activities and materials to encourage voluntary
 11 contributions under ~~s.~~ 29.565.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

12 **SECTION 7.** 20.505 (8) (hm) 8h. of the statutes is created to read:

13 20.505 (8) (hm) 8h. The amount transferred to s. 20.370 (1) (ik) shall be the
 14 amount in the schedule under s. 20.370 (1) (ik).

15 **SECTION 8.** 20.505 (8) (hm) 8n. of the statutes is created to read:

16 20.505 (8) (hm) 8n. The amount transferred to s. 20.370 (5) (fk) shall be the
 17 amount in the schedule under s. 20.370 (5) (fk).

18 **SECTION 9.** 29.173 (2) (a) of the statutes is amended to read:

19 29.173 (2) (a) A resident deer hunting license authorizes the hunting of deer
 20 with ~~firearms only~~ a firearm during any season open to the hunting of deer with
 21 firearms and with a bow and arrow during the season open to the hunting of deer
 22 with firearms that includes the Thanksgiving holiday *delete one period. Keep a plain period*

1 SECTION 10. 29.179 of the statutes is created to read:

2 29.179 Agricultural damage deer hunting permits. (1) ISSUANCE. The
3 department may issue agricultural damage deer hunting permits to persons who
4 hold hunting licenses that authorizes the hunting of deer and who apply for
5 agricultural damage deer hunting permits.

6 (2) AUTHORIZATION. A agricultural damage deer hunting permit authorizes the
7 the taking of one additional deer that is antlerless during a season open to the
8 hunting of deer from a site that is within one-half mile of the outer boundary of a
9 parcel of land that is open to hunting of deer under s. 29.885 (4m) or 29.885 (7m).

****NOTE: Note under s. 29.173 (2), the permit authorizes the taking of only one
deer. ~~OK?~~

****NOTE: Note that in s. 29.173 (2) the land must be open for hunting of deer and
not just any game animal.

10 SECTION 11. 29.181 (3) of the statutes is renumbered 29.181 (3) (a) amended
11 to read:

12 29.181 (3) (a) The Ninety-eight percent of the fees received by the department
13 from issuing permits under this ~~section~~ ^{paragraph} shall be credited to the appropriation under
14 s. 20.370 (5) (fq). ~~plan~~

History: 1991 a. 39; 1995 a. 27; 1997 a. 1; 1997 a. 248 ss. 248 to 254; Stats. 1997 s. 29.181; 1999 a. 9.

15 SECTION 12. 29.181 (3) (b) of the statutes is created to read:

16 29.181 (3) (b) Two percent of the fees received by the department from issuing
17 permits under this ~~section~~ ^{paragraph} shall be credited to the appropriation under s. 20.370 (5)
18 (fs). ~~plan~~

19 SECTION 13. 29.211 (2) of the statutes is amended to read:

20 29.211 (2) AUTHORIZATION. A nonresident deer hunting license authorizes the
21 hunting of deer with ~~firearms only~~ a firearm during any season open to the hunting

1 of deer with firearms and with a bow and arrow during the season open to the
2 hunting of deer with firearms that includes the Thanksgiving holiday.

History: 1983 a. 27; 1997 a. 27; 1997 a. 248 ss. 272, 275; Stats. 1997 s. 29.211.

3 **SECTION 14.** 29.339 of the statutes is created to read:

4 **29.339 Hunting access on private lands. (1) PROGRAM.** The department
5 shall establish a program to provide payments to landowners who ^{check spacing} open their land
6 for hunting by members of the public.

7 **(2) RULES.** The department shall promulgate rules to establish requirements
8 and procedures for the program. The rules shall include all of the following:

9 (a) Eligibility requirements for landowners participating in the program.

10 (b) Requirements for persons hunting on the opened land.

11 **(3) FUNDING.** The department shall make the payments under the program
12 established under this section from the appropriation under s. 20.370 (5) (fk).

13 **SECTION 15.** 29.553 (1) (ag) of the statutes is created to read:

14 29.553 (1) (ag) Agricultural damage deer hunting permit.

15 **SECTION 16.** 29.559 (1r) (b) of the statutes is renumbered 29.559 (1r) (b) 1. and
16 amended to read:

17 29.559 (1r) (b) 1. The Ninety-eight percent of the issuing fees received by the
18 department for bonus deer hunting permits under this section shall be credited to
19 the appropriation account under s. 20.370 (5) (fq).

History: 1997 a. 248 ss. 152 to 156; 1999 a. 9.

20 **SECTION 17.** 29.559 (1r) (b) 2. of the statutes is created to read:

21 29.559 (1r) (b) 2. Two percent of the issuing fees received by the department
22 for bonus deer hunting permits under this section shall be credited to the
23 appropriation account under s. 20.370 (5) (fs).

24 **SECTION 18.** 29.563 (11) (b) 1m. of the statutes is created to read:

1 29.563 (11) (b) 1m. Master hunter education instruction fee: the fee as
2 established by rule.

3 **SECTION 19.** 29.563 (12) (c) 2m. of the statutes is created to read:

4 29.563 (12) (c) 2m. Master hunter education course certificate of
5 accomplishment: \$2.

6 History: 1997 a. 248; 1999 a. 9, 32, 47, 63, 186.

7 **SECTION 20.** 29.563 (14) (a) 1. of the statutes is amended to read:

8 29.563 (14) (a) 1. The processing fee for applications for approvals under the
9 ~~cumulative preference systems for the hunter's choice deer hunting permit, bonus~~
10 ~~deer hunting permit, wild turkey hunting license, Class A bear license, Canada goose~~
11 ~~hunting permit, sharp-tailed grouse hunting permit, bobcat hunting and trapping~~
12 ~~permit, otter trapping permit, fisher trapping permit or sturgeon fishing permit s.~~

12 29.553: \$2.75.

13 History: 1997 a. 248; 1999 a. 9, 32, 47, 63, 186.

14 **SECTION 21.** 29.563 (14) (c) 3. of the statutes is amended to read:

15 29.563 (14) (c) 3. Each application for a hunter's choice permit, bonus deer
16 hunting permit, agricultural damage deer hunting permit, wild turkey hunting
17 hunting and trapping permit, otter trapping permit, fisher trapping permit, or
18 sturgeon fishing permit: 25 cents.

19 History: 1997 a. 248; 1999 a. 9, 32, 47, 63, 186.

20 **SECTION 22.** 29.565 of the statutes is created to read:

21 **29.565 Voluntary contributions; venison processing and grant**
22 **program.** (1) Any applicant for a hunting license listed under s. 29.563 (3) (a) or
23 (b) may, in addition to paying any fee charged for the license, elect to make a
24 voluntary contribution of at least \$1 to be used for the venison processing and
donation program under s. 29.89.

1 (2) All moneys collected under sub. (1) shall be deposited into the account under
2 s. 20.370 (5) (ft).

3 SECTION 23. 29.592 of the statutes is created to read:

4 **29.592 Master hunter program. (1) ESTABLISHMENT; PROGRAM**
5 **REQUIREMENTS.** (a) The department may establish and supervise the administration
6 of a master hunter education program funded from the appropriation under s. 20.370
7 (1) (Lv).

8 (b) The master hunter education program shall provide instruction on topics
9 that include all of the following:

- 10 1. Principles of wildlife management.
- 11 2. Responsibilities of hunters to landowners.
- 12 3. The wildlife damage abatement program and the wildlife damage claim
13 program under s. 29.889.
- 14 4. The provisions concerning the removal of wild animals under s. 29.885.
- 15 5. Hunting ethics and firearms safety.

16 (c) The master hunter education course of instruction shall consist of all of the
17 following components:

- 18 1. Classroom instruction.
- 19 2. Home-study instruction.
- 20 3. Volunteer work for landowners.
- 21 4. Firearm proficiency testing.

22 (2) ADMINISTRATION. The department may appoint county, regional, and
23 statewide directors and categories of master hunter education instructors necessary
24 for the program. These appointees are responsible to the department and shall serve
25 on a voluntary basis without compensation, subject to sub. (3) (b).

1 **(3) INSTRUCTION FEE.** (a) The department shall establish by rule the fee for the
2 course of instruction under the master hunter education program.

3 (b) An instructor conducting the course of instruction under the master
4 education program shall collect the fee established under par. (a) from each person
5 receiving instruction. The department may authorize an instructor to retain up to
6 50% of the fee as compensation to defray expenses incurred by the instructor
7 conducting the course. The instructor shall remit the remaining portion of the fee
8 or, if nothing is retained, the entire fee to the department.

9 **(4) CERTIFICATE OF ACCOMPLISHMENT.** (a) The department shall issue a
10 certificate of accomplishment to a person who successfully completes the course of
11 instruction under the master hunter education program and who pays the
12 instruction fee.

13 (b) The department shall issue a duplicate certificate of accomplishment to a
14 person who is entitled to a duplicate certificate of accomplishment and who pays the
15 fee specified under s. 29.563 (12) (c) 2m.

16 **SECTION 24.** 29.885 (4m) of the statutes is renumbered 29.885 (4m) (a) and
17 amended to read:

18 29.885 (4m) (a) If the department removes or authorizes the removal of a wild
19 animal or the structure of a wild animal under sub. (3) (b), the person who owns,
20 leases or occupies the property on which the damage occurred shall open the property
21 to others for hunting and trapping for one year beginning on the date on which the
22 removal activity started unless the hunting or trapping is prohibited under this
23 chapter or under any municipal ordinance. The person opening the property may not
24 charge a fee for hunting or trapping.

1 SECTION 25. 29.885 (4m) (b) of the statutes is created to read:

2 29.885 (4m) (b) Notwithstanding par. (a), a person is exempt from opening the
3 person's land to hunting and trapping if, during the one-year period specified in par.
4 (a), the person does not file an application or receive wildlife damage abatement
5 assistance under s. 29.889 and does not file a statement of claim or receive
6 wildlife damage claim payments under s. 29.889.

7 SECTION 26. 29.889 (1) (intro.) of the statutes is amended to read:

8 29.889 (1) ~~DEFINITION DEFINITIONS.~~ (intro.) In this section, "wildlife;
9 (c) "Wildlife damage" means damage caused by any of the following noncaptive
10 wild animals:

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, 79; 1997 a. 27, 237; 1997 a. 248 ss. 396, 645 to 668, 706; Stats. 1997 s. 29.889.

11 SECTION 27. 29.889 (1) (a) of the statutes is created to read:

12 29.889 (1) (a) "Antlerless deer" means a deer that does not have an antler that
13 is 3 or more inches in length.

14 SECTION 28. 29.889 (1) (b) of the statutes is created to read:

15 29.889 (1) (b) "Buck deer" means a deer ^{fit quote} that has one or more antlers that is 3 or
16 more inches in length.

17 SECTION 29. 29.889 (2) (a) of the statutes is amended to read:

18 29.889 (2) (a) *Assistance.* The department shall assist counties in developing
19 and administering the wildlife damage abatement and wildlife damage claim
20 programs. The department shall provide this assistance through technical aid
21 assistance, program guidance, research, education, demonstration, funding, plan
22 review, audit and evaluation services.

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, 79; 1997 a. 27, 237; 1997 a. 248 ss. 396, 645 to 668, 706; Stats. 1997 s. 29.889.

23 SECTION 30. 29.889 (7) (a) of the statutes is amended to read:

1 29.889 (7) (a) *Investigation*. A participating county shall investigate each
 2 statement of claim and determine the total amount of the wildlife damage that
 3 occurred, regardless of the amount that may be eligible for payment under par. (b)
 4 or (bg).

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, 79; 1997 a. 27, 237; 1997 a. 248 ss. 396, 645 to 668, 706; Stats. 1997 s. 29.889.

5 **SECTION 31.** 29.889 (7) (b) (intro.) of the statutes is amended to read:

6 29.889 (7) (b) ~~*Calculating Method for calculating amount of payment*~~. (intro.)
 7 ~~In calculating~~ Except as provided in par. (bg), the participating county shall
 8 calculate the amount of the wildlife damage claim payment to be paid for a claim
 9 under par. (a), ~~the participating county shall determine the amount~~ as follows:

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, 79; 1997 a. 27, 237; 1997 a. 248 ss. 396, 645 to 668, 706; Stats. 1997 s. 29.889.

10 **SECTION 32.** 29.889 (7) (b) 2. of the statutes is amended to read:

11 29.889 (7) (b) 2. If the amount of claim is more than \$250 ~~but not more than~~
 12 \$5,250, the claimant will be paid 100% of the amount of the claim that exceeds \$250,
 13 subject to subd. 4.

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, 79; 1997 a. 27, 237; 1997 a. 248 ss. 396, 645 to 668, 706; Stats. 1997 s. 29.889.

14 **SECTION 33.** 29.889 (7) (b) 3. of the statutes is repealed.

15 **SECTION 34.** 29.889 (7) (bg) of the statutes is created to read:

16 29.889 (7) (bg) *Method for calculating amount of payment; alternative*. For a
 17 claimant who desires to be able to deny a hunter access to the claimant's land for
 18 reasonable cause under sub. (7m) (ae) 4. am., the participating county shall calculate
 19 the amount of the wildlife damage claim payment to be paid under par. (a) as follows:

20 1. If the amount of the claim is \$250 or less, the claimant will receive no
 21 payment.

22 2. If the amount is more than \$250, the claimant will be paid 33% of the amount
 23 of the claim that exceeds \$250, subject to subd. 3.

1 3. The total amount paid to a claimant under this paragraph may not exceed
2 \$5250 for each claim.

3 **SECTION 35.** 29.889 (7) (d) 1. of the statutes is amended to read:

4 29.889 (7) (d) 1. Except as provided under subd. 2., the department shall pay
5 claimants the full amount of wildlife damage claim payments calculated in
6 accordance with par. (b) or (bg) and funding requirements adopted under sub. (2) (b)
7 no later than June 1 of the calendar year after the calendar year in which the
8 statement of claims were filed.

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, 79; 1997 a. 27, 237; 1997 a. 248 ss. 396, 645 to 668, 706; Stats. 1997 s. 29.889.

9 **SECTION 36.** 29.889 (7m) (a) of the statutes is amended to read:

10 29.889 (7m) (a) *Requirements.* A person who receives wildlife damage
11 abatement assistance or wildlife damage claim payments and any other person who
12 owns, leases or controls the land where the wildlife damage occurred shall permit
13 hunting of the type of wild animals causing the wildlife damage on that land and on
14 contiguous land under the same ownership, lease or control, subject to par. (ae). In
15 order to satisfy the requirement to permit hunting under this subsection, the land
16 shall be open to hunting during the appropriate open season, and no fee may be
17 charged for such hunting. The county, with the assistance of the department, shall
18 determine the acreage of land suitable for hunting.

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, 79; 1997 a. 27, 237; 1997 a. 248 ss. 396, 645 to 668, 706; Stats. 1997 s. 29.889.

19 **SECTION 37.** 29.889 (7m) (ae) 1. of the statutes is amended to read:

20 29.889 (7m) (ae) 1. A hunter may hunt on land covered by par. (a) only if the
21 hunter notifies the landowner person required to open the land of his or her intent
22 to hunt on the land.

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, 79; 1997 a. 27, 237; 1997 a. 248 ss. 396, 645 to 668, 706; Stats. 1997 s. 29.889.

23 **SECTION 38.** 29.889 (7m) (ae) 2. of the statutes is amended to read:

1 29.889 (7m) (ae) 2. A hunter may not bring a motor vehicle onto land covered
2 by par. (a) without the permission of the landowner person required to open the land.

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, 79; 1997 a. 27, 237; 1997 a. 248 ss. 396, 645 to 668, 706; Stats. 1997 s. 29.889.

3 **SECTION 39.** 29.889 (7m) (ae) 3. of the statutes is amended to read:

4 29.889 (7m) (ae) 3. A hunter may not use a stand located on land covered by
5 par. (a) without the permission of the landowner person required to open the land.

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, 79; 1997 a. 27, 237; 1997 a. 248 ss. 396, 645 to 668, 706; Stats. 1997 s. 29.889.

6 **SECTION 40.** 29.889 (7m) (ae) 4. (intro.) of the statutes is amended to read:

7 29.889 (7m) (ae) 4. (intro.) A landowner person required to open land under

8 par. (a) ^{provide space} may deny a hunter access to the land covered by par. (a) for reasonable cause,

9 including which include ^s any of the following:

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, 79; 1997 a. 27, 237; 1997 a. 248 ss. 396, 645 to 668, 706; Stats. 1997 s. 29.889.

10 **SECTION 41.** 29.889 (7m) (ae) 4. a. of the statutes is amended to read:

11 29.889 (7m) (ae) 4. a. The presence of at least 2 hunters per 40 acres of eligible
12 land when at the time that the hunter notifies the landowner person that he or she
13 intends to hunt on the land.

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, 79; 1997 a. 27, 237; 1997 a. 248 ss. 396, 645 to 668, 706; Stats. 1997 s. 29.889.

14 **SECTION 42.** 29.889 (7m) (ae) 4. am. of the statutes is created to read:

15 29.889 (7m) (ae) 4. am. The presence of at least 1 hunter per 60 acres of eligible
16 land at the time that the hunter notifies the person that he or she intends to hunt
17 on the land, if the person receives a wildlife damage claim payment that is calculated
18 in the manner provided under sub[✓](7) (bg).

19 **SECTION 43.** 29.889 (7m) (ae) 4. d. of the statutes is amended to read:

1 29.889 (7m) (ae) 4. d. The hunter fails to notify the landowner person of his or
2 her intent to hunt on the land or brings a motor vehicle onto the land without the
3 permission of the landowner person.

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, 79; 1997 a. 27, 237; 1997 a. 248 ss. 396, 645 to 668, 706; Stats. 1997 s. 29.889.

4 **SECTION 44.** 29.889 (7m) (ae) 5. of the statutes is created to read:

5 29.889 (7m) (ae) 5. A person required to open land under par. (a) may limit deer
6 hunting by restricting the hunting to antlerless deer or by requiring that hunters on
7 the land have the person's written approval to hunt buck deer.

8 **SECTION 45.** 29.89 (title) of the statutes is amended to read:

9 **29.89 (title) Venison processing grants and donation program.**

History: 1999 a. 9.

10 **SECTION 46.** 29.89 (1) (b) of the statutes is amended to read:

11 29.89 (1) (b) "~~Deer damage management~~ hunting season" means a any season
12 ~~for open to the hunting of deer that is established or extended by the department in~~
13 ~~order to reduce the deer population because the department determines that an~~
14 ~~excess population of deer will result in the increase of damage to agricultural or~~
15 ~~forest lands.~~

History: 1999 a. 9.

****NOTE: I did not insert in s. 29.89 (1) (b) the phrase "by firearm or by bow and arrow" because there is no other type of deer hunting season.

16 **SECTION 47.** 29.89 (2) of the statutes is amended to read:

17 29.89 (2) ESTABLISHMENT OF PROGRAM. The department shall establish a
18 program to reimburse counties for the costs that they incur in processing and
19 donating venison from certain deer carcasses.

History: 1999 a. 9.

20 **SECTION 48.** 29.89 (3) (b) of the statutes is amended to read:

1 29.89 (3) (b) The county accepts deer carcasses for processing and pays for the
2 costs of processing.

History: 1999 a. 9.

****NOTE: Language is stricken in s. 29.89 (3) (b) because it is redundant. See s.
29.89 (3) (d).

3 **SECTION 49.** 29.89 (3) (c) of the statutes is amended to read:

4 29.89 (3) (c) The venison that is processed comes from deer that were killed in
5 the county during a deer damage management hunting season.

History: 1999 a. 9.

6 **SECTION 50.** 29.89 (3) (e) of the statutes is amended to read:

7 29.89 (3) (e) ~~The processed venison is donated~~ county shall make reasonable
8 efforts to donate the venison as provided under sub. (4).

History: 1999 a. 9.

9 **SECTION 51.** 29.89 (5) (title) of the statutes is amended to read:

10 29.89 (5) (title) ~~GRANTS, AMOUNTS REIMBURSEMENT, FUNDING.~~

History: 1999 a. 9.

11 **SECTION 52.** 29.89 (5) (a) of the statutes is amended to read:

12 29.89 (5) (a) Reimbursement Subject to par. (c), reimbursement under this
13 section shall equal the ~~amount that it costs~~ costs, including administrative costs,
14 that a county to process incurs in processing the venison and in donating the
15 processed venison under sub. (4).

History: 1999 a. 9.

16 **SECTION 53.** 29.89 (5) (b) of the statutes is amended to read:

17 29.89 (5) (b) The department shall reimburse counties under this section from
18 the appropriation under s. 20.370 (5) (fg) ~~after first deducting from s. 20.370 (5) (fg)~~
19 ~~payments made for county administrative costs, payments made for wildlife damage~~
20 ~~abatement assistance and wildlife damage claim payments under s. 29.889 (ft).~~

History: 1999 a. 9.

21 **SECTION 54.** 29.89 (5) (c) of the statutes is amended to read:

1 29.89 (5) (c) If the total amount of reimbursable costs under par. (a) exceeds the
2 amount available ~~after making the deductions~~ under par. (b), the department shall
3 establish a system to prorate the reimbursement payments among the eligible
4 counties.

5 History: 1999 a. 9.

~~+~~
SECTION 55. 29.89 (5m) of the statutes is created to read:

6 29.89 (5m) REIMBURSEMENT PROCEDURES. ~~(a)~~ Any county seeking
7 reimbursement under this section shall submit an estimate of its anticipated
8 reimbursable costs under sub. (5) (a) for the following calendar year with the
9 estimate it submits under the wildlife damage abatement program and the wildlife
10 damage claim program under s. 29.889 (3) (c) 8. The department shall reimburse a
11 county under this section at the time any payment due under s. 29.889 (5) (c) is paid
12 to the county.

13

(END)

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1046/rdn ^{P1}

MCG:.....
hmb

Date

1. Please review s. 29.889 (7) (b) and (bg) to make sure they are consistent with your intent. I was not sure if the \$5,250 was to be the maximum amount actually paid to the claimant under any circumstances or if the alternative method of calculating the claim payment under s. 29.889 (7) (bg) was not to apply to claims where the actual damage exceeds \$5,250.

2. In the drafting instructions I received, s. 29.89 (4) (a) was inaccurately retyped so I could not tell what was wanted. I did not amend this provision. OK?

3. It appears from your instructions that counties will be only eligible for the program under s. 29.89 if they are located in "units where the deer population is over goal" since the only funding for the program is coming from the voluntary contributions under s. 29.565. First of all, is a "unit" always made up of entire counties or may a county be partially within and outside a given unit? Secondly, if a unit reduces its deer population and is no longer "over goal", do the counties in the unit lose their eligibility under the program? Please call me to discuss this further. This draft does not make this distinction and as drafted, all counties are eligible.

4. Note that currently under s. 29.89, venison donations may be made to charitable organizations that are not food pantry services. This draft makes no changes in this regard. OK?

5. "Antlerless deer" is defined only for purposes of s. 29.89. Do you want a chapter-wide definition? The term is currently used in ss. 29.347 (4), 29.361 (2m), and 29.591 (4) (am) and (ar).

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

Gibson-Glass, Mary

From: Thompson, Eric R
Sent: Tuesday, January 02, 2001 3:57 PM
To: Gibson-Glass, Mary
Cc: Grinde, Kirsten
Subject: LRB-1046/P1 - Deer 2000 Management - Comments

Mary,

Here are some comments we have on LRB-1046/P1, the statutory language draft pertaining to Deer 2000 Management. Some of these comments may still need to be clarified, but hopefully this will allow for a 2nd draft.

Responses to drafter's questions:

1. We may still need some time to evaluate the wildlife damage portions of the draft. However, the \$5,250 was not the maximum to be allowed under any circumstances. We want to be able to have the alternative method of calculating the claim payment for landowners that provide full access to their land for hunting. s. 29.889 (7) (bg) is intended to apply to the new "Tier 2". Also, in that section, in part 2 (lines 17 and 18, page 10), we recommend replacing the words "amount of the claim" with the words "appraised loss". *dear as is*

2. OK.

*Current law for 2 per 40
draft OK for 1 per 60 except cap of
\$15,000*

3. We want all counties to be eligible, and hope that the program becomes "self-regulating". That is, we hope that in units where the population is reduced, and no longer "over goal", no "extra" permits will be issued, and fewer, or even no deer will be donated to food pantries. We think it would be too politically objectionable to exclude donations to food pantries in units that are not "over goal". So, not making a distinction, and having all counties eligible is OK. Hopefully.

4. Yes, OK.

5. Yes, we would like a "chapter-wide" definition of "antlerless deer".

Other comments:

what program

Section 6 - appropriation 20.370 (5) (ft) - we would like for the Department to be able to pay for Department activities relating to this program out of this appropriation, but we would like to avoid the term "administrative costs". We think this would be covered by the current language if you added "and education" between "promotional" and "activities" in line 7, p.3 so that it reads "and for promotional and education activities and materials". Do you agree? *Told them not didn't really know*

Section 10 - we don't want the nuisance provision to trigger the agricultural damage deer hunting permit. We would suggest language that would read "...within one-half mile of the outer boundary of a parcel of land that is considered a deer damage property under s. 29.885 or 29.889....". We would eliminate the references to (4m) and (7m), respectively. Also, a typo here - there is an extra "the" at the beginning of line 4. *link to damaged land, not land open to hunting*

Section 34 (p. 10) and Sections 41 and 42 - We would like the number of hunters per acre to be tied to the percentage payment claim paid - i.e., 100% claim equals 2 hunters per 40 acres, 33% claim equals 1 hunter per 60 acres. *dear as is*

Section 35 (line 23, p. 10) - the reference to "full amount" should be limited to not to exceed \$15,000. *dear as is*

Also, with regard to funding the venison processing program, we need to figure out a way to fund the first year, since the donations won't necessarily come in when the funding is needed. This may require an effective date different (later) for that provision than the rest of the language. We need to think this through a little better.

Thanks for the opportunity to comment. Overall, the draft was pretty good, and does most of what we intended. Hopefully, we can make further refinements on another draft.

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1046/P1dn
MGG:hmh:km

December 6, 2000

1. Please review s. 29.889 (7) (b) and (bg) to make sure they are consistent with your intent. I was not sure if the \$5,250 was to be the maximum amount actually paid to the claimant under any circumstances or if the alternative method of calculating the claim payment under s. 29.889 (7) (bg) was not to apply to claims where the actual damage exceeds \$5,250.

OK 2. In the drafting instructions I received, s. 29.89 (4) (a) was inaccurately retyped so I could not tell what was wanted. I did not amend this provision. OK?

OK 3. It appears from your instructions that counties will be only eligible for the program under s. 29.89 if they are located in "units where the deer population is over goal" since the only funding for the program is coming from the voluntary contributions under s. 29.565. First of all, is a "unit" always made up of entire counties or may a county be partially within and outside a given unit? Secondly, if a unit reduces its deer population and is no longer "over goal," do the counties in the unit lose their eligibility under the program? Please call me to discuss this further. This draft does not make this distinction and as drafted, all counties are eligible.

OK 4. Note that currently under s. 29.89, venison donations may be made to charitable organizations that are not food pantry services. This draft makes no changes in this regard. OK?

Yes 5. "Antlerless deer" is defined only for purposes of s. 29.89. Do you want a chapter-wide definition? The term is currently used in ss. 29.347 (4), 29.361 (2m), and 29.591 (4) (am) and (ar).

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



State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-1046/P1
MGG:hml:km
1 RMR
JWJ

D-Note

soon

DOA:.....Grinde – Deer management, wildlife damage, and master hunter education program

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

DO NOT GEN

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

NATURAL RESOURCES

FISH, GAME, AND WILDLIFE

✓ INSERT ANL

~~This is a preliminary draft. An analysis will be provided in a later version.~~
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:

2 SECTION 1. 20.370 (1) (ik) of the statutes is created to read:

3 20.370 (1) (ik) *Deer management.* From the general fund, the amounts in the
4 schedule for the costs associated with the management of the deer population in the
5 state. All moneys transferred from the appropriation account under s. 20.505 (8)
6 (hm) 8h. shall be credited to this appropriation account.

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

1 SECTION 2. 20.370 (1) (Lv) of the statutes is created to read:

2 20.370 (1) (Lv) *Master hunter education program.* As a continuing
3 appropriation, all moneys remitted to the department under s. 29.592 (3) (b) and all
4 moneys received from fees collected under s. 29.563 (12) (c) 2m. for the master hunter
5 education program under s. 29.592.

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

6 SECTION 3. 20.370 (5) (fk) of the statutes is created to read:

7 20.370 (5) (fk) *Hunting access payments.* From the general fund, the amounts
8 in the schedule for the purpose of making payments to landowners under s. 29.339.
9 All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 8n.
10 shall be credited to this appropriation account.

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

11 SECTION 4. 20.370 (5) (fq) of the statutes is amended to read:

12 20.370 (5) (fq) *Wildlife damage claims and abatement.* All moneys received
13 under ss. 29.181 (3) (a), 29.559 (1r) (b) 1., and 29.563 (13) and not appropriated under
14 par. (fr) and sub. (1) (Ls) to provide state aid for the wildlife damage abatement
15 program under s. 29.889 (5) (c) and the wildlife damage claim program under s.
16 29.889 (7) (d) ^{PLAIN} ~~and~~ for county administration costs under s. 29.889 (2) (d) ^{PLAIN} ~~and for~~
17 ~~payments under s. 29.89.~~ ^{PLAIN}

18 SECTION 5. 20.370 (5) (fs) of the statutes is created to read:

19 20.370 (5) (fs) *Wildlife damage claims and abatement; technical assistance.* All
20 moneys received under ss. 29.181 (3) (b) and 29.559 (1r) (b) 2. for technical assistance,

1 research, education, and demonstration services provided for the wildlife damage
2 abatement program and the wildlife damage claim program under s. 29.889 (2) (a).

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

3 **SECTION 6.** 20.370 (5) (ft) of the statutes is created to read:

4 20.370 (5) (ft) *Venison processing; voluntary contributions.* As a continuing
5 appropriation, all moneys received from voluntary contributions under s. 29.565 to
6 be used for payments under the venison processing and donation program under s.
7 29.89 and for promotional ^{and educational} activities and materials to encourage voluntary
8 contributions under s. 29.565.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

9 **SECTION 7.** 20.505 (8) (hm) 8h. of the statutes is created to read:

10 20.505 (8) (hm) 8h. The amount transferred to s. 20.370 (1) (ik) shall be the
11 amount in the schedule under s. 20.370 (1) (ik).

12 **SECTION 8.** 20.505 (8) (hm) 8n. of the statutes is created to read:

13 20.505 (8) (hm) 8n. The amount transferred to s. 20.370 (5) (fk) shall be the
14 amount in the schedule under s. 20.370 (5) (fk).

15 **SECTION 9.** 29.173 (2) (a) of the statutes is amended to read:

16 29.173 (2) (a) A resident deer hunting license authorizes the hunting of deer
17 with ~~firearms only~~ a firearm during any season open to the hunting of deer with
18 firearms and with a bow and arrow during the season open to the hunting of deer
19 with firearms that includes the Thanksgiving holiday.

20 **SECTION 10.** 29.179 of the statutes is created to read:

21 **29.179 Agricultural damage deer hunting permits.** (1) ISSUANCE. The
22 department may issue agricultural damage deer hunting permits to persons who

material
from p. 9

3-2

1 hold hunting licenses that authorize the hunting of deer and who apply for
2 agricultural damage deer hunting permits.

3 ~~(3) (2) AUTHORIZATION. An agricultural damage deer hunting permit authorizes~~
4 ~~the the taking of one additional deer that is antlerless during a season open to the~~
5 ~~hunting of deer from a site that is within one-half mile of the outer boundary of a~~
6 ~~parcel of land that is open to hunting of deer under s. 29.885 (4m) or 29.889 (7m).~~
upon which deer damage has occurred

~~****NOTE: Note under s. 29.173 (2), the permit authorizes the taking of only one deer.~~

~~****NOTE: Note that in s. 29.173 (2) the land must be open for hunting of deer and not just any game animal.~~

✓
INSERT
4-7

7 SECTION 11. 29.181 (3) of the statutes is renumbered 29.181 (3) (a) amended
8 to read:

9 29.181 (3) (a) The Ninety-eight percent of the fees received by the department
10 from issuing permits under this section shall be credited to the appropriation under
11 s. 20.370 (5) (fq).

12 SECTION 12. 29.181 (3) (b) of the statutes is created to read:

13 29.181 (3) (b) Two percent of the fees received by the department from issuing
14 permits under this section shall be credited to the appropriation under s. 20.370 (5)
15 (fs).

16 SECTION 13. 29.211 (2) of the statutes is amended to read:

17 29.211 (2) AUTHORIZATION. A nonresident deer hunting license authorizes the
18 hunting of deer with firearms only a firearm during any season open to the hunting
19 of deer with firearms and with a bow and arrow during the season open to the
20 hunting of deer with firearms that includes the Thanksgiving holiday.

21 SECTION 14. 29.339 of the statutes is created to read:

The number of deer that are given a permit to hunt

1 **29.339 Hunting access on private lands. (1) PROGRAM.** The department
2 shall establish a program to provide payments to landowners who open their land
3 for hunting by members of the public.

4 **(2) RULES.** The department shall promulgate rules to establish requirements
5 and procedures for the program. The rules shall include all of the following:

6 (a) Eligibility requirements for landowners participating in the program.

7 (b) Requirements for persons hunting on the opened land.

8 **(3) FUNDING.** The department shall make the payments under the program
9 established under this section from the appropriation under s. 20.370 (5) (fk).

10 **SECTION 15.** 29.553 (1) (ag) of the statutes is created to read:

11 29.553 (1) (ag) Agricultural damage deer hunting permit.

12 **SECTION 16.** 29.559 (1r) (b) of the statutes is renumbered 29.559 (1r) (b) 1. and
13 amended to read:

14 29.559 (1r) (b) 1. The Ninety-eight percent of the issuing fees received by the
15 department for bonus deer hunting permits under this section shall be credited to
16 the appropriation account under s. 20.370 (5) (fq).

17 **SECTION 17.** 29.559 (1r) (b) 2. of the statutes is created to read:

18 29.559 (1r) (b) 2. Two percent of the issuing fees received by the department
19 for bonus deer hunting permits under this section shall be credited to the
20 appropriation account under s. 20.370 (5) (fs).

21 **SECTION 18.** 29.563 (11) (b) 1m. of the statutes is created to read:

22 29.563 (11) (b) 1m. Master hunter education instruction fee: the fee as
23 established by rule.

24 **SECTION 19.** 29.563 (12) (c) 2m. of the statutes is created to read:

1 29.563 (12) (c) 2m. Master hunter education course certificate of
2 accomplishment: \$2.

3 **SECTION 20.** 29.563 (14) (a) 1. of the statutes is amended to read:

4 29.563 (14) (a) 1. The processing fee for applications for approvals under the
5 ~~cumulative preference systems for the hunter's choice deer hunting permit, bonus~~
6 ~~deer hunting permit, wild turkey hunting license, Class A bear license, Canada goose~~
7 ~~hunting permit, sharp-tailed grouse hunting permit, bobcat hunting and trapping~~
8 ~~permit, otter trapping permit, fisher trapping permit or sturgeon fishing permit s.~~
9 29.553: \$2.75.

10 **SECTION 21.** 29.563 (14) (c) 3. of the statutes is amended to read:

11 29.563 (14) (c) 3. Each application for a hunter's choice permit, bonus deer
12 hunting permit, agricultural damage deer hunting permit, wild turkey hunting
13 license, Canada goose hunting permit, sharp-tailed grouse hunting permit, bobcat
14 hunting and trapping permit, otter trapping permit, fisher trapping permit, or
15 sturgeon fishing permit: 25 cents.

16 **SECTION 22.** 29.565 of the statutes is created to read:

17 **29.565 Voluntary contributions; venison processing and grant**
18 **program.** (1) Any applicant for a hunting license listed under s. 29.563 (3) (a) or
19 (b) may, in addition to paying any fee charged for the license, elect to make a
20 voluntary contribution of at least \$1 to be used for the venison processing and
21 donation program under s. 29.89.

22 (2) All moneys collected under sub. (1) shall be ^{credited to} deposited ^{appropriation} into the account under
23 s. 20.370 (5) (f).

24 **SECTION 23.** 29.592 of the statutes is created to read:

1 **29.592 Master hunter program. (1) ESTABLISHMENT; PROGRAM**
2 REQUIREMENTS. (a) The department may establish and supervise the administration
3 of a master hunter education program funded from the appropriation under s. 20.370
4 (1) (Lv).

5 (b) The master hunter education program shall provide instruction on topics
6 that include all of the following:

7 1. Principles of wildlife management.

8 2. Responsibilities of hunters to landowners.

9 3. The wildlife damage abatement program and the wildlife damage claim
10 program under s. 29.889.

11 4. The provisions concerning the removal of wild animals under s. 29.885.

12 5. Hunting ethics and firearms safety.

13 (c) The master hunter education course of instruction shall consist of all of the
14 following components:

15 1. Classroom instruction.

16 2. Home-study instruction.

17 3. Volunteer work for landowners.

18 4. Firearm proficiency testing.

19 **(2) ADMINISTRATION.** The department may appoint county, regional, and
20 statewide directors and categories of master hunter education instructors necessary
21 for the program. These appointees are responsible to the department and shall serve
22 on a voluntary basis without compensation, subject to sub. (3) (b).

23 **(3) INSTRUCTION FEE.** (a) The department shall establish by rule the fee for the
24 course of instruction under the master hunter education program.

1 (b) An instructor conducting the course of instruction under the master
2 education program shall collect the fee established under par. (a) from each person
3 receiving instruction. The department may authorize an instructor to retain up to
4 50% of the fee as compensation to defray expenses incurred by the instructor
5 conducting the course. The instructor shall remit the remaining portion of the fee
6 or, if nothing is retained, the entire fee to the department.

7 (4) CERTIFICATE OF ACCOMPLISHMENT. (a) The department shall issue a
8 certificate of accomplishment to a person who successfully completes the course of
9 instruction under the master hunter education program and who pays the
10 instruction fee.

11 (b) The department shall issue a duplicate certificate of accomplishment to a
12 person who is entitled to a duplicate certificate of accomplishment and who pays the
13 fee specified under s. 29.563 (12) (c) 2m.

14 SECTION 24. 29.885 (4m) of the statutes is renumbered 29.885 (4m) (a) and
15 amended to read:

16 29.885 (4m) (a) If the department removes or authorizes the removal of a wild
17 animal or the structure of a wild animal under sub. (3) (b), the person who owns,
18 leases, or occupies the property on which the damage occurred shall open the
19 property to others for hunting and trapping for one year beginning on the date on
20 which the removal activity started unless the hunting or trapping is prohibited
21 under this chapter or under any municipal ordinance. The person opening the
22 property may not charge a fee for hunting or trapping.

23 SECTION 25. 29.885 (4m) (b) of the statutes is created to read:

24 29.885 (4m) (b) Notwithstanding par. (a), a person is exempt from opening the
25 person's land to hunting and trapping if, during the one-year period specified in par.

1 (a), the person does not file an application or receive wildlife damage abatement
2 assistance under s. 29.889 and does not file a statement of claim for or receive wildlife
3 damage claim payments under s. 29.889.

4 SECTION 26. 29.889 (1) (intro.) of the statutes is amended to read:

5 29.889 (1) ~~DEFINITION~~ DEFINITIONS. (intro.) In this section, "wildlife:

6 (b) ~~(b)~~ "Wildlife damage" means damage caused by any of the following noncaptive
7 wild animals:

8 SECTION 27. 29.889 (1) ~~(a)~~ of the statutes is created to read:

9 29.889 (1) ~~(a)~~ ⁰⁰¹⁽¹⁰⁾ "Antlerless deer" means a deer that does not have an antler that
10 is 3 or more inches in length. (a)

11 SECTION 28. 29.889 (1) ~~(b)~~ of the statutes is created to read:

12 29.889 (1) ~~(b)~~ ^(a) "Buck deer" means a deer that has one or more antlers that is 3
13 or more inches in length.

14 SECTION 29. 29.889 (2) (a) of the statutes is amended to read:

15 29.889 (2) (a) *Assistance*. The department shall assist counties in developing
16 and administering the wildlife damage abatement and wildlife damage claim
17 programs. The department shall provide this assistance through technical aid
18 assistance, program guidance, research, education, demonstration, funding, plan
19 review, audit, and evaluation services.

20 SECTION 30. 29.889 (7) (a) of the statutes is amended to read:

21 29.889 (7) (a) *Investigation*. A participating county shall investigate each
22 statement of claim and determine the total amount of the wildlife damage that
23 occurred, regardless of the amount that may be eligible for payment under par. (b)
24 or (bg).

25 SECTION 31. 29.889 (7) (b) (intro.) of the statutes is amended to read:

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p. 3
cut
line
17

1 29.889 (7) (b) ~~Calculating Method for calculating amount of payment.~~ (intro.)

2 ~~In calculating~~ Except as provided in par. (bg), the participating county shall calculate
3 the amount of the wildlife damage claim payment to be paid for a claim under par.
4 (a), ~~the participating county shall determine the amount as follows:~~

5 **SECTION 32.** 29.889 (7) (b) 2. of the statutes is amended to read:

6 29.889 (7) (b) 2. If the amount of claim is more than \$250 but not more than
7 \$5,250, the claimant will be paid 100% of the amount of the claim that exceeds \$250,
8 subject to subd. 4.

9 **SECTION 33.** 29.889 (7) (b) 3. of the statutes is repealed:

10 **SECTION 34.** 29.889 (7) (bg) of the statutes is created to read:

11 29.889 (7) (bg) *Method for calculating amount of payment; alternative.* For a
12 claimant who desires to be able to deny a hunter access to the claimant's land for
13 reasonable cause under sub. (7m) (ae) 4. am., the participating county shall calculate
14 the amount of the wildlife damage claim payment to be paid under par. (a) as follows:

15 1. If the amount of the claim is \$250 or less, the claimant will receive no
16 payment.

17 2. If the amount is more than \$250, the claimant will be paid 33% of the amount
18 of the claim that exceeds \$250, subject to subd. 3.

19 3. The total amount paid to a claimant under this paragraph may not exceed
20 \$5,250 for each claim.

21 **SECTION 35.** 29.889 (7) (d) 1. of the statutes is amended to read:

22 29.889 (7) (d) 1. Except as provided under subd. 2., the department shall pay
23 claimants the full amount of wildlife damage claim payments calculated in
24 accordance with par. (b) or (bg) and funding requirements adopted under sub. (2) (b)

1 no later than June 1 of the calendar year after the calendar year in which the
2 statement of claims were filed.

3 **SECTION 36.** 29.889 (7m) (a) of the statutes is amended to read:

4 29.889 (7m) (a) *Requirements.* A person who receives wildlife damage
5 abatement assistance or wildlife damage claim payments and any other person who
6 owns, leases or controls the land where the wildlife damage occurred shall permit
7 hunting of the type of wild animals causing the wildlife damage on that land and on
8 contiguous land under the same ownership, lease or control, subject to par. (ae). In
9 order to satisfy the requirement to permit hunting under this subsection, the land
10 shall be open to hunting during the appropriate open season, and no fee may be
11 charged for such hunting. The county, with the assistance of the department, shall
12 determine the acreage of land suitable for hunting.

13 **SECTION 37.** 29.889 (7m) (ae) 1. of the statutes is amended to read:

14 29.889 (7m) (ae) 1. A hunter may hunt on land covered by par. (a) only if the
15 hunter notifies the ~~landowner~~ person required to open the land of his or her intent
16 to hunt on the land.

17 **SECTION 38.** 29.889 (7m) (ae) 2. of the statutes is amended to read:

18 29.889 (7m) (ae) 2. A hunter may not bring a motor vehicle onto land covered
19 by par. (a) without the permission of the ~~landowner~~ person required to open the land.

20 **SECTION 39.** 29.889 (7m) (ae) 3. of the statutes is amended to read:

21 29.889 (7m) (ae) 3. A hunter may not use a stand located on land covered by
22 par. (a) without the permission of the ~~landowner~~ person required to open the land.

23 **SECTION 40.** 29.889 (7m) (ae) 4. (intro.) of the statutes is amended to read:

1 29.889 (7m) (ae) 4. (intro.) A landowner person required to open land under
2 par. (a) may deny a hunter access to the land covered by par. (a) for reasonable cause,
3 including which includes any of the following:

4 **SECTION 41.** 29.889 (7m) (ae) 4. a. of the statutes is amended to read:

5 29.889 (7m) (ae) 4. a. The presence of at least 2 hunters per 40 acres of eligible
6 land ~~when at the time that~~ the hunter notifies the landowner person that he or she
7 intends to hunt on the land.

8 **SECTION 42.** 29.889 (7m) (ae) 4. am. of the statutes is created to read:

9 29.889 (7m) (ae) 4. am. The presence of at least 1 hunter per 60 acres of eligible
10 land at the time that the hunter notifies the person that he or she intends to hunt
11 on the land, if the person receives a wildlife damage claim payment that is calculated
12 in the manner provided under sub. (7) (bg).

13 **SECTION 43.** 29.889 (7m) (ae) 4. d. of the statutes is amended to read:

14 29.889 (7m) (ae) 4. d. The hunter fails to notify the landowner person of his or
15 her intent to hunt on the land or brings a motor vehicle onto the land without the
16 permission of the landowner person.

17 **SECTION 44.** 29.889 (7m) (ae) 5. of the statutes is created to read:

18 29.889 (7m) (ae) 5. A person required to open land under par. (a) ^{for} ~~may~~ hunt deer
19 ~~by restricting the hunting to antlerless deer or by requiring that hunters on~~ ^{may limit the hunting}
20 the land have the person's written approval to hunt buck deer. _(Lit)

21 **SECTION 45.** 29.89 (title) of the statutes is amended to read:

22 **29.89 (title) Venison processing grants and donation program.**

23 **SECTION 46.** 29.89 (1) (b) of the statutes is amended to read:

24 29.89 (1) (b) "Deer damage management hunting season" means a any season
25 ~~for open to the hunting of deer that is established or extended by the department in~~

1 order to reduce the deer population because the department determines that an
2 excess population of deer will result in the increase of damage to agricultural or
3 forest lands.

****NOTE: I did not insert in s. 29.89 (1) (b) the phrase "by firearm or by bow and arrow" because there is no other type of deer hunting season.

4 SECTION 47. 29.89 (2) of the statutes is amended to read:

5 29.89 (2) ESTABLISHMENT OF PROGRAM. The department shall establish a
6 program to reimburse counties for the costs that they incur in processing and
7 donating venison from certain deer carcasses.

8 SECTION 48. 29.89 (3) (b) of the statutes is amended to read:

9 29.89 (3) (b) The county accepts deer carcasses for processing and pays for the
10 costs of processing.

****NOTE: Language is stricken in s. 29.89 (3) (b) because it is redundant. See s.
29.89 (3) (d).

11 SECTION 49. 29.89 (3) (c) of the statutes is amended to read:

12 29.89 (3) (c) The venison that is processed comes from deer that were killed in
13 the county during a deer damage management hunting season.

14 SECTION 50. 29.89 (3) (e) of the statutes is amended to read:

15 29.89 (3) (e) The ~~processed venison is donated~~ county shall make reasonable
16 efforts to donate the venison as provided under sub. (4).

17 SECTION 51. 29.89 (5) (title) of the statutes is amended to read:

18 29.89 (5) (title) ~~GRANTS; AMOUNTS REIMBURSEMENT; FUNDING.~~

19 SECTION 52. 29.89 (5) (a) of the statutes is amended to read:

20 29.89 (5) (a) ~~Reimbursement~~ Subject to par. (c), reimbursement under this
21 section shall equal the amount that it costs costs, including administrative costs.

STET →

1 that a county to process incurs in processing the venison and in donating the
2 processed venison under sub. (4).

3 **SECTION 53.** 29.89 (5) (b) of the statutes is amended to read:

4 29.89 (5) (b) The department shall reimburse counties under this section from
5 the appropriation under s. 20.370 (5) (fg) ~~after first deducting from s. 20.370 (5) (fg)~~
6 ~~payments made for county administrative costs, payments made for wildlife damage~~
7 ~~abatement assistance and wildlife damage claim payments under s. 29.889 (ft).~~

8 **SECTION 54.** 29.89 (5) (c) of the statutes is amended to read:

9 29.89 (5) (c) If the total amount of reimbursable costs under par. (a) exceeds the
10 amount available ~~after making the deductions~~ under par. (b), the department shall
11 establish a system to prorate the reimbursement payments among the eligible
12 counties.

— INSERT 14-12 ✓

13 **SECTION 55.** 29.89 (5m) of the statutes is created to read:

14 **29.89 (5m) REIMBURSEMENT PROCEDURES.** Any county seeking reimbursement
15 under this section shall submit an estimate of its anticipated reimbursable costs
16 under sub. (5) (a) for the following calendar year with the estimate it submits under
17 the wildlife damage abatement program and the wildlife damage claim program
18 under s. 29.889 (3) (c) 8. The department shall reimburse a county under this section
19 at the ^{same} time any payment due under s. 29.889 (5) (c) is paid to the county.

20 (END)

2001-2002 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1046/lins
MGG::

INSERT ANALYSIS

head → NATURAL RESOURCES

Subhead → FISH, GAME, AND WILDLIFE

Under current law, two programs administered by DNR provide financial assistance to landowners and certain other individuals for damage ~~done~~^{caused} by deer and certain other wild animals to their commercial agricultural crops, livestock, nursery stock, or apiaries. The wildlife damage abatement program provides reimbursement for certain wildlife damage abatement measures, such as erecting wire deer fences. The wildlife damage claim program provides damage payments of up to \$15,000 for claims over \$250 if the person seeking payment implements any recommended abatement measures and otherwise complies with the program. The percentage of a damage claim that is paid varies depending on the amount of the claim, with 100% being paid for a the first \$5,000 and 80% being paid for the balance over \$5,000. Current law requires persons who receive assistance under these programs to open the lands where the damage occurred, and any contiguous land under their control, for hunting of the type of animal causing the damage. A person required to open land for hunting may deny hunting on the land only if there are already at least 2 hunters per 40 acres of the person's land. ^{at least one} ^{two}

The bill allows a person to use a ratio of 1 hunter per 60 acres if the person is willing to receive less in damage claim payments. Under the bill, a person choosing this option receives 33% of the amount of the claim over \$250 up to a maximum payment of \$5,250. The bill also allows a person required to open land for deer hunting to restrict the hunting by ~~limiting it~~^{STEP 1} to antlerless deer or by ~~requiring that~~^{STEP 2} hunters on the land have the person's written approval to hunt antlered deer.

Another program administered by DNR allows DNR or persons authorized by DNR to hunt or otherwise remove wild animals that are causing damage to commercial agricultural crops or the other items listed above, as well as to roads, streams, dams, or buildings. Current law requires that the person who owns, leases, or occupies the land open the land where the damage occurred to others for hunting and trapping for one year. This bill exempts the person from having to comply with this requirement if, during the one-year period, the person does not apply for assistance under the wildlife damage abatement and claim programs.

^{NOT} The bill also specifies for all three of the programs that a person who must open the land for hunting or trapping may not charge a fee.

The bill authorizes DNR to issue a new deer hunting permit called the agricultural damage hunting permit. This permit allows the holder to take one additional antlerless deer during a deer hunting season from a site or sites authorized by DNR. The sites authorized by DNR must be within one-half mile of the outer boundary of a parcel of land upon which deer damage has occurred and for which assistance has been provided under one of the three programs described above.

The bill requires that DNR establish a program to provide payments to landowners who open their land for public hunting. The program is funded by certain moneys received by the state pursuant to Indian gaming compacts. A certain amount of these moneys are also appropriated under the bill to DNR for the management of the state's deer population.

The bill ^{authorizes} holders of resident and nonresident deer hunting licenses to use bows and arrows to hunt deer during the main deer hunting season that includes the Thanksgiving holiday. Under current law, only firearms may be used.

Under current law, DNR administers a program under which counties receive reimbursement for accepting deer carcasses, having them processed into venison, and then donating the venison to charitable organizations. To participate, a county must participate in the administration of the wildlife damage abatement and claim programs. This venison processing program is currently limited to deer killed in special seasons established by DNR when DNR determines that the number of deer present in an area is causing an increase in damage to agricultural or forest lands. The program is funded from the wildlife damage surcharge that DNR collects with each hunting license fee, except the conservation patron license. Current law requires that, from the wildlife surcharge moneys, that DNR ^{make} the payments under the venison processing program after it has made the payments required under the wildlife damage abatement and claim programs.

This bill expands the venison processing program to apply to any deer hunting season and provides additional funding for the program by establishing a voluntary contribution of at least \$1 that a person may pay when being issued a hunting license.

The bill requires DNR to make the payments under the venison processing program from these contributed moneys before making payments from the wildlife damage surcharge moneys.

The bill also authorizes DNR to establish a master hunter education program under which instruction will be provided on topics such as wildlife damage issues and the responsibilities of hunters to landowners. The bill requires DNR to establish a fee for this program. Completion of this program is not a requirement for the issuance of any hunting license or permit.

Insert 4-7

(2) AUTHORIZATION. (a) An agricultural damage deer hunting permit authorizes the taking of one additional antlerless deer during a season open to the hunting of deer from a site that is within one-half mile of the outer boundary of either of the following:

1. Land upon which wildlife damage by deer has occurred for which ^{abatement} assistance or damage claim payments ^{has} ^{have} been provided under s. 29.889 in the calendar year that includes the season open to the hunting of deer for which the permit is valid.

2. A property upon which deer causing damage have been removed under s. 29.885 (3) during the calendar year that includes the season open to the hunting of deer for which the permit is valid.

(b) The department shall determine the sites under par. (a) and shall specify on each permit each site where the hunter issued the permit may hunt.

****NOTE: Different terms ^{have} ~~has~~ to be used to describe the land and the damage under s. 29.179 (2) (a) 1. and 2. above because ss. 29.885 and 29.889 use different terms.

Insert 14-12

SECTION 1. 29.89 (5) (a) of the statutes is amended to read:

29.89 (5) (a) Reimbursement under this section shall equal the amount that it costs a county to process the venison.

History: 1999 a. 9.

SECTION 2. 29.89 (5) (b) of the statutes is amended to read:

29.89 (5) (b) The department shall reimburse counties under this section from the appropriation under s. 20.370 (5) (ft). If the total amount of reimbursable costs exceeds the amount available under s. 20.370 (5) (ft), the department shall pay the balance of the reimbursement payments from the appropriation under s. 20.370 (5) (fq), if moneys are available under that appropriation after first deducting from s. 20.370 (5) (fq) payments made for county administrative costs under s. 29.889 (2) (d), payments made for wildlife damage abatement assistance under s. 29.889 (5) (c) and wildlife damage claim payments under s. 29.889 (7) (d).

History: 1999 a. 9.

SECTION 3. 29.89 (5) (c) of the statutes is amended to read:

29.89 (5) (c) If the total amount of reimbursable costs under par. (a) exceeds the amount available from the appropriations under s. 20.370 (5) (fq) and (ft) after

making the deductions under par. (b), the department shall establish a system to prorate the reimbursement payments among the eligible counties.

History: 1999 a. 9.

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1046/1dn
MGC::

1. Different terms have to be used to describe the land and the damage under s. 29.179 (2) (a) 1. and 2. because ss. 29.885 and 29.889 use different terms.
2. Note that DNR is required to establish the hunter access program and not just authorized to do so. OK?

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

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1046/1dn
MGG:wlj:km

January 6, 2001

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

Gibson-Glass, Mary

From: Grinde, Kirsten
Sent: Monday, January 08, 2001 6:43 PM
To: Gibson-Glass, Mary
Subject: LRB-1046/1 -- Deer management, etc.

Mary,

Please make the following change to LRB-1046/1:

- Retain only the language associated with the Master Hunter Program and the \$1 voluntary donation for venison processing.

Thanks,

Kirsten

State Budget Office
Department of Administration
101 E. Wilson St., 10th floor
Madison, WI 53707-7864

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