

2019 DRAFTING REQUEST

Bill

For: **James Edming (608) 266-7506** Drafter: **zwyatt**
 By: **Tim in Petrowski office** Secondary Drafters:
 Date: **11/13/2019** May Contact:

Same as LRB: **-4243**

Submit via email: **YES**
 Requester's email: **Rep.Edming@legis.wisconsin.gov**
 Carbon copy (CC) to: **zachary.wyatt@legis.wisconsin.gov**
elisabeth.shea@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Wildlife damage abatement program

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	eshea 11/19/2019	aernsttr 11/19/2019	lparisi 11/13/2019	lparisi 11/13/2019	State S&L
/2			lparisi 11/19/2019	lparisi 11/19/2019	State S&L

FE Sent For: *at 2 intro*

<END>

Shea, Elisabeth

From: Longsine, Tyler
Sent: Tuesday, November 19, 2019 12:23 PM
To: Shea, Elisabeth
Subject: RE: Draft

Lis,

Can our office get a /2 draft of the companion bill LRB 4891 as well. Thanks!

Tyler Longsine
Research Assistant
Office of Representative James W. Edming
Wisconsin's 87th Assembly District
(608) 266-7506
Tyler.Longsine@legis.wisconsin.gov
www.repedming.com



From: Fiocchi, Tim <Tim.Fiocchi@legis.wisconsin.gov>
Sent: Monday, November 18, 2019 2:31 PM
To: Shea, Elisabeth <Elisabeth.Shea@legis.wisconsin.gov>
Cc: Hoey, Joseph <Joseph.Hoey@legis.wisconsin.gov>; Longsine, Tyler <Tyler.Longsine@legis.wisconsin.gov>; Ruby, Erin A - DNR <Erin.Ruby@wisconsin.gov>
Subject: FW: Draft

Hi Lis,

DNR seems to like this solution and it may be best to explicitly state in the statute that the program only covers 75% of cost. It won't functionally change anything, just codify the admin code. Please give me a call with any questions.

Thank you!

Tim

From: Ruby, Erin A - DNR <Erin.Ruby@wisconsin.gov>
Sent: Monday, November 18, 2019 2:05 PM
To: Fiocchi, Tim <Tim.Fiocchi@legis.wisconsin.gov>
Cc: Hoey, Joseph <Joseph.Hoey@legis.wisconsin.gov>
Subject: RE: Draft

Brad's response:

I think the LRB's recommendation of putting 75/25 cost share language in Statute is good. Administrative Code, as currently written, then provides a more detailed description of how the 75/25 cost share is achieved with abatement options.

Thanks!
Erin

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Erin Ruby
Phone: (608) 266-7566
Erin.Ruby@wisconsin.gov

From: Fiocchi, Tim <Tim.Fiocchi@legis.wisconsin.gov>
Sent: Monday, November 18, 2019 1:39 PM
To: Ruby, Erin A - DNR <Erin.Ruby@wisconsin.gov>; Bier, Beth <BethA.Bier@wisconsin.gov>
Cc: Hoey, Joseph - LEGIS <Joseph.Hoey@legis.wisconsin.gov>
Subject: FW: Draft

Hi all,

Can you take a look at the response from LRB and let me know? I can certainly see where the draft may be fine if the "cost of the program" is only the portion of the cost that the program covers.

Thanks,

Tim

From: Shea, Elisabeth <Elisabeth.Shea@legis.wisconsin.gov>
Sent: Monday, November 18, 2019 1:06 PM
To: Fiocchi, Tim <Tim.Fiocchi@legis.wisconsin.gov>
Subject: RE: Draft

Hi Tim,

It took me a minute to understand the concern because s. 29.889 (5) (c) says "The department shall pay participating counties 75 percent of the actual cost of providing wildlife damage abatement assistance if wildlife damage abatement measures are carried out in full compliance with the direction of the county and with funding requirements adopted under sub. (2) (b)." The analysis says "DNR pays counties 75 percent of the actual cost of providing wildlife damage abatement assistance," which is verbatim what the statute says so it is not incorrect. However, the rule provides more detail and explains that the 75% that DNR pays constitutes the entire amount that **counties** are responsible for, and the other 25% is the responsibility of the landowner.

I am happy to make this more clear in the analysis.

However this raises another question: Should the bill still specify that DNR, as the administrator of the program, pays 75% of the actual cost of abatement assistance, and the remainder is paid by the landowner? Currently the draft just eliminates the reference to 75% and what remains is "the department may provide damage abatement assistance," with no amount or percentage specified. I had assumed that this meant DNR was paying 100%, but I see now that this is probably not the case, because the landowner is probably still required to cover some.

Lis

Elisabeth H. Shea

Senior Legislative Attorney
Wisconsin Legislative Reference Bureau
P.O. Box 2037
Madison, WI 53701-2037
(608) 504-5885
elisabeth.shea@legis.wisconsin.gov

The information contained in this communication may be confidential and protected by the attorney-client privilege.

From: Fiocchi, Tim <Tim.Fiocchi@legis.wisconsin.gov>
Sent: Monday, November 18, 2019 10:10 AM
To: Shea, Elisabeth <Elisabeth.Shea@legis.wisconsin.gov>
Subject: FW: Draft

Good morning,

My apologies - I already ordered the jacket on this, but given that I'm getting push back by our #2 author for the bill could I get a /2 with this portion of the analysis changed? Please give me a call when you get a chance.

Thanks,

Tim

From: Ruby, Erin A - DNR <Erin.Ruby@wisconsin.gov>
Sent: Monday, November 18, 2019 10:03 AM
To: Fiocchi, Tim <Tim.Fiocchi@legis.wisconsin.gov>; Hoey, Joseph <Joseph.Hoey@legis.wisconsin.gov>; Bier, Beth <BethA.Bier@wisconsin.gov>
Subject: RE: Draft

Brad Koele – Wildlife Damage & Abatement Program – agrees that the LRB analysis is incorrect and should be clarified.

I would recommend the analysis be clarified. The way the analysis is currently worded someone could interpret that participating Counties are contributing 25% of abatement costs. That's not the case. DNR already reimburses counties for 100% of their abatement expenditures. I tried to clarify the cost-share in an earlier email but the drafter must not have understood my explanation.

Thanks!
Erin

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Erin Ruby
Phone: (608) 266-7566
Erin.Ruby@wisconsin.gov

From: Fiocchi, Tim <Tim.Fiocchi@legis.wisconsin.gov>
Sent: Monday, November 18, 2019 10:00 AM
To: Hoey, Joseph - LEGIS <Joseph.Hoey@legis.wisconsin.gov>; Bier, Beth <BethA.Bier@wisconsin.gov>; Ruby, Erin A -

DNR <Erin.Ruby@wisconsin.gov>

Subject: RE: Draft

Good morning,

Here's the /1 of the draft. I asked the same thing and received the below explanation from the Department. I shared that with LRB but the analysis still reads that way. We may have to address that in the public hearing.

- **Section 10., Statute 29.889(5)(b), for clarification the DNR reimburse counties for 100% of program costs. The 75/25 cost share is accomplished and detailed through NR12.35(5)(a), the WDACP Technical Manual, and in each county Plan of Administration where the WDACP program (DNR) covers 75% of costs for providing damage abatement assistance and supplies and the producer covers the remaining 25% by implementing and maintaining the abatement.**

I'm just waiting to hear back from the Bear Hunters/Corn Growers and then we'll be ready to circulate. Let me know if you have other questions.

Thanks,

Tim

From: Hoey, Joseph <Joseph.Hoey@legis.wisconsin.gov>

Sent: Friday, November 15, 2019 5:22 PM

To: Bier, Beth <BethA.Bier@wisconsin.gov>; Ruby, Erin A - DNR <Erin.Ruby@wisconsin.gov>; Fiocchi, Tim <Tim.Fiocchi@legis.wisconsin.gov>

Subject: FW: Draft

I believe you are still talking about this draft, but wanted to ask about the analysis where it says that "In addition, DNR pays counties 75 percent of the actual cost of providing wildlife damage abatement assistance and pays wildlife damage claims directly." I thought that the DNR pays for 100% of the costs for most abatement, except when it comes to a permanent 8' tall fences and those costs are shared with the landowner at 75/25, the idea being that the landowner's contribution assures that the cost is taken into account . . .

Joseph P. Hoey
Office of State Senator Janet Bewley
25th Senate District
(608) 266-3510 / (800) 469-6562



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-4891/1^{Dr2}
EHS:ahe

2019 BILL

In 11/19
Due today

1 **AN ACT to repeal** 29.889 (2) (c), 29.889 (2) (d), 29.889 (3), 29.889 (4) (a), 29.889
2 (6) (a), 29.889 (7) (b) 4., 29.889 (7) (bm) and 29.89 (3) (a); **to renumber** 29.889
3 (7m) (ar) 1. and 2.; **to consolidate, renumber and amend** 29.889 (5) (b) and
4 (c); **to amend** 20.370 (5) (fq), 29.889 (2) (a), 29.889 (4) (b), 29.889 (4) (c), 29.889
5 (5) (a), 29.889 (5) (bm), 29.889 (5) (bs), 29.889 (6) (d), 29.889 (6) (em), 29.889 (6)
6 (f), 29.889 (7) (a), 29.889 (7) (b) (intro.), 29.889 (7) (b) 2., 29.889 (7) (b) 3., 29.889
7 (7) (d) 2., 29.889 (7m) (a), 29.889 (7m) (ar) (intro.), 29.889 (8g), 29.889 (8r) and
8 29.89 (5) (b) 2. c.; and **to create** 29.889 (5) (d) and 29.889 (7m) (ar) 2m. of the
9 statutes; **relating to:** the wildlife damage abatement program and the wildlife
10 damage claim program.

Analysis by the Legislative Reference Bureau

This bill makes changes to the wildlife damage abatement program and the wildlife damage claim program.

Current law authorizes a person who owns, leases, or controls land on which certain wild animals cause damage to crops or livestock (wildlife damage) to apply to the county for wildlife damage claim payments and for wildlife damage abatement

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assistance (wildlife damage payments). Wildlife damage for which a person is eligible to receive wildlife damage payments includes damage caused by deer, bears, geese, and cougars, as well as elk and sandhill cranes if hunting those animals is authorized. Current law requires that, to be eligible for wildlife damage payments, the location must be in a county that participates in the administration of these programs. A county must apply to the Department of Natural Resources to administer these programs, including in its application a plan of administration that meets certain requirements. Once approved, DNR provides funding to the county for the costs incurred in administering these programs. In addition, DNR pays counties 75 percent of the actual cost of providing wildlife damage abatement assistance and pays wildlife damage claims directly.

INS.A

Effective January 1, 2022, this bill removes counties from the administration of these programs and requires DNR to administer the programs instead. Therefore, in addition to paying all wildlife damage claims, under the bill DNR is responsible for 100 percent of the actual cost of providing wildlife damage abatement assistance instead of 75 percent of that cost. The bill eliminates a \$10,000 limit under current law on the total amount that may be paid to a claimant for each damage claim. The bill maintains the current law requirement that DNR pay claimants on a prorated basis if there is not a sufficient amount appropriated to pay all claims.

The bill also eliminates the requirement under current law that a county participate in the administration of these programs in order to be eligible for reimbursement by DNR for the costs that the county incurs in processing and donating venison from certain deer carcasses and in processing and donating meat from certain wild turkey carcasses.

Under current law, the type of wildlife damage that is eligible for wildlife damage claim payments is limited to damage to commercial seedings or crops growing on agricultural land, damage to crops that have been harvested for sale or further use but that have not been removed from the agricultural land, damage to orchard trees or nursery stock, and damage to apiaries or livestock. This bill adds that damage to commercial seedings or crops growing on agricultural land caused by operating a vehicle in a field in order to place a bear trap under the wildlife damage abatement program is eligible for a wildlife damage claim payment.

This bill increases from \$5,250 to \$5,500 the threshold wildlife damage claim amount below which the claimant will be paid 100 percent of the amount of the claim that exceeds \$500 and above which the claimant will be paid that amount plus 80 percent of the amount that exceeds \$5,500.

Under current law, with certain exceptions, a person may receive wildlife damage payments only if the person opens the land for hunting the type of animal that caused the wildlife damage. Under this bill, this hunting requirement does not apply to a person who receives wildlife damage abatement assistance to acquire a bear trap for land the person leases if the person waives any eligibility to receive a wildlife damage claim payment for damage caused by bears.

Under the bill, effective June 30, 2021, DNR must require all bear traps acquired with wildlife damage abatement assistance to be equipped with remote

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monitors, including traps placed under the program prior to the effective date of the bill.

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

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

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

2 20.370 (5) (fq) *Wildlife damage claims and abatement.* All moneys received
3 under ss. 29.181, 29.559 (1r), and 29.563 (13) and not appropriated under par. (fr)
4 and subs. (1) (hs), (hx), and (Ls) and (5) (fs) ~~to provide state aid for the wildlife damage~~
5 ~~abatement program under s. 29.889 (5) (e) (b) and the wildlife damage claim program~~
6 ~~under s. 29.889 (7) (d), for county administration costs under s. 29.889 (2) (d), and~~
7 ~~for payments under s. 29.89.~~

8 **SECTION 2.** 29.889 (2) (a) of the statutes is amended to read:

9 29.889 (2) (a) ~~*Assistance Administration.*~~ *Administration.* The department shall ~~assist counties~~
10 ~~in developing develop and administering administer~~ the wildlife damage abatement
11 and wildlife damage claim programs. ~~The department shall provide this assistance~~
12 ~~through technical aid, program guidance, research, demonstration, funding, plan~~
13 ~~review, audit and evaluation services.~~

14 **SECTION 3.** 29.889 (2) (c) of the statutes is repealed.

15 **SECTION 4.** 29.889 (2) (d) of the statutes is repealed.

16 **SECTION 5.** 29.889 (3) of the statutes is repealed.

17 **SECTION 6.** 29.889 (4) (a) of the statutes is repealed.

18 **SECTION 7.** 29.889 (4) (b) of the statutes is amended to read:

19 29.889 (4) (b) *Filing of application.* In order to be eligible for wildlife damage
20 abatement assistance, a person is required to file an application with the

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1 participating county department in a form acceptable to the county department. An
2 owner or lessee of land, a person who controls land, or an owner of an apiary or
3 livestock may file an application.

4 SECTION 8. 29.889 (4) (c) of the statutes is amended to read:

5 29.889 (4) (c) Other eligibility requirements. In order to be eligible for wildlife
6 damage abatement assistance, a person is required to comply with eligibility
7 requirements adopted by the department under sub. (2) (b) and with eligibility
8 requirements specified in the plan administration under sub. (3) (e).

9 SECTION 9. 29.889 (5) (a) of the statutes is amended to read:

10 29.889 (5) (a) Review. ~~A participating county~~ The department shall review
11 each application for wildlife damage abatement assistance to determine if wildlife
12 damage is occurring or likely to occur.

13 SECTION 10. 29.889 (5) (b) and (c) of the statutes are consolidated, renumbered
14 29.889 (5) (b) and amended to read:

15 29.889 (5) (b) Assistance. ~~A participating county~~ The department may provide
16 wildlife damage assistance where wildlife damage is occurring or is likely to occur
17 for the reimbursement of costs associated with wildlife damage abatement measures
18 if the measures are authorized in the plan of administration under sub. (3) (e) 2. (e)
19 State aid. The department shall pay participating counties 75 percent of the actual
20 cost of providing wildlife damage abatement assistance rules adopted by the
21 department under sub. (2) (b) and if wildlife damage abatement measures are carried
22 out in full compliance with the direction of the county department and with funding
23 requirements adopted under sub. (2) (b).

24 SECTION 11. 29.889 (5) (bm) of the statutes is amended to read:

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1 29.889 (5) (bm) *Cost-effectiveness of abatement.* ~~A participating county~~ The
2 department may recommend only those wildlife damage abatement measures that
3 are cost-effective in relation to the wildlife damage claim payments that would be
4 paid if the wildlife damage abatement measures are not implemented.

5 **SECTION 12.** 29.889 (5) (bs) of the statutes is amended to read:

6 29.889 (5) (bs) *Abatement authorized.* Notwithstanding par. (bm), for damage
7 caused by elk to crops or grasses grown for use by a bird hunting preserve licensed
8 under ch. 169, ~~a participating county~~ the department may recommend fencing the
9 affected property as a damage abatement measure.

10 **SECTION 13.** 29.889 (5) (d) of the statutes is created to read:

11 29.889 (5) (d) *Bear traps.* The department shall require that any bear trap
12 acquired with wildlife damage abatement assistance be equipped with a remote
13 monitor.

14 **SECTION 14.** 29.889 (6) (a) of the statutes is repealed.

15 **SECTION 15.** 29.889 (6) (d) of the statutes is amended to read:

16 29.889 (6) (d) *Compliance with wildlife damage abatement measures.* In order
17 to be eligible for wildlife damage claim payments for an occurrence of wildlife
18 damage, a person seeking wildlife damage claim payments shall have complied with
19 any wildlife damage abatement measures to abate that wildlife damage that were
20 recommended by the ~~county~~ department.

21 **SECTION 16.** 29.889 (6) (em) of the statutes is amended to read:

22 29.889 (6) (em) *Type of wildlife damage.* The type of wildlife damage that is
23 eligible for wildlife damage claim payments shall be limited to damage to commercial
24 seedings or crops growing on agricultural land, damage to crops that have been
25 harvested for sale or further use but that have not been removed from the

BILL**SECTION 16**

1 agricultural land, damage to orchard trees or nursery stock, or damage to apiaries
2 or livestock. Damage to commercial seedings or crops growing on agricultural land
3 caused by operating a vehicle in a field in order to place a bear trap pursuant to the
4 wildlife damage abatement program is eligible for wildlife damage claim payment.

5 **SECTION 17.** 29.889 (6) (f) of the statutes is amended to read:

6 29.889 (6) (f) *Other eligibility requirements.* In order to be eligible for wildlife
7 damage claim payments, a person is required to comply with eligibility requirements
8 adopted by the department under sub. (2) (b) ~~and with eligibility requirements~~
9 ~~specified in the plan of administration under sub. (3) (c).~~

10 **SECTION 18.** 29.889 (7) (a) of the statutes is amended to read:

11 29.889 (7) (a) *Investigation.* ~~A participating county~~ The department shall
12 investigate each statement of claim and determine the total amount of the wildlife
13 damage that occurred, regardless of the amount that may be eligible for payment
14 under par. (b).

15 **SECTION 19.** 29.889 (7) (b) (intro.) of the statutes is amended to read:

16 29.889 (7) (b) *Calculating amount of payment.* (intro.) In calculating the
17 amount of the wildlife damage claim payment to be paid for a claim under par. (a),
18 the ~~participating county~~ department shall determine the amount as follows:

19 **SECTION 20.** 29.889 (7) (b) 2. of the statutes is amended to read:

20 29.889 (7) (b) 2. If the amount of claim is more than \$500 but not more than
21 ~~\$5,250~~ \$5,500, the claimant will be paid 100 percent of the amount of the claim that
22 exceeds \$500.

23 **SECTION 21.** 29.889 (7) (b) 3. of the statutes is amended to read:

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1 29.889 (7) (b) 3. If the amount of the claim is more than ~~\$5,250~~ \$5,500, the
2 claimant will be paid the amount calculated under subd. 2., plus 80 percent of the
3 amount of the claim that exceeds ~~\$5,250, subject to subd. 4.~~ \$5,500.

4 **SECTION 22.** 29.889 (7) (b) 4. of the statutes is repealed.

5 **SECTION 23.** 29.889 (7) (bm) of the statutes is repealed.

6 **SECTION 24.** 29.889 (7) (d) 2. of the statutes is amended to read:

7 29.889 (7) (d) 2. The department shall pay claimants under subd. 1. from the
8 appropriation under s. 20.370 (5) (fq) after first deducting from s. 20.370 (5) (fq)
9 ~~payments made for county~~ administrative costs under sub. ~~(2) (d)~~ and payments
10 made for wildlife damage abatement assistance under sub. (5) (e) (b). If the amount
11 remaining after these deductions from the appropriation under s. 20.370 (5) (fq) are
12 not sufficient to pay the full amount required under subd. 1., the department shall
13 pay claimants on a prorated basis.

14 **SECTION 25.** 29.889 (7m) (a) of the statutes is amended to read:

15 29.889 (7m) (a) *Requirements.* A person who receives wildlife damage
16 abatement assistance or wildlife damage claim payments and any other person who
17 owns, leases, or controls the land where the wildlife damage occurred shall permit
18 hunting of the type of wild animals causing the wildlife damage on that land and on
19 contiguous land under the same ownership, lease or control, subject to par. (ae). In
20 order to satisfy the requirement to permit hunting under this subsection, the land
21 shall be open to hunting during the appropriate open season. ~~The county, with the~~
22 ~~assistance of the department,~~ shall determine the acreage of land suitable for
23 hunting.

24 **SECTION 26.** 29.889 (7m) (ar) (intro.) of the statutes is amended to read:

BILL**SECTION 26**

1 29.889 (7m) (ar) *Exemption; land not required to be open to hunting.* (intro.)

2 The requirement under par. (a) does not apply to ~~a~~ any of the following:

3 1m. A person to whom the department grants a shooting permit for deer
4 causing damage that is issued as an abatement measure recommended under this
5 section if all of the following apply:

6 **SECTION 27.** 29.889 (7m) (ar) 1. and 2. of the statutes are renumbered 29.889
7 (7m) (ar) 1m. a. and b.

8 **SECTION 28.** 29.889 (7m) (ar) 2m. of the statutes is created to read:

9 29.889 (7m) (ar) 2m. A person who acquires a bear trap with wildlife damage
10 abatement assistance under this section if all of the following apply:

11 a. The person leases the land on which the trap is placed.

12 b. The person waives any eligibility to receive a wildlife damage claim payment
13 under sub. (7) for wildlife damage caused by bears.

14 **SECTION 29.** 29.889 (8g) of the statutes is amended to read:

15 29.889 (8g) REVIEW. ~~A participating county's~~ The department's determination
16 of the amount of wildlife damage, the amount of a wildlife damage claim, or the
17 amount of wildlife damage abatement assistance shall be treated as a final decision
18 decision for purposes of review.

19 **SECTION 30.** 29.889 (8r) of the statutes is amended to read:

20 29.889 (8r) RECORDS; ENTRY TO LAND. (a) *Records.* A person receiving wildlife
21 damage abatement assistance or wildlife damage claim payments shall retain all
22 records as required by the ~~participating county~~ or the department and make them
23 available to the ~~participating county~~ or the department for inspection at reasonable
24 times.

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1 (b) *Entry to land.* The department ~~or a participating county~~ may enter and
2 inspect, at reasonable times, any land for which a wildlife damage claim has been
3 filed or for which wildlife damage abatement measures have been implemented.

4 (c) *Responsibilities.* No person may refuse entry or access to or withhold
5 records from the department ~~or the participating county~~ under this subsection. No
6 person may obstruct or interfere with an inspection by the department ~~or a~~
7 ~~participating county~~ under this subsection. The department ~~or participating county,~~
8 if requested, shall furnish to the person a report setting forth all of the factual
9 findings by the department ~~or participating county~~ that relate to the inspection.

10 **SECTION 31.** 29.89 (3) (a) of the statutes is repealed.

11 **SECTION 32.** 29.89 (5) (b) 2. c. of the statutes is amended to read:

12 29.89 (5) (b) 2. c. Moneys are available under s. 20.370 (5) (fq) after first
13 deducting from s. 20.370 (5) (fq) ~~payments made for county~~ administrative costs,
14 payments made for wildlife damage abatement assistance, and wildlife damage
15 claim payments under s. 29.889.

16 **SECTION 33. Initial applicability.**

17 (1) BEAR TRAPS. The treatment of s. 29.889 (5) (d) first applies to a bear trap
18 acquired with wildlife damage abatement assistance on July 2, 1983.

19 **SECTION 34. Effective dates.** This act takes effect on the day after publication,
20 except as follows:

21 (1) BEAR TRAPS. The treatment of s. 29.889 (5) (d) and SECTION 33 (1) take effect
22 on June 30, 2021.

23 (2) DEPARTMENT ADMINISTRATION. The treatment of ss. 20.370 (5) (fq), 29.889 (2)
24 (a), (c), and (d), (3), (4) (a), (b), and (c), (5) (a), (b), (c), (bm), and (bs), (6) (a), (d), and

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SECTION 34

1 (f), (7) (a), (b) (intro.), 3., and 4., (bm), and (d) 2., (7m) (a) and (ar) (intro.), 1., 2., and
2 2m., (8g), and (8r), and 29.89 (3) (a) and (5) (b) 2. c. takes effect on January 1, 2022.

3 (END)

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2

INSERT A

Under current law and DNR rule, a county pays 75 percent of the actual costs of providing wildlife damage abatement assistance, for which it is reimbursed by DNR, and the person receiving the assistance pays 25 percent of the costs. DNR pays wildlife damage claims directly.

Effective January 1, 2022, this bill removes counties from the administration of these programs and requires DNR to administer the programs instead. The bill specifies that, if DNR provides wildlife damage abatement assistance to a person, it must determine the actual cost of providing that assistance and pay 75 percent of that cost, leaving the remaining 25 percent as the responsibility of the recipient.

3

INSERT 4-24

4

SECTION 1. 29.889 (5) (b) and (c) of the statutes are consolidated, renumbered

5

29.889 (5) (b) and amended to read:

6

29.889 (5) (b) *Assistance.* ~~A participating county~~ The department may provide

7

wildlife damage assistance where wildlife damage is occurring or is likely to occur

8

for the reimbursement of costs associated with wildlife damage abatement measures

9

if the measures are authorized in the plan of administration under sub. (3) (c) 2. (e)

10

~~State aid.~~ The rules adopted by the department under sub. (2) (b) and are carried

11

out in full compliance with the direction of the department. If the department

12

provides wildlife damage abatement assistance to a person, the department shall

13

determine the actual cost of providing that wildlife damage abatement assistance.

14

The department shall pay participating counties 75 percent of the actual cost of

15

providing wildlife damage abatement assistance if wildlife damage abatement

16

measures are carried out in full compliance with the direction of the county and with

- 1 ~~funding requirements adopted under sub. (2) (b)~~ and shall require the recipient to
- 2 be responsible for the remaining 25 percent of that cost.

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; 2001 a. 56, 109; 2005 a. 82; 2007 a. 97; 2009 a. 28; 2011 a. 280; 2017 a. 59.

Cross-reference: See also ch. NR 12 and ss. NR 19.75, 19.76, 19.77, 19.78, 19.79, 19.80, 19.81, 19.82, 19.83, and 19.84, Wis. adm. code.