

Assembly Bill 1086

Date published:
January 30, 1968

CHAPTER 322, LAWS OF 1967

AN ACT to amend 29.594 (1); and to repeal and recreate 20.280 (1) (ue) of the statutes, as affected by chapter 110, laws of 1967, relating to payment for damage caused by wild ducks and geese.

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

SECTION 1. 20.280 (1) (ue) of the statutes, as affected by chapter 110, laws of 1967, is repealed and recreated to read:

20.280 (1) (ue) *Wild duck and goose damage.* A sum sufficient for the payment of wild duck and goose damage claims under s. 29.594 (1) and (3).

SECTION 2. 29.594 (1) of the statutes is amended to read:

29.594 (1) Any owner or grower of crops on any agricultural land, except lands under state or federal control, may claim damage to such crops caused by wild ducks or geese, by filing a verified statement of his claim with the commission within 5 days after such damage allegedly occurred. Such claim shall certify that the damage was caused on agricultural lands to crops or to old or new seedings except unharvested sweet corn or any crops on farms where any crops are planted or manipulated

for purposes of attracting wild ducks or geese or crops not harvested in accordance with normal agricultural practices. However, if the condition causing damage is in the nature of a continuing trespass or depredation, the claimant may, in lieu of a claim, file with the commission within 5 days from the time such damage first occurs, a notice of claim, stating the nature of the condition and that damages will be claimed as soon as the total damage can be ascertained. In such case, the claimant, if he has co-operated with the commission to prevent or alleviate the damage by dispersal of waterfowl or other means, shall be entitled to recover the total damages but not to exceed ~~\$750~~ \$1,500 sustained during the continuance of the condition but not beyond 6 months after the date of the notice, provided he files a verified statement of his claim with the commission within 10 days after the abatement of the condition but not after 6 months of the date of the notice if the condition persists. ~~Any claims for damages which occurred after October 7, 1965, and prior to and including December 5, 1965, in the area in Fond du Lac and Dodge counties known as the "Horicon Quota Zone" shall be paid by the commission if the claim or notice of claim is filed with it within 10 days after December 5, 1965.~~ No person shall be entitled to damages under this section caused by wild ducks or geese *in any area during the open season for shooting same in such area unless such open season is subject to provisions limiting the number of hunters.* Any owner or occupant of agricultural lands shall deduct from his claim any amounts received by both the owner and occupant for hunting or shooting rights upon said lands during said crop season.

SECTION 3. This act shall apply to damage occurring during the 1967 open season for wild ducks and geese, and thereafter.

Approved January 11, 1968.