

1975 Assembly Bill 62

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CHAPTER 8, Laws of 1975

AN ACT to amend 20.370 (1) (ue) and 29.594 (1) and (3) of the statutes, relating to damages caused by sandhill cranes.

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

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

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

SECTION 2. 29.594 (1) and (3) of the statutes are 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 or sandhill cranes, by filing a verified statement of his claim with the department 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 in the case of wild ducks or geese or any crops on farms where any crops are planted or manipulated for purposes of attracting wild ducks or geese or sandhill cranes 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 department 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 cooperated with the department to prevent or alleviate the damage by dispersal of waterfowl or sandhill cranes or other means, shall be entitled to recover the total damages but not to exceed \$1,500 sustained during the continuance of the condition but not beyond 6 months after the date of the notice, ~~provided if~~ provided if he files a verified statement of his claim with the department within 10 days after the abatement of the condition but not after 6 months ~~of~~ from the date of the notice if the condition persists. 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.

(3) All claims for damage caused by wild ducks or geese or sandhill cranes shall be filed with the department and shall be paid on a pro rata basis at the end of each fiscal year from the funds provided under s. 20.370 (1) (ue).
