



State of Wisconsin  
2025 - 2026 LEGISLATURE

LRB-1820/P2

ZDW:skw

DOA:.....Hutter, BB0459 - Abatement assistance for corn producers

**FOR 2025-2027 BUDGET -- NOT READY FOR INTRODUCTION**

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

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*Analysis by the Legislative Reference Bureau*

**AGRICULTURE**

***Sandhill crane damage reimbursement program***

This bill requires DATCP to administer a program to provide reimbursements to eligible applicant farmers for the purchase of seed treatment that is registered for use on corn seed to discourage sandhill cranes from consuming the seed. Under the program, applicants may be reimbursed for up to 50 percent of the actual cost of the purchase of seed treatment, not to exceed \$6,250 per farm, per year.

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

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

**SECTION 1.** 20.115 (7) (ac) of the statutes is created to read:

20.115 (7) (ac) *Sandhill crane damage reimbursements.* As a continuing appropriation, the amounts in the schedule for the sandhill crane damage reimbursement program under s. 93.67.

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

**SECTION 2.** 93.67 of the statutes is created to read:

**93.67 Sandhill crane damage reimbursement program.** (1) In this section:

(a) "Eligible applicant" means a person that plants corn on land that is operated as part of a farm that produced at least \$6,000 in gross farm revenues

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during the taxable year preceding the year in which the person applies for reimbursement under this section.

(b) “Farm” means all land under common ownership that is primarily devoted to agricultural use.

(c) “Seed coating” means a nonlethal treatment registered for use on corn seed to discourage sandhill cranes from consuming the seed.

(2) (a) The department shall administer a program to provide reimbursements to eligible applicants for the purchase of seed coating that is applied as a seed treatment.

(b) A reimbursement under this section shall cover not more than 50 percent of the actual cost of the purchase of seed coating that is applied as a seed treatment and may not exceed \$6,250 per eligible applicant per planting season.

(c) From March 1 to June 15 of each year, eligible applicants may apply to the department for reimbursement for seed coating purchased no earlier than November 1 of the prior year. Eligible applicants shall provide to the department proof of purchase and an application on a form provided by the department to be eligible to receive a reimbursement under this section.

(d) From the appropriation under s. 20.115 (7) (ac), the department shall prioritize reimbursement payments under par. (c) to all of the following:

1. Eligible applicants that received a federal depredation permit for sandhill crane in the previous year.

2. Eligible applicants that received reimbursement under this section in any of the prior 3 years or that can provide documentation of purchase of seed coating in any of the prior 3 years.

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3. Eligible applicants planting corn on land vulnerable to sandhill crane depredation as determined by the department in consultation with the department of natural resources and applicable conservation organizations.

(e) After reimbursing all eligible applicants under par. (d), from the appropriation under s. 20.115 (7) (ac), the department shall make reimbursement payments to other eligible applicants that have experienced or are likely to experience seed or crop damage from sandhill cranes. The department shall make payments under this paragraph to eligible applicants in the order in which applications are received by the department.

(f) The department shall make all reimbursement payments under pars. (d) and (e) no later than September 15 of the year in which applications are made under par. (c).

(g) A farm is eligible to receive only one reimbursement payment per year under this section.

(3) The department shall compile an annual report detailing the number of reimbursements requested, the total dollar amount requested as reimbursement, the number of reimbursements issued, and the total dollar amount disbursed as reimbursement under this section. The department shall submit the report to the appropriate standing committees of the legislature in the manner provided in s. 13.172 (3) no later than December 31 each year.

(4) The department may promulgate rules to establish prioritization of payments under sub. (2) (d) and (e), including identifying applicable conservation organizations under sub. (2) (d) 3. and determining whether eligible applicants have experienced or are likely to experience seed or crop damage under sub. (2) (e).

**BILL****SECTION 9102****SECTION 9102. Nonstatutory provisions; Agriculture, Trade and Consumer Protection.**

(1) EMERGENCY RULES FOR SANDHILL CRANE DAMAGE REIMBURSEMENT PROGRAM. The department of agriculture, trade and consumer protection may use the procedure under s. 227.24 to promulgate emergency rules under s. 93.67 (4) for the period before the date on which permanent rules under s. 93.67 (4) take effect. Notwithstanding s. 227.24 (1) (c) and (2), emergency rules promulgated under this subsection remain in effect until the first day of the 25th month beginning after the effective date of the emergency rules, the date on which the permanent rules take effect, or the effective date of the repeal of the emergency rules, whichever is earlier. Notwithstanding s. 227.24 (1) (a) and (3), the department of agriculture, trade and consumer protection is not required to provide evidence that promulgating a rule under this subsection as an emergency rule is necessary for the preservation of public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection.

**(END)**