



## 2021 ASSEMBLY BILL 163

March 16, 2021 - Introduced by Representatives EDMING, SKOWRONSKI, CALLAHAN, KNODL, KURTZ, MAGNAFICI, MOSES, MURSAU, ROZAR, TRANEL, VANDERMEER and WICHGERS, cosponsored by Senators STAFSHOLT, BRADLEY, FELZKOWSKI, MARKLEIN and STROEBEL. Referred to Committee on Transportation.

1     **AN ACT** *to amend* 29.885 (1) (a) and 167.31 (2) (d); and *to create* 167.31 (4) (fm)  
2             of the statutes; **relating to:** the authority to shoot a beaver or muskrat causing  
3             damage to a highway.

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### *Analysis by the Legislative Reference Bureau*

Under current law, the Department of Natural Resources may remove or authorize the removal of a wild animal that is causing damage or that is causing a nuisance. This bill specifies that “damage” includes flooding and culvert blockages caused by a beaver or muskrat.

Under current law, generally, the DNR removal of a wild animal may involve capturing, shooting, setting a trap for, relocating, or otherwise destroying or disposing of the wild animal. However, current law generally prohibits anyone from discharging a firearm within 50 feet of the center of a roadway. This bill adds an exception to this prohibition for DNR or an agent of a city, village, town, or county authorized by DNR to shoot a beaver or muskrat that is causing damage to a highway in which the roadway is located if the discharge does not pose a risk to public safety.

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

4             **SECTION 1.** 29.885 (1) (a) of the statutes is amended to read:

