



## Legislative Fiscal Bureau

One East Main, Suite 301 • Madison, WI 53703 • (608) 266-3847 • Fax: (608) 267-6873  
Email: [fiscal.bureau@legis.wisconsin.gov](mailto:fiscal.bureau@legis.wisconsin.gov) • Website: <http://legis.wisconsin.gov/lfb>

---

May 31, 2017

Joint Committee on Finance

Paper #460

### **Car-Killed Deer Funding (Natural Resources -- Departmentwide)**

[LFB 2017-19 Budget Summary: Page 320, #1]

---

#### **CURRENT LAW**

2015 Act 55 provides \$701,400 on a one-time basis in 2015-16 and 2016-17 from the forestry account of the segregated (SEG) conservation fund and requires the Department of Natural Resources (DNR) to establish a program for removal of car-killed deer from state, interstate, and U.S. highways.

#### **GOVERNOR**

As a standard budget adjustment, remove \$701,400 forestry SEG each year from base funding, per Act 55 provisions.

#### **DISCUSSION POINTS**

1. Prior to 2015 Act 55, funding for the program had been provided from fish and wildlife account (conservation fund) SEG and general purpose revenue (GPR), and the program covered deer removal from any roadway, including state, county, and local roads. Under Act 55, the program only covers the removal of deer from state, interstate, and U.S. highways and is funded with forestry account SEG through fiscal year 2016-17.
2. Contracts for removal of car-killed deer are awarded by DNR to private vendors or counties directly for removal of carcasses in a specific county. In addition, the City of Superior and the City of Brookfield previously had contracts with DNR for removal of car-killed deer on roads within their cities. Currently all contracts for state, U.S., and interstate highways are provided on a

flat fee per year for all deer removal services, and DNR pays contractors monthly. Contracting for removal at a flat fee carries the benefit of predictable annual costs; however, it provides little leverage against contractors who may not perform as efficiently as desired. According to the Department, compliance is monitored via complaints; if DNR receives a large number of calls, the Department reviews the situation and roads and contacts the contractor.

3. Following the passage of Act 55, DNR reports it honored contracts for removal of deer from all roadways through February, 2016. Beginning in March, 2016, the contracts cover only removal of deer carcasses on state trunk highways. In fiscal year 2015-16, DNR spent \$550,600 on car-killed deer contracts. The Department notes that the average monthly contract rate for all counties for the first eight months of fiscal year 2015-16 (through February, 2016) was approximately \$51,900 and for the last four months the monthly rate was \$34,000, reflecting the change in the scope of work.

4. Expenditures under the contracts from fiscal years 2012-13 through 2015-16 are shown in the following table. In addition, fiscal year 2014-15 and 2015-16 car-killed deer contracted pickups and expenditures by county are shown in the attachment. Motorists involved in collisions with deer may also request a free permit from law enforcement officials, enabling them to keep the deer. However, DNR stopped collecting data regarding the number of free permits issued after fiscal year 2010-11.

#### **Car-Killed Deer Removal**

<u>Fiscal Year</u>	<u>Carcasses Removed</u>	<u>Costs*</u>
2013	22,995	\$684,500
2014	23,800	687,500
2015	23,398	625,000
2016	17,991	550,600

\*Actual expenditures may differ from the totals shown due to timing of contract expenditures from year to year.

5. As the 2015 Act 55 funding for the car-killed deer removal program was provided on a one-time basis, taking no action would mean no funding would be provided for the car-killed deer program. DNR indicates that if no funding were provided, the Department would work with counties to develop and implement a modified program. While DNR would provide support for the program in the form of staff effort, the Department would not provide any funding for contracts or removal. Responsibility for car-killed deer would likely fall to the entity responsible for maintenance of the roadway on which the deer is located, such as the state, county, or local municipality. Some deer could be left uncollected. DNR indicates that under current law, DNR wardens will only respond to a car-killed deer if there is a threat to human safety, such as a deer or elk in the middle of the road where cars are unable to maneuver around safely, and no local law enforcement or State Patrol agent is able to respond.

6. Prior to 1997, funding for the removal of car-killed deer from the roadside was split

evenly between transportation fund SEG and fish and wildlife account SEG. This 50/50 split was instituted in part to recognize that car-killed deer removal from Wisconsin highways has both a highway maintenance and a wildlife management component. The state's large deer herd, combined with generally increasing annual vehicle miles traveled on state roads, can result in increased insurance costs, significant property damage and safety concerns from car-deer collisions. According to the Department of Transportation (DOT), there were a total of 19,976 car-deer collisions reported in calendar year 2015, resulting in 406 people injured and five fatalities, and a preliminary number of 20,409 in calendar year 2016, resulting in 451 people injured and 11 fatalities. In the past, DOT officials have indicated that these numbers may understate the number of car-deer collisions in part because not all car-deer collisions are officially reported.

7. Dead and decaying deer on the roadside are unsightly and can dampen Wisconsin's appeal as a tourist destination. If the Committee wished to restore funding for removal of car-killed deer, several alternatives could be considered. Arguably car-deer collisions are an important statewide safety concern and therefore, GPR is a potential funding source for car-killed deer removal [Alternative 1b]. On the other hand, DNR is responsible for managing the state's deer herd, so fish and wildlife account funds (from hunting and fishing licenses) could be seen as an appropriate continuing funding source. However, the fish and wildlife account currently has a structural imbalance, with authorized expenditures exceeding anticipated revenues. Under the bill, the account is expected to continue to have a structural imbalance throughout the 2017-19 biennium, and DNR indicates it would continue managing expenditures to maintain a reasonable account balance as it has in recent years. As the forestry account is expected to have a significant available balance at the close of the biennium, the forestry account may be an appropriate source of funding for the program [Alternative 1a]. Further, forest acreage and forest habitat in the state have been increasing and may have some effect on both deer populations and the likelihood of collisions with vehicles. As arguably both the forestry account and GPR would be appropriate funding sources, an alternative could be to provide 50% of program funding from GPR and 50% from the forestry account. [Alternative 1c].

8. As the scope of the program has been reduced to state trunk highways, a smaller amount of funding could be provided for the program. As noted, DNR expended \$550,600 on the program in fiscal year 2015-16, which included eight months of contracts for the previously larger-scope program. Using an average contract rate of approximately \$34,000 as DNR expended for the final four months of fiscal year 2015-16, expenditures of approximately \$408,000 would be expected. DNR estimates expenditures of approximately \$415,000 for the program in fiscal year 2016-17. Providing \$415,000 per year could provide enough funding to cover the smaller-scope program. Funding could be provided on an annual ongoing basis or a one-time basis [Alternative 2]. It should be noted that if the funding is provided on a one-time basis, the issue will likely need to be addressed again in the 2019-21 budget.

9. Arguably, removal of car-killed deer from roadways is a transportation-related activity, so the transportation fund could be an appropriate source of funding. Currently, most routine state trunk highway system maintenance, such as snowplowing, mowing and weed control, trash pickup, and recycling is performed by county workforces under contract with the state for trunk highways. Routine maintenance contracts are funded at \$170 million under current law. The bill would provide

increases of approximately \$15.4 million in 2017-18 and \$18.4 million in 2018-19 for those purposes. An alternative could be to specify that routine highway maintenance activities under such contracts include the removal of car-killed deer, and repeal both the DNR forestry SEG appropriation and requirements that DNR establish a program for the removal of car-killed deer [Alternative 3].

**ALTERNATIVES**

1. Provide \$415,000 annually for the car-killed deer removal program from the following fund source or sources.

a. Forestry Account SEG

ALT 1a	Change to	
	Base	Bill
SEG	\$830,000	\$830,000

b. GPR

ALT 1b	Change to	
	Base	Bill
GPR	\$830,000	\$830,000

c. Forestry Account SEG (50%) and GPR (50%)

ALT 1c	Change to	
	Base	Bill
GPR	\$415,000	\$415,000
SEG	<u>415,000</u>	<u>415,000</u>
Total	\$830,000	\$830,000

2. In addition to Alternative 1, specify funding as one-time in 2017-19 only.

3. Specify that routine state highway maintenance activities performed by counties under Department of Transportation contracts include the removal of car-killed deer. (No additional expenditure authority would be provided.) Repeal requirements for DNR to establish a program for the removal of car-killed deer, and repeal the forestry SEG appropriation for those purposes.

4. Take no action. (No funding would be provided for the car-killed deer removal program in the 2017-18 biennium.)

Prepared by: Erin Probst  
Attachment

## ATTACHMENT

### Car-Killed Deer Collected and Cost by County Fiscal Years 2014-15 and 2015-16

County	Fiscal Year 2014-15		County	Fiscal Year 2015-16	
	Deer Collected	Cost		Deer Collected	Cost
Adams	100	\$8,500	Adams	79	\$7,000
Ashland	49	5,400	Ashland	65	5,000
Barron	202	6,100	Barron	193	5,400
Bayfield	162	7,700	Bayfield	200	7,000
Brookfield, City of	78	2,000	Brookfield, City of	87	1,600
Brown	606	11,900	Brown	520	10,200
Buffalo	335	6,900	Buffalo	186	6,300
Burnett	154	5,500	Burnett	120	5,200
Calumet	233	4,800	Calumet	161	3,900
Chippewa	136	9,400	Chippewa	158	8,400
Clark	123	6,000	Clark	83	5,100
Columbia	832	10,900	Columbia	598	9,700
Crawford	224	4,400	Crawford	164	4,200
Dane	894	14,800	Dane	855	12,700
Dodge	801	10,900	Dodge	599	9,100
Door	550	8,200	Door	332	7,100
Douglas	185	7,700	Douglas	195	5,300
Dunn	454	11,100	Dunn	468	10,400
Eau Claire	223	9,400	Eau Claire	143	8,300
Florence	88	3,000	Florence	255	2,700
Fond du Lac	329	11,200	Fond du Lac	125	9,200
Forest	43	3,900	Forest	43	3,500
Grant	541	9,200	Grant	401	8,200
Green	420	6,600	Green	291	5,700
Green Lk	356	8,500	Green Lake	272	7,200
Iowa	380	6,400	Iowa	248	5,800
Iron	30	5,500	Iron	36	5,500
Jackson	335	5,300	Jackson	242	5,100
Jefferson	409	9,100	Jefferson	320	8,100
Juneau	38	3,700	Juneau	20	3,500
Kenosha	136	7,200	Kenosha	143	6,100
Kewaunee	407	6,900	Kewaunee	262	5,500
LaCrosse	453	7,400	La Crosse	266	6,500
Lafayette	195	5,800	Lafayette	184	5,400
Langlade	85	6,000	Langlade	77	5,400
Lincoln	77	5,600	Lincoln	61	5,100
Manitowoc	599	8,400	Manitowoc	456	6,900
Marathon	213	11,900	Marathon	91	10,400
Marinette	283	11,500	Marinette	163	10,000
Marquette	192	11,700	Marquette	134	10,000

County	Fiscal Year 2014-15		County	Fiscal Year 2015-16	
	Deer Collected	Cost		Deer Collected	Cost
Milwaukee	127	\$5,900	Milwaukee	135	\$5,300
Monroe	406	7,400	Monroe	265	6,800
Oconto	377	12,300	Oconto	272	10,400
Onieda	103	5,600	Oneida	120	4,700
Outagamie	472	12,100	Outagamie	292	10,000
Ozaukee	201	7,300	Ozaukee	189	6,000
Pepin	292	5,000	Pepin	205	4,500
Pierce	273	7,100	Pierce	230	6,400
Polk	267	6,600	Polk	241	6,000
Portage	178	6,600	Portage	130	5,600
Price	204	5,700	Price	135	5,400
Racine	161	6,000	Racine	170	5,300
Richland	368	5,700	Richland	313	5,300
Rock	294	6,500	Rock	231	5,800
Rusk	120	5,700	Rusk	159	5,400
Sauk	547	8,400	Sauk	398	7,100
Sawyer	127	4,200	Sawyer	150	3,900
Shawano	804	33,700	Shawano	499	30,300
Sheboygan	639	12,000	Sheboygan	343	9,800
St. Croix	204	9,200	St. Croix	229	8,000
Superior, City of	9	1,500	Superior, City	20	3,100
Taylor	235	8,900	Taylor	155	7,700
Trempealeau	537	7,300	Trempealeau	361	6,700
Vernon	385	9,500	Vernon	247	8,500
Vilas	184	7,500	Vilas	140	9,400
Walworth	263	14,400	Walworth	195	12,700
Washburn	110	7,900	Washburn	107	7,000
Washington	960	20,100	Washington	870	17,200
Waukesha	1,086	20,100	Waukesha	805	16,600
Waupaca	1,014	11,900	Waupaca	740	10,500
Waushara	217	15,100	Waushara	144	13,900
Winnebago	112	11,900	Winnebago	113	9,600
Wood	<u>172</u>	<u>9,500</u>	Wood	<u>92</u>	<u>8,000</u>
Total	23,398	\$625,000	Total	17,991	\$550,600