

CHAPTER 129

AN ACT to amend 29.595 (2) (a) and (b) of the statutes, relating to claims against the state for deer and bear damage.

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

29.595 (2) (a) and (b) of the statutes are amended to read:

29.595 (2) (a) Any person claiming damage to property caused by deer or bear shall file a verified statement of his claim with the commission within 10 days from the time such damage is alleged to have been done. *However, if the condition causing damage is in the nature of a continuing trespass, the claimant may in lieu of a claim, file with the commission, within 10 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 is entitled to recover the total damages 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.* No person shall be entitled to damage under this section who shall have posted his lands against trespass or hunting.

(b) The commission shall investigate and settle all claims. In all cases where the commission and the claimant cannot agree upon the amount of the damage the commission shall upon not less than 10 days written notice, to such claimant, apply to the judge of the circuit court of the county wherein the claimant resides to try and determine all the issues. At the time set such judge shall hear the parties, and in such manner as he may in his discretion determine, inform himself in respect to the matter, and within 5 days make his award in writing and file the same * * *. All witnesses necessary to such proceedings shall receive the same pay as witnesses in a court of record. *The findings and awards of the judge are subject to review on petition of either party as provided in ch. 227.*

Approved May 7, 1953.
