
Wisconsin Legislative Council

AMENDMENT MEMO



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2023 Senate Bill 1006

**Senate
Amendment 1**

BACKGROUND

Current law authorizes a person who owns, leases, or controls land on which certain wild animals cause damage to crops or livestock to apply to the county for a wildlife damage claim payment and for wildlife damage abatement assistance. The program currently applies to damage caused by wild deer, geese, turkey, elk, cougar, and bears.

Under current law, a wildlife damage claim payment may not exceed \$10,000 for each claim. Payment is provided at 100 percent for the amount of the claim between \$500 and \$5,250 and at 80 percent for the amount of the claim that exceeds \$5,250.

A person who receives a wildlife damage claim payment or abatement assistance generally must open the affected land for hunting the type of animal that caused the wildlife damage. When doing so, current administrative rules allow a person to choose between an “open” or “managed” approach to granting access to hunters. Under the “managed” approach, a hunter must contact the person who owns, leases, or controls the relevant land, meet with the person, and complete a hunting log prior to hunting on the property. Under either approach, the statutes require a hunter to notify a landowner before hunting on the landowner’s land.

2023 SENATE BILL 1006

2023 Senate Bill 1006 makes several changes to the wildlife damage abatement program. First, the bill shifts administration of the program from counties to the Department of Natural Resources (DNR). Under the bill, that change takes effect on January 1, 2025.

Second, the bill increases the cap on wildlife damage claim payments from \$10,000 to \$25,000, and increases the threshold for paying 100 percent of the costs from \$5,250 to \$5,500.

Third, for damage caused by animals other than bears, the bill generally prohibits a person from receiving payment of a crop insurance claim and a wildlife damage claim payment for wildlife damage that arose during the same growing season.

Finally, the bill makes the following changes specific to wildlife damage caused by bears:

- Provides that a person who receives wildlife abatement assistance for placing a live bear trap on land the person leases is not required to provide access to hunters.
- Requires live bear traps acquired through the program to be equipped with a remote monitor.
- Specifies that damage caused to commercial seedlings or crops on agricultural land by a vehicle that is placing a bear trap is eligible for a wildlife damage claim payment.

- Specifies that a person is not eligible for a wildlife damage claim payment for damage caused by a bear unless the person has crop insurance that covers wildlife damage. The bill requires a person to first file and settle a crop insurance claim before the person is eligible for a wildlife damage claim for damage caused by a bear, unless the cumulative crop damage is not sufficient to warrant a crop insurance claim.
- Modifies hunter access requirements that apply as a condition of receiving assistance for damage caused by a bear. With limited exceptions, the bill authorizes a hunter to hunt on the relevant property if the hunter registers after midnight on the same day through an online registration program created by DNR.

SENATE AMENDMENT 1

Senate Amendment 1 delays the date on which program administration shifts from counties to DNR by six months to July 1, 2025.

In addition, the amendment modifies the provisions of the bill relating to the interaction of the wildlife damage abatement program with crop insurance. Specifically, the amendment removes a provision that generally prohibited a person from receiving payment of a crop insurance claim and a wildlife damage claim payment for damage that arose during the same growing season. Instead, the amendment applies the approach taken by the bill with respect to bears to all wildlife damage.

Under the amendment, a person is not eligible for a wildlife damage claim payment unless the person has crop insurance that covers wildlife damage. The amendment specifies that a person who receives a crop insurance claim payment generally may receive a wildlife damage claim payment for up to the amount of the damage that was not covered by the insurance payment. The amount of a wildlife damage claim payment may not be determined until any insurance claim for the same damage has been filed and settled. However, a person is not required to submit a crop insurance claim if the cumulative crop damage is not sufficient to warrant a claim.

BILL HISTORY

Senator Stafsholt offered Senate Amendment 1 on February 16, 2024. On the same day, the Senate Committee on Financial Institutions and Sporting Heritage voted by mail ballot to recommend adoption of the amendment and passage of the bill, as amended, both on votes of Ayes, 5; Noes, 0.

For a full history of the bill, visit the Legislature's [bill history page](#).

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