



State of Wisconsin
2025 - 2026 LEGISLATURE

LRB-0815/1
ZDW:skw

2025 SENATE BILL 112

March 7, 2025 - Introduced by JOINT LEGISLATIVE COUNCIL. Referred to Committee on Financial Institutions and Sporting Heritage.

1 **AN ACT** *to renumber* 29.179 (5); *to amend* 20.370 (5) (fq), 29.179 (4), 29.563
2 (13) (a), 29.563 (13) (b), 29.563 (14) (c) 3., 29.563 (14) (c) 4., 29.889 (1) (e),
3 29.938 (intro.), 29.977 (1) (b) and 29.983 (1) (b) 2.; *to create* 20.115 (7) (ac),
4 20.370 (1) (hy), 29.165, 29.179 (1) (a) 12., 29.179 (5) (b), 29.180 (1) (a) 8m.,
5 29.180 (4m), 29.183 (1) (hm), 29.183 (6), 29.553 (1) (gm), 29.563 (2) (c) 3.,
6 29.563 (2) (d) 3., 29.563 (13) (am), 29.563 (14) (a) 4., 29.596 and 93.67 of the
7 statutes; **relating to:** hunting of sandhill cranes, programs related to sandhill
8 crane damage, providing an exemption from emergency rule procedures,
9 granting rule-making authority, and making an appropriation.

Analysis by the Legislative Reference Bureau

This bill is explained in the NOTES provided by the Joint Legislative Council in the bill.

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

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JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This bill was prepared for the Joint Legislative Council Study Committee on Sandhill Cranes to: (1) assist agricultural producers in preventing damage to corn crops from sandhill cranes; (2) authorize the hunting of sandhill cranes; and (3) increase hunting surcharges that support payments to agricultural producers for crop damage caused by wild animals.

Abatement assistance for corn producers

The bill directs the Department of Agriculture, Trade and Consumer Protection (DATCP) to administer a program to provide reimbursements to eligible applicants for the purchase of seed treatment that is registered for use on corn seed to discourage sandhill cranes from consuming the seed. An eligible applicant under the program is a person who plants corn on land that is operated as part of a farm that produced at least \$6,000 in gross farm revenue during the taxable year preceding the year in which a person applies for a reimbursement.

The bill provides for reimbursements of up to 50 percent of the actual cost of the purchase of seed treatment, and a reimbursement may not exceed \$6,250 per eligible applicant per planting season. Each farm may only receive one reimbursement payment per year, and a "farm", under the bill, consists of all land under common ownership that is primarily devoted to agricultural use.

The bill provides for an application window from March 1 to June 15 of each year, during which eligible applicants may apply for reimbursement for seed treatments purchased no earlier than November 1 of the prior year. To be eligible for reimbursement, applicants must provide DATCP with proof of purchase and an application on a form provided by DATCP. The department must make all reimbursement payments no later than September 15 following the application window.

The bill directs DATCP to prioritize reimbursement payments based upon an applicant's receipt of a federal depredation permit for sandhill crane in the previous year; an applicant's receipt of reimbursement under the bill's program in any of the prior three years, or documentation of purchase of seed coating in any of the prior three years; and the vulnerability of an applicant's land to sandhill crane depredation, as determined by DATCP in consultation with the Department of Natural Resources and applicable conservation organizations. After reimbursing applicants that meet these criteria, DATCP must make reimbursement payments on a first-come, first-served basis to other eligible applicants that have experienced, or are likely to experience, seed or crop damage from sandhill cranes.

Under the bill, DATCP must compile and submit an annual report to the appropriate standing committees of the Legislature. The report must detail the number of reimbursements requested and the total dollar amount of these requests. Similarly, the report must detail the number of reimbursements issued and the total dollar amount of these reimbursements. This report must be provided no later than December 31 each year.

The bill grants rule-making authority to DATCP to promulgate administrative rules, including emergency rules, to implement provisions regarding the prioritization and eligibility of applicants under the program.

The bill creates a continuing appropriation of general purpose revenue to support the program. This appropriation consists of \$1,875,000 in fiscal year 2025-26 and \$1,875,000 in fiscal year 2026-27 for reimbursements, and \$85,000 in each of those fiscal years for administrative expenses. The bill also authorizes the creation of one DATCP position to administer the program.

The program takes effect on the first day of the 4th month beginning after publication, or the 2nd day after publication of the 2025 biennial budget act, whichever is later.

Sandhill crane hunting

Like many other migratory birds, sandhill cranes are protected by international treaty and federal law. Consistent with those protections, the U.S. Fish and Wildlife Service (USFWS) may authorize a state to initiate a sandhill crane hunting season.

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The bill directs the Department of Natural Resources (DNR), upon approval by USFWS, to authorize sandhill crane hunting in Wisconsin. The bill requires that DNR use permits to control the number of hunters and the number of cranes that may be harvested. The bill authorizes DNR to establish closed zones or other restrictions to minimize the inadvertent taking of other bird species, including whooping cranes.

Testimony before the committee indicated that only some sandhill cranes are members of breeding pairs, and that harvest of a breeding crane has a greater impact on overall species population than harvest of a nonbreeding crane. The bill directs DNR to establish restrictions to minimize the likelihood that breeding sandhill cranes are disproportionately hunted.

The bill requires that DNR conduct a free sandhill crane hunter education program. A person must complete the program and pass a test before hunting sandhill cranes. The program must include specified information about sandhill cranes, such as how to distinguish them from other birds, and specified information about applicable hunting zones and regulations. The results of the test are valid for one year.

If demand for sandhill crane hunting permits exceeds supply, the bill requires DNR to issue permits according to a cumulative preference system. For any given season, a person may apply for either a permit or for a preference point. A person who applies unsuccessfully for a permit is awarded instead a preference point. A person may accumulate and transfer preference points to certain other persons in the same manner as the cumulative preference systems used for other species. A person may transfer a permit to certain other persons in the same manner as approvals for other species, to the extent allowable by federal law.

The bill sets the cost of a sandhill crane hunting permit at \$20 for a resident and \$100 for a nonresident. The bill also requires a processing fee of \$4.25 and an issuing fee of \$0.25 for each application for a permit or for a preference point.

The bill deposits with DNR the revenue raised by the sale of a permit and by the processing fee, to be used by DNR as follows: half for the Wildlife Damage Abatement and Claims Program (WDACP), described below, and half for developing, managing, preserving, restoring, and maintaining the sandhill crane population and for the sandhill crane hunter education program.

Crop damage caused by wild animals

WDACP provides financial assistance for wildlife damage abatement measures and makes payments to agricultural producers for claims regarding damage to agricultural crops by certain wildlife. The program is funded in large measure by a wildlife damage surcharge on most hunting approvals. Under current law, the surcharge is \$2 for a resident or nonresident approval, and \$4 for a resident or nonresident conservation patron license. A conservation patron license consists of a bundle of individual approvals and authorizations, such as a small game hunting license, a trapping license, and an annual fishing license.

Under current law, damage caused by a sandhill crane becomes eligible under WDACP if hunting of those cranes is authorized by DNR.

The bill raises the wildlife damage surcharge to the following amounts: \$3 for a resident approval; \$4 for a nonresident approval; \$6 for a resident conservation patron license; and \$8 for a nonresident conservation patron license. However, the bill renders these increases contingent on USFWS approving a sandhill crane hunting season in Wisconsin.

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

SENATE BILL 112**SECTION 4**

1 damage abatement program under s. 29.889 (5) (c) and the wildlife damage claim
2 program under s. 29.889 (7) (d), for county administration costs under s. 29.889 (2)
3 (d), and for payments under s. 29.89.

4 **SECTION 5.** 29.165 of the statutes is created to read:

5 **29.165 Sandhill crane hunting permits. (1) AUTHORIZATION;**
6 RESTRICTIONS. (a) *Department authority.* The department shall authorize the
7 hunting of sandhill cranes in this state, subsequent to approval by the U.S. fish and
8 wildlife service, and shall issue sandhill crane hunting permits to limit the number
9 of hunters of sandhill cranes and the number of sandhill cranes harvested in any
10 area of the state. The sandhill crane hunting permit issued by the department
11 shall include any restrictions necessary to comply with federal laws and
12 regulations. The department shall establish by rule one sandhill crane hunting
13 season and may establish by rule closed zones where the hunting of sandhill cranes
14 is prohibited. The department may temporarily close a sandhill crane hunting
15 season during festivals or ecotourism events related to sandhill cranes. The
16 department shall establish restrictions on sandhill crane hunting permits to
17 minimize the inadvertent taking of other bird species, to minimize the likelihood
18 that breeding sandhill cranes are disproportionately hunted, and to minimize any
19 potential impact to whooping cranes.

20 (b) *Requirements.* No person may hunt sandhill cranes unless he or she has a
21 valid small game license, or other license that authorizes the hunting of small
22 game, and a valid sandhill crane hunting permit.

23 **(2) ISSUANCE OF PERMITS. (a) Procedure; preference system.** If the

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1 department issues sandhill crane hunting permits under sub. (1) (a), the
2 department shall determine the number of permits it will issue for a given sandhill
3 crane hunting area and for a given sandhill crane hunting season. If the number of
4 applications for sandhill crane hunting permits for a given hunting area or season
5 does not exceed the number of available sandhill crane hunting permits allocated by
6 the department for that hunting area or that season, the department shall issue a
7 sandhill crane hunting permit to each applicant who pays the applicable fee. If the
8 number of applications for sandhill crane hunting permits for a given hunting area
9 or season exceeds the number of available sandhill crane hunting permits allocated
10 by the department for that area or that season, the department shall issue permits
11 according to a cumulative preference system. The department shall establish
12 preference categories under the cumulative preference system for those applicants
13 who applied for but were not issued permits, with higher priority given to those
14 categories with more preference points than those with fewer preference points.
15 Under the system, the department shall allow each applicant to apply for a
16 preference point or for a permit for each sandhill crane hunting season. The
17 department shall give a preference point to each applicant who applies for a
18 preference point and to each applicant who applies for a permit but who is not
19 selected. If the number of applicants within a preference category exceeds the
20 number of permits available in the category, the department shall select at random
21 within the category the applicants to be issued the permits.

22 (b) *Loss of preference points.* Applicants who fail to apply for either a

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1 preference point or a permit at least once during any 3 consecutive years shall lose
2 all previously accumulated preference points.

3 (c) *Permit limitation.* No person may apply for or receive more than one
4 sandhill crane hunting permit for one season.

5 (d) *Notification; issuance; payment.* The department shall issue a notice of
6 approval to those applicants selected to receive a sandhill crane hunting permit
7 under par. (a). A person who receives a notice of approval and who pays the
8 applicable fee in the manner required by the department shall be issued a sandhill
9 crane hunting permit.

10 (3) **USE OF MONEYS FROM FEES.** Of the fee amounts collected from the sale of
11 sandhill crane hunting permits, including processing of the permits, 50 percent
12 shall be credited to the appropriation account under s. 20.370 (1) (hy) and 50
13 percent shall be credited to the appropriation account under s. 20.370 (5) (fq).

14 **SECTION 6.** 29.179 (1) (a) 12. of the statutes is created to read:

15 29.179 (1) (a) 12. Sandhill crane hunting permit.

16 **SECTION 7.** 29.179 (4) of the statutes is amended to read:

17 29.179 (4) **RETENTION OF PREFERENCE POINTS.** Notwithstanding ss. 29.164 (3)
18 (cr), 29.165 (2) (b), 29.177 (5) (b), 29.184 (6) (b), and 29.192 (4), a person who is
19 transferred an approval under this section shall retain all preference points that he
20 or she has previously accumulated for that type of approval.

21 **SECTION 8.** 29.179 (5) of the statutes is renumbered 29.179 (5) (a).

22 **SECTION 9.** 29.179 (5) (b) of the statutes is created to read:

23 29.179 (5) (b) This section applies to sandhill crane hunting permits only to
24 the extent allowable under federal laws and regulations.

SENATE BILL 112**SECTION 10**

1 **SECTION 10.** 29.180 (1) (a) 8m. of the statutes is created to read:

2 29.180 (1) (a) 8m. Sandhill crane hunting permit.

3 **SECTION 11.** 29.180 (4m) of the statutes is created to read:

4 29.180 (4m) This section applies to sandhill crane hunting permits only to the
5 extent allowable under federal laws and regulations.

6 **SECTION 12.** 29.183 (1) (hm) of the statutes is created to read:

7 29.183 (1) (hm) Sandhill crane hunting permit.

8 **SECTION 13.** 29.183 (6) of the statutes is created to read:

9 29.183 (6) This section applies to sandhill crane hunting permits only to the
10 extent allowable under federal laws and regulations.

11 **SECTION 14.** 29.553 (1) (gm) of the statutes is created to read:

12 29.553 (1) (gm) Sandhill crane hunting permit.

13 **SECTION 15.** 29.563 (2) (c) 3. of the statutes is created to read:

14 29.563 (2) (c) 3. Sandhill crane: \$20.

15 **SECTION 16.** 29.563 (2) (d) 3. of the statutes is created to read:

16 29.563 (2) (d) 3. Sandhill crane: \$100.

17 **SECTION 17.** 29.563 (13) (a) of the statutes is amended to read:

18 29.563 (13) (a) *Surcharge generally.* The surcharge for resident approvals
19 listed under subs. (2) (a) 1., 2. and 4. to 9. and ~~(b) 1. to 8.~~ and (4) (a) 1. and 1m. and
20 ~~(b) 1. and 1m.~~ is ~~\$2~~ \$3 and shall be added to the fee specified for these approvals
21 under subs. (2) and (4). The surcharge for nonresident approvals listed under subs.
22 (2) (b) 1. to 8. and (4) (b) 1. and 1m. is \$4 and shall be added to the fee specified for
23 these approvals under subs. (2) and (4).

24 **SECTION 18.** 29.563 (13) (am) of the statutes is created to read:

SENATE BILL 112**SECTION 18**

1 29.563 (13) (am) *Surcharge for sandhill crane permit.* The surcharge for a
2 resident sandhill crane hunting permit shall be \$3 and the surcharge for a
3 nonresident sandhill crane hunting permit shall be \$4. This surcharge shall be
4 paid together with the processing fee specified in sub. (14) (a) 4.

5 **SECTION 19.** 29.563 (13) (b) of the statutes is amended to read:

6 29.563 (13) (b) *Surcharge for conservation patron license.* The surcharge for
7 resident licenses listed under sub. (4) (a) 2. and 2m. and (b) 2. and 2m. is \$4 \$6 and
8 shall be added to the fee specified for these approvals under sub. (4). The surcharge
9 for nonresident licenses listed under sub. (4) (b) 2. and 2m. is \$8 and shall be added
10 to the fee specified for these approvals under sub. (4).

11 **SECTION 20.** 29.563 (14) (a) 4. of the statutes is created to read:

12 29.563 (14) (a) 4. The processing fee for applications for sandhill crane
13 hunting permits: \$4.25.

14 **SECTION 21.** 29.563 (14) (c) 3. of the statutes is amended to read:

15 29.563 (14) (c) 3. Each application for a hunter's choice permit, bonus deer
16 hunting permit, elk hunting license, wild turkey hunting license, Class A bear
17 license, wolf harvesting license, Canada goose hunting permit, sandhill crane
18 hunting permit, sharp-tailed grouse hunting permit, bobcat hunting and trapping
19 permit, otter trapping permit, fisher trapping permit, or sturgeon fishing permit:
20 25 cents.

21 **SECTION 22.** 29.563 (14) (c) 4. of the statutes is amended to read:

22 29.563 (14) (c) 4. Each bonus deer hunting permit issued for which a fee is
23 charged under sub. (2) (c) 1. or 1m. or (d) 1. or 2.: 75 cents.

24 **SECTION 23.** 29.596 of the statutes is created to read:

SENATE BILL 112**SECTION 23**

1 **29.596 Sandhill crane hunter education program.** (1) The department
2 shall establish and conduct a sandhill crane hunter education program. The
3 program shall provide a course of instruction that includes all of the following:

4 (a) History and recovery of the sandhill crane in this state and in the eastern
5 United States.

6 (b) Methods used to distinguish sandhill cranes from other birds.

7 (c) Methods used to estimate the population of sandhill cranes in the state.

8 (d) Areas covered by sandhill crane hunting zones.

9 (e) Any rules promulgated by the department concerning the hunting of
10 sandhill cranes.

11 (2) The department shall offer a test for a person to demonstrate successful
12 completion of the course of instruction and shall issue a certificate of
13 accomplishment for free to a person who completes the course of instruction and
14 passes the test. A certificate of accomplishment issued under this subsection is
15 valid for one year. At least once each year, the department shall offer the test to any
16 person who has previously completed the course of instruction to allow the person
17 to renew their certificate of accomplishment for one year.

18 (3) No person may hunt sandhill cranes unless he or she has a current, valid
19 certificate of accomplishment issued under sub. (2).

20 (4) If the department maintains a system under which the department stores
21 information in an electronic format as described under s. 23.47 (2), the department
22 shall store information in that system relating to persons who have completed a
23 sandhill crane hunter education program, and any associated tests, that satisfies
24 the requirements of this section.

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1 (5) The department may not charge a fee for the course of instruction under
2 sub. (1) or the test under sub. (2).

3 **SECTION 24.** 29.889 (1) (e) of the statutes is amended to read:

4 29.889 (1) (e) Sandhill crane, if hunting of sandhill cranes is authorized by the
5 department subsequent to approval by the U.S. fish and wildlife service.

6 **SECTION 25.** 29.938 (intro.) of the statutes is amended to read:

7 **29.938 Use by the department of unclaimed, seized, or confiscated**
8 **property.** (intro.) The department may receive, retain, and use for the hunter
9 education programs under ss. 29.591 ~~and~~, 29.595, and 29.596, the trapper
10 education program under s. 29.597, or other educational hunting, fishing, trapping,
11 or conservation activities the department conducts any of the following property:

12 **SECTION 26.** 29.977 (1) (b) of the statutes is amended to read:

13 29.977 (1) (b) Any moose, fisher, prairie chicken, or ~~sand hill~~ sandhill crane,
14 \$262.50.

15 **SECTION 27.** 29.983 (1) (b) 2. of the statutes is amended to read:

16 29.983 (1) (b) 2. For any moose, fisher, prairie chicken, or ~~sand hill~~ sandhill
17 crane, \$262.50.

18 **SECTION 28.** 93.67 of the statutes is created to read:

19 **93.67 Sandhill crane damage reimbursement program.** (1) In this
20 section:

21 (a) “Eligible applicant” means a person that plants corn on land that is
22 operated as part of a farm that produced at least \$6,000 in gross farm revenues
23 during the taxable year preceding the year in which the person applies for
24 reimbursement under this section.

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1 (b) "Farm" means all land under common ownership that is primarily devoted
2 to agricultural use.

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

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

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

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

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

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

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

23 3. Eligible applicants planting corn on land vulnerable to sandhill crane

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1 depredation as determined by the department in consultation with the department
2 of natural resources and applicable conservation organizations.

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

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

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

14 **(3)** The department shall compile an annual report detailing the number of
15 reimbursements requested, the total dollar amount requested as reimbursement,
16 the number of reimbursements issued, and the total dollar amount disbursed as
17 reimbursement under this section. The department shall submit the report to the
18 appropriate standing committees of the legislature in the manner provided in s.
19 13.172 (3) no later than December 31 each year.

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

24 **SECTION 29. Nonstatutory provisions.**

SENATE BILL 112**SECTION 29**

1 (1) FEDERAL APPROVAL OF SANDHILL CRANE HUNTING. When the department
2 of natural resources receives approval from the U.S. fish and wildlife service to
3 authorize the hunting of sandhill cranes in this state, the department shall notify
4 the legislative reference bureau. The legislative reference bureau shall publish a
5 notice in the Wisconsin Administrative Register that specifies that date.

6 (2) EMERGENCY RULES. The department of agriculture, trade and consumer
7 protection may use the procedure under s. 227.24 to promulgate emergency rules
8 under s. 93.67 (4) for the period before the date on which permanent rules under s.
9 93.67 (4) take effect. Notwithstanding s. 227.24 (1) (c) and (2), emergency rules
10 promulgated under this subsection remain in effect until the first day of the 25th
11 month beginning after the effective date of the emergency rules, the date on which
12 the permanent rules take effect, or the effective date of the repeal of the emergency
13 rules, whichever is earlier. Notwithstanding s. 227.24 (1) (a) and (3), the
14 department of agriculture, trade and consumer protection is not required to provide
15 evidence that promulgating a rule under this subsection as an emergency rule is
16 necessary for the preservation of public peace, health, safety, or welfare and is not
17 required to provide a finding of emergency for a rule promulgated under this
18 subsection.

19 **SECTION 30. Fiscal changes.**

20 (1) In the schedule under s. 20.005 (3) for the appropriation to the department
21 of agriculture, trade and consumer protection under s. 20.115 (7) (a), the dollar
22 amount for fiscal year 2025-26 is increased by \$85,000 and the dollar amount for
23 fiscal year 2026-27 is increased by \$85,000 to increase the authorized FTE positions
24 for the department by 1.0 GPR position to administer the sandhill crane damage

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1 reimbursement program under s. 93.67 and for administrative costs related to the
2 program.

3 **SECTION 31. Effective dates.** This act takes effect on the day after
4 publication, except as follows:

5 (1) The treatment of s. 29.563 (13) (a) and (b) takes effect on the date specified
6 in the notice published in the Wisconsin Administrative Register under SECTION 29
7 (1) of this act.

8 (2) The treatment of ss. 20.005 (3), 20.115 (7) (ac), and 93.67 takes effect on
9 the first day of the 4th month beginning after publication, or on the 2nd day after
10 publication of the 2025 biennial budget act, whichever is later.

11 (END)