



2011 ASSEMBLY BILL 613

February 22, 2012 - Introduced by Representatives KLEEFISCH, BALLWEG and SPANBAUER. Referred to Committee on Natural Resources.

1 **AN ACT** *to renumber* 29.563 (2) (d); *to amend* 29.179 (4), 29.563 (14) (c) 3.,
2 29.563 (14) (c) 4., 29.889 (1) (e), 29.938 (intro.), 29.977 (1) (b) and 29.983 (1) (b)
3 2.; and *to create* 20.370 (1) (hy), 29.165, 29.180 (1) (a) 8m., 29.183 (1) (hm),
4 29.553 (1) (gm), 29.563 (2) (c) 3., 29.563 (2) (d) 2., 29.563 (13) (am), 29.563 (14)
5 (a) 4. and 29.596 of the statutes; **relating to:** hunting of sandhill cranes,
6 wildlife damage abatement assistance and claim payments for damage caused
7 by sandhill cranes, and making an appropriation.

Analysis by the Legislative Reference Bureau

This bill requires that the Department of Natural Resources (DNR) authorize the hunting of sandhill cranes. Under the bill, a small game license, or other license that authorizes the hunting of small game, is required to hunt sandhill cranes, and the hunter must have successfully completed a sandhill crane hunter education course. The course is required to cover such topics as hunting techniques and how to distinguish sandhill cranes from other birds. Both residents and nonresidents are authorized to hunt sandhill cranes.

Under the bill, DNR may limit the number of cranes harvested and the number of hunters by issuing permits if DNR determines that the limitation is required for proper game management. Under the bill, if DNR decides to issue permits, DNR must determine the number of permits it will issue for a given sandhill crane hunting

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area and for a given sandhill crane hunting season. If the number of applications for the permits for a given hunting area or season do not exceed the number of available permits allocated by DNR, DNR issues a permit to each applicant who pays the applicable fees. If the number of applications for the permits for a given hunting area or season exceeds the number of available permits allocated by DNR, DNR may either issue the permits at random or establish a cumulative preference system. If a cumulative preference system is used, the system establishes preference categories for those applicants who applied for but were not issued permits, with higher priority given to those applicants with more preference points. Under the preference system, an applicant may elect to apply for a preference point instead of a permit. Under the bill, a person must pay a processing fee when applying for a permit or preference point, but there is no fee for the permit itself. The revenue from the processing fees is appropriated for improving and managing the state's sandhill crane population and for administering the sandhill crane hunter education program.

Current law authorizes a person who owns, leases, or controls land on which certain wild animals cause damage to crops or livestock to apply under a state-funded wildlife damage program for wildlife damage abatement assistance and for wildlife damage claim payments. Wildlife damage for which a person is eligible to receive this assistance or payments under the program includes damage caused by deer, geese, and turkey and by sandhill cranes if hunting of such cranes is authorized by DNR. This bill removes this condition so that wildlife damage caused by sandhill cranes is the type of damage for which a person is eligible to receive assistance or payments. The revenue from the wildlife damage surcharge fees is appropriated for use under this wildlife damage program and other fish and game management activities.

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

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

- 1 **SECTION 1.** 20.370 (1) (hy) of the statutes is created to read:
- 2 20.370 (1) (hy) *Sandhill crane management.* All moneys received as processing
- 3 fees for sandhill crane hunting permit applications under s. 29.563 (14) (a) 4. for
- 4 developing, managing, preserving, restoring, and maintaining the sandhill crane
- 5 population and for the sandhill crane hunter education program under s. 29.596.
- 6 **SECTION 2.** 29.165 of the statutes is created to read:

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1 **29.165 Sandhill hunting permits. (1) AUTHORIZATION; RESTRICTIONS. (a)**
2 *Department authority.* The department shall authorize the hunting of sandhill
3 cranes in this state. The department may issue sandhill crane hunting permits to
4 limit the number of hunters of sandhill cranes and the number of sandhill cranes
5 harvested in any area of the state if the department determines that such limitations
6 are required for proper game management. The department shall establish one
7 sandhill crane hunting season and may establish by rule closed zones where the
8 hunting of sandhill cranes is prohibited.

9 (b) *Requirements.* No person may hunt sandhill cranes unless he or she has a
10 valid small game license, or other license that authorizes the hunting of small game,
11 and a valid sandhill crane hunting permit if such a permit is required under this
12 section.

13 **(2) ISSUANCE OF PERMITS. (a) Procedure; preference system.** If the department
14 requires sandhill crane hunting permits under sub. (1) (a), the department shall
15 determine the number of permits it will issue for a given sandhill crane hunting area
16 and for a given sandhill crane hunting season. If the number of applications for
17 sandhill crane hunting permits for a given hunting area or season do not exceed the
18 number of available sandhill crane hunting permits allocated by the department for
19 that hunting area or that season, the department shall issue a sandhill crane
20 hunting permit to each applicant who pays the applicable fee. If the number of
21 applications for sandhill crane hunting permits for a given hunting area or season
22 exceeds the number of available sandhill crane hunting permits allocated by the
23 department for that area or that season, the department may either issue the
24 permits at random or establish a cumulative preference system. If a cumulative
25 preference system is used, the system shall establish preference categories for those

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1 applicants who applied for but were not issued permits, with higher priority given
2 to those categories with more points than those with fewer preference points. Under
3 the system, the department shall allow each applicant to apply for a preference point
4 or for a permit for each sandhill crane hunting season. The department shall give
5 a preference point to each applicant who applies for a preference point and to each
6 applicant who applies for a permit but who is not selected. If the number of
7 applicants within a preference category exceeds the number of permits available in
8 the category, the department shall select at random within the category the
9 applicants to be issued the permits.

10 (b) *Loss of preference points.* Applicants who fail to apply for either a preference
11 point or a permit at least once during any 3 consecutive years shall lose all previously
12 accumulated preference points.

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

15 (d) *Notification; issuance; payment.* The department shall issue a notice of
16 approval to those qualified applicants selected to receive a sandhill crane hunting
17 permit under par. (a). A person who receives a notice of approval and who pays the
18 license fee in the manner required by the department shall be issued a sandhill crane
19 hunting permit and tag. The department may not charge a fee for a tag that is issued
20 under this paragraph.

21 (3) **USE OF MONEYS FROM FEES.** The fees collected from the issuance of sandhill
22 crane hunting permits shall be credited to the appropriation account under s. 20.370
23 (1) (hy).

24 **SECTION 3.** 29.179 (4) of the statutes is amended to read:

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1 29.179 (4) Notwithstanding ss. 29.164 (3) (cr), 29.165 (2) (b), 29.177 (5) (b),
2 29.184 (6) (b), and 29.192 (4), a minor who is transferred an approval under this
3 section shall retain all preference points that he or she has previously accumulated
4 for that type of approval.

5 **SECTION 4.** 29.180 (1) (a) 8m. of the statutes is created to read:

6 29.180 (1) (a) 8m. Sandhill crane hunting permit.

7 **SECTION 5.** 29.183 (1) (hm) of the statutes is created to read:

8 29.183 (1) (hm) Sandhill crane hunting permit.

9 **SECTION 6.** 29.553 (1) (gm) of the statutes is created to read:

10 29.553 (1) (gm) Sandhill crane hunting permit.

11 **SECTION 7.** 29.563 (2) (c) 3. of the statutes is created to read:

12 29.563 (2) (c) 3. Sandhill: \$0.

13 **SECTION 8.** 29.563 (2) (d) of the statutes is renumbered 29.563 (2) (d) 1.

14 **SECTION 9.** 29.563 (2) (d) 2. of the statutes is created to read:

15 29.563 (2) (d) 2. Sandhill: \$0.

16 **SECTION 10.** 29.563 (13) (am) of the statutes is created to read:

17 29.563 (13) (am) *Surcharge for sandhill crane permit.* The surcharge for a
18 sandhill crane hunting permit shall be \$2. This surcharge shall be paid together with
19 the processing fee specified in sub. (14) (a) 4.

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

21 29.563 (14) (a) 4. The processing fee for applications for sandhill crane hunting
22 permits: \$7.75.

23 **SECTION 12.** 29.563 (14) (c) 3. of the statutes is amended to read:

24 29.563 (14) (c) 3. Each application for a hunter's choice permit, bonus deer
25 hunting permit, elk hunting license, wild turkey hunting license, Canada goose

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1 hunting permit, sandhill crane hunting permit, sharp-tailed grouse hunting permit,
2 bobcat hunting and trapping permit, otter trapping permit, fisher trapping permit,
3 or sturgeon fishing permit: 25 cents.

4 **SECTION 13.** 29.563 (14) (c) 4. of the statutes is amended to read:

5 29.563 (14) (c) 4. Each bonus deer hunting permit issued for which a fee is
6 charged under s. 29.563 (2) (c) 1. or (d) 1: 75 cents.

7 **SECTION 14.** 29.596 of the statutes is created to read:

8 **29.596 Sandhill crane hunter education program.** (1) The department
9 shall establish and conduct a sandhill crane hunter education program. The
10 program shall provide a course of instruction that includes all of the following:

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

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

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

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

16 (e) Any rules promulgated by the department concerning the hunting of
17 sandhill cranes.

18 **(2)** (a) Except as provided in par. (b), no person may hunt sandhill cranes unless
19 he or she has successfully completed the course established under sub. (1).

20 (b) A person who has a certificate, license, or other evidence that is satisfactory
21 to the department indicating that he or she has successfully completed in another
22 state, country, or province a sandhill crane hunter education program recognized by
23 the department may obtain a sandhill crane hunting permit.

24 **(3)** The department may not charge a fee for the course of instruction or the
25 certificate of accomplishment.

