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(FORM UPDATED: 08/11/2010)

**WISCONSIN STATE LEGISLATURE ...  
PUBLIC HEARING - COMMITTEE RECORDS**

**2009-10**

(session year)

**Senate**

(Assembly, Senate or Joint)

**Committee on ... Transportation, Tourism,  
Forestry, and Natural Resources (SC-TTFNR)**

**COMMITTEE NOTICES ...**

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

**INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL**

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)  
(**ab** = Assembly Bill)                      (**ar** = Assembly Resolution)                      (**ajr** = Assembly Joint Resolution)  
(**sb** = Senate Bill)                              (**sr** = Senate Resolution)                              (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

## Senate

### Record of Committee Proceedings

#### **Committee on Transportation, Tourism, Forestry, and Natural Resources**

##### **Assembly Bill 548**

Relating to: possession of certain animals killed by vehicles.

By Representatives Hraychuck, Zigmunt, Smith, Vruwink, Friske, Molepske Jr., Ballweg, Brooks, Gunderson, Garthwaite, Strachota, Danou, Berceau, Bies, Petrowski and M. Williams; cosponsored by Senators Holperin, Vinehout, A. Lasee, Taylor, Grothman, Schultz, Lassa, Hopper and Olsen.

February 02, 2010      Referred to Committee on Transportation, Tourism, Forestry, and Natural Resources.

##### February 11, 2010      **PUBLIC HEARING HELD**

Present:    (6)      Senators Holperin, Sullivan, Hansen, Leibham, Kedzie and Grothman.

Absent:    (1)      Senator Plale.

##### Appearances For

- Tom VanHaren — Wisconsin Department of Natural Resources

##### Appearances Against

- None.

##### Appearances for Information Only

- None.

##### Registrations For

- Jim Holperin, Eagle River — 12th Senate District
- George Meyer, Madison — Wisconsin Wildlife Federation

##### Registrations Against

- None.

##### Registrations for Information Only

- None.

##### February 17, 2010      **EXECUTIVE SESSION HELD**

Present:    (7)      Senators Holperin, Sullivan, Plale, Hansen, Leibham, Kedzie and Grothman.

Absent:    (0)      None.

Moved by Senator Kedzie, seconded by Senator Sullivan that **Assembly Bill 548** be recommended for concurrence.

Ayes: (7) Senators Holperin, Sullivan, Plale, Hansen, Leibham, Kedzie and Grothman.

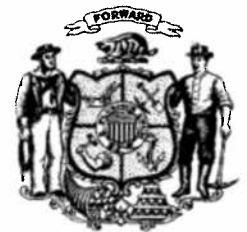
Noes: (0) None.

CONCURRENCE RECOMMENDED, Ayes 7, Noes 0

Elizabeth Novak  
Committee Clerk



# WISCONSIN STATE LEGISLATURE



**Wisconsin Department of Natural Resources**  
**AB 548 – Car-Killed Wild Animals**  
Senate Natural Resources Committee  
Thursday, February 11, 2010  
330 Southwest - State Capitol  
Presented by: Thomas Van Haren

I am here today on behalf of the Department of Natural Resources in support of AB 548.

To understand the reason for this bill, it is helpful to understand how the state looks at ownership of wild animals.

**Section 29.011, of the statutes states:** The legal title, custody and protection of all wild animals within this state is vested in the state for the purposes of regulating the use, disposition, and conservation of these wild animals. This statute also say that the legal title to a wild animal or carcass, taken or possessed in violation of the law remains with the state.

Killing wild animals with a vehicle is not a lawful method of harvesting a wild animal and reducing it to ones possession. However, in 1975, the legislature created a new law that says any person who accidentally hits and kills a deer with a vehicle may retain possession of the deer, if they first have it tagged by the DNR.

This law was later amended to allow other law enforcement officers to also tag such deer. The tags are furnished by the DNR, and the agency returns a copy of the completed tag to the DNR.

It has not been legal for individuals to simply pick up and retain for free other species of wild animals that might be killed accidentally by a vehicle.

Since most car-killed animals belong to the state the department either:

1. retains such dead animals for department use if needed,
2. sell them if salvageable and not needed by the state,
3. or dispose of them appropriately if not salvagable.

Unsalvageable small animals are typically disposed of by local hwy crews.

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**This bill will accomplish 2 primary things.**

**First**, this bill will allow individuals who accidentally hit & kill a bear or a wild turkey on a roadway with motor vehicle to retain that animal and obtain a fee tag for it. This would work the same as what happens know for a car-killed deer.

As with car-killed deer, if the driver of the striking vehicle does not want to keep the bear or turkey, any other person present at the scene may request a free tag for the bear or turkey.

If this bill becomes law, it would be our intention to simply revise the current Vehicle-killed Deer Tags which we issue to other local LE agencies to have a check off box for a deer, bear or turkey. This way additional tags or forms will not be required.

Local agencies will not need to respond to the scene just to issue a tag. If contacted for a tag, they may authorize the person to simply bring the animal to them, or to take the animal to a specific registration station set up by our department and have the animal tagged there.

**Secondly**, this bill deals with the disposition of many species of small game animals.

Under this bill any species which is not protected, endangered or threatened, and is **not a bobcat, fisher or otter**, can be picked up and retained by the driver or any other person at the scene, provided:

- a. the season is open for that species and
- b. the person has a hunting or trapping license that authorize possession of that species.

No special tag would be needed to pick up, possess or retain these animals.

Bobcat, Fisher and Otter may not be retained by the vehicle operator under this bill. These are highly valuable and sought after special permit species which the department monitors the harvest of very closely.

These 3 are also C.I.T.E.S species, which means they may not be imported or exported from the US without a special C.I.T.E.S tag. The department normally collects and retains the carcass of these animals when killed accidentally by trappers, possessed illegally, or found along the road dead.

They normally are not sold or turned over to the vehicle operator or person who finds them, unless the department does not have a need for them.

The carcasses are used during our trapper education classes and a special trapper education and fur course we use to train new wardens, wildlife biologists and others on trapper education, how to identify different fur, determining the method of kill, and how to skin and put up the fur.

A few years ago the legislature directed that money from the sale of such furs shall be deposited into a special fund to help support the trapper education program.

We do not want to create a situation where these highly valuable species, which have a limited allowable harvest quota each year, could be illegally trapped or killed without a special harvest permit and the person simply claim that they just found the animal dead along the road. This bill will prevent that situation from occurring.

On average, the DNR picks up and sells or disposes of about 150 bears that are killed by cars.

The number of turkeys killed by vehicles is unknown, but not a lot of people request tags for car-killed turkeys. Often too badly damaged and not salvageable.

On average, there are about 30,000 deer killed by cars each year, has been as high as 42,000. Only between 3,500 – 4,000 individuals request a free tag to keep a car-killed deer. Most of the rest have to be removed by contractors who dispose of the carcasses for the state.

END