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TO: Senate Committee on Sporting Heritage, Small Business and Rural Issues
FROM: Senator Stafsholt
DATE: May 12th, 2021
SUBJECT: Testimony for Senate Bill 191

Thank you fellow members of the Senate Committee on Sporting Heritage, Small Business and Rural Issues for allowing me to testify in support of Senate Bill 191 (SB 191). This legislation is the amended version of AB 592 from last session that was approved on a voice vote by the Assembly and didn't make it to the Senate floor due to COVID.

Representative Edming brought this legislation to my attention because there has been complaints from local officials in some parts of Wisconsin relating to beavers or muskrats damming up culverts under roadways and causing flooding and damage to roadways. The Department of Natural Resources (DNR) can remove a wild animal by trapping, capturing, relocating or shooting the wild animal if it is causing damage, under current law. The removal of the dam material can often provide relief, but beavers can easily replace this material. Generally, the DNR cannot however discharge a firearm within 50 feet of the center of a roadway.

With this issue continuing to rise, I felt that it was necessary to help with this concern. It is important to note that SB 191 only allows for DNR or an agent designated by the DNR to shoot a beaver or muskrat that is causing damage to a roadway, within 50 feet of the centerline, as long as it does not put public safety at risk. This is needed because many times, the beaver or muskrat that is causing damage to a roadway, is within 50 feet of the centerline, creating a dam. Since trapping, capturing, or relocating of a wild animal that causes damage to a roadway isn't always successful, I feel that it is necessary to be able to keep our roadways safe from these wild animals damaging them. In the end, this can also save our taxpayers money by not having to fix roadways that were damaged by a beaver or a muskrat.

I am happy to have the support of the Wisconsin Towns Association on this legislation.

Thank you again for allowing me to testify today. I ask for your support on SB 191.



JAMES W. EDMING

STATE REPRESENTATIVE • 87TH ASSEMBLY DISTRICT

Testimony in Support of Senate Bill 191

Senate Committee on Sporting Heritage, Small Business, and Rural Issues

May 12, 2021

Good afternoon. I appreciate the opportunity to come before you today and speak in support of Senate Bill (SB) 191. This important proposal will provide a new tool for local governments to protect their roadways from damage caused by beavers and muskrats. I would like to thank Chairman Stafsholt for working with me on this legislation. SB 191 is a redraft of the amended version of AB 592 that was approved by the Assembly on a voice vote late last session. Unfortunately, it was not concurred in by the Senate because of the cancelation of their final floor session due to COVID-19.

The idea for this legislation came from some local officials in my district who were experiencing problems with beavers causing damage to local roadways. Beavers often dam up culverts under or near roadways, which can cause flooding in the area and damage the roadway. This damage and flooding can lead to safety issues for area residents and expensive repairs for local property owners and local governments. Muskrats can also cause headaches for local officials by burrowing into road embankments and under the roadway which undermines the structural integrity of the road. While the Department of Natural Resources (DNR) does deploy measures to prevent or deter beavers and muskrats from causing damage, such as trapping, this is not always effective.

Under current law, the DNR may remove or authorize the removal of a wild animal that is causing damage or is a nuisance. However, the law does not currently allow the discharging of a firearm within 50 feet of the center of a roadway. This can make it difficult to shoot a beaver or muskrat that has dammed up a culvert or burrowed into a road embankment. SB 191 creates an exception to this prohibition by allowing the DNR or an agent of a local government authorized by the DNR to discharge a firearm within the 50-foot buffer to shoot a beaver or muskrat that is causing damage to a roadway. It is important to note that the DNR still has the discretion on whether or not to permit the discharge of a firearm under this exemption and that they can only do so if they determine that the discharge does not pose a threat to public safety.

In addition to creating this exemption, SB 191 also adds flooding and culvert blockages caused by a beaver or muskrat to the definition of damages under the statutes.

As a part of the most recent state budget, the legislature made some significant investments in local road funding. SB 191 will help protect the investments made in our local roads by giving our local governments a new tool to help prevent road damage. I am pleased that this legislation has earned the support of both the Wisconsin Towns Association and the Wisconsin Counties Association and I hope that it earns your support as well.