

SENATOR JUDITH B. ROBSON
CO-CHAIR
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**JOINT COMMITTEE FOR
REVIEW OF ADMINISTRATIVE RULES**

**Wednesday, February 6, 2002
10:00 a.m.
225 Northwest, State Capitol**

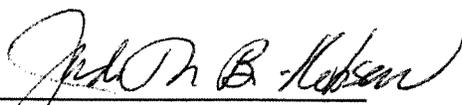
The Joint Committee will hold a **Public Hearing** on the following item:

Emergency Rule VFF-EMT 1 **Relating to length of service award program.**
Extension of the effective period of this emergency rule by 60 days by the request of the Voluntary Fire Fighter and Emergency Medical Technician Service Award Board.
First Consideration.

The Joint Committee may hold **Executive Session** on the aforementioned item and the following items:

LRB 4717/1 **Relating to requirements for registration of deer killed during gun season.** JCRAR will vote to introduce a draft as a result of their January 10, 2002 concurrence with the Assembly Natural Resources Committee objection action regarding CR 00-154.

LRB 4714/2 **Relating to requiring any temporary antlerless deer hunt in October to begin on a specified date.** JCRAR will vote to introduce a draft as a result of their January 10, 2002 concurrence with the Assembly Natural Resources Committee objection action regarding CR 00-154.



Senator Judith B. Robson
Senate Co-Chair



Representative Glenn Grothman
Assembly Co-Chair

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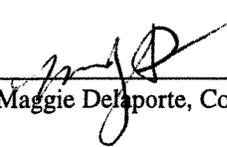
Attendance Form

February 6, 2002

Room 225 Northwest, State Capitol Building

Accounting for: Public Hearing Executive Session

COMMITTEE MEMBER	PRESENT	ABSENT	EXCUSED
1. Senator ROBSON	✓		
2. Senator GROBSCHMIDT	✓		
3. Senator HANSEN	✓		
4. Senator COWLES	✓		
5. Senator WELCH			✓
6. Representative GROTHMAN	✓		
7. Representative SERATTI	✓		
8. Representative GUNDERSON	✓		
9. Representative TURNER	✓		
10. Representative HEBL	✓		
Totals	9		1


Maggie Delaporte, Committee Clerk

Joint Committee for Review of Administrative Rules

Office of Sen. Judith Robson
Office of Rep. Glenn Grothman
Phone 608-266-2253
Phone 608-264-8486

- **CR 00-154**

Report to the Legislature Clearinghouse Rule CR 00-154 The Joint Committee for Review of Administrative Rules

Produced pursuant to s. 227.19(6), Stats.

Clearinghouse Rule 00-154, submitted by the Department of Natural Resources (DNR), is a proposed rule that relates to deer hunting and the wildlife damage abatement and claims program.

Description of the Problem

On November 7, 2001 the Assembly Committee on Natural Resources met in executive session and voted 12-0 to object in part to CR 00-154. The Assembly committee objected to a portion of the rule, proposed s. NR 10.01(3) (ez) 1 (a) in SECTION 9 of Clearinghouse Rule 00-154. The objected to portion of the rule set a 4-day bow and gun, antlerless deer hunt, in deer control zones, on the Thursday nearest October 22. This period does not coincide with the teacher convention weekend taking place in most areas of the state during the month of October. As a result of the partial objection, DNR would be allowed to authorize such a hunt any time in October.

Because of the committee's action, JCRAR was required to concur or non-concur in the standing committee's partial objection.

Arguments in Favor of Objection

- *The proposed rule would prevent the youth of the state from being able to participate fully in the entire October hunt because most of the public schools' teacher conferences take place during the last Thursday and Friday of the month of October.*
- *Numerous hunters and the Assembly Committee on Natural Resources want the October hunt to occur when the maximum number of people can participate.*

Arguments Against Objection

- *The objected to portion of the rule represents one of a series of compromises designed to meet the concerns of numerous outdoor groups. A continued objection undermines the overall compromise contained in Clearinghouse Rule 00-154.*
- *The teachers' convention will fall on these dates only for some of the schools of the state.*
- *Hunters indicate they would like the hunt to occur on the Saturday following the pheasant season opener.*
- *The bow hunters want the October hunt to be conducted earlier than the last Thursday and Friday in October in order to reduce the conflict with gun hunters during the rut.*

Action by Joint Committee for Review of Administrative Rules

The committee held a public hearing and executive session on January 10, 2002 and concurred with the standing committee's objection. The committee's action resulted in the following language remaining in section NR 10.01 (3) (ez) 1 a. of the proposed rule: "A 4-day antlerless only deer season allowing the use of bows and guns in October."

On February 6, 2002 the Joint Committee voted 10-0 to introduce the bill in each of house of the legislature. The bill prohibits DNR from promulgating a rule establishing a four-day deer herd control season in October during which a person is authorized to hunt antlerless deer with a firearm or with a bow and arrow, unless the rule requires that season to begin on the Thursday that immediately precedes the last Friday in October. These dates coincide with the statewide teachers' convention.

Joint Committee for Review of Administrative Rules

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- **CR 00-154**

Report to the Legislature Clearinghouse Rule CR 00-154 The Joint Committee for Review of Administrative Rules

Produced pursuant to s. 227.19(6), Stats.

Clearinghouse Rule 00-154, submitted by the Department of Natural Resources (DNR), is a proposed rule that relates to deer hunting and the wildlife damage abatement and claims program.

Description of the Problem

On November 7, 2001 the Assembly Committee on Natural Resources met in executive session and voted 12-0 to object in part to CR 00-154. The Assembly committee objected to a portion of the rule, proposed s. NR 10.106 (2) (a) in SECTION 14 of Clearinghouse Rule 00-154. The objected to portion of the rule requires certain deer (bucks) to be registered in the unit of kill or the adjacent unit of kill. As a result of the partial objection, a hunter, as under current law, would be allowed to register a buck within the zone, as opposed to the unit, in which the buck was killed.

JCRAR was required to concur or non-concur in the standing committee's objection.

Arguments in Favor of Objection

- *A hunter is unfairly burdened by having to register a buck in the unit of kill or the adjacent unit of kill rather than in most of the state. If a buck is killed near the*

time when a registration location closes, the hunter would have to remain in the unit or adjacent unit until the next day.

- *It is more convenient for a hunter to have flexibility in deciding where to register a buck.*

Argument Against Objection

- *Because of the several different regulations for registering deer depending on the season, including the sex of the deer, the weapon, and whether a special herd reduction is in place, DNR contended that a rule requiring the same registration specifications under any circumstances would be the least confusing to the hunting public.*

Action by Joint Committee for Review of Administrative Rules

The committee held a public hearing and executive session on January 10, 2002 and concurred in the standing committee's objection. After the committee's action, the language that remains in s. NR 10.106(2)(a) is: "Gun license deer shall be registered within the zone in which the deer was killed no later than 5:00 pm of the first day following the season's close. Deer may be transported outside the unit in which it was killed until it is registered." The bill restores current law by providing that a buck can be registered in most of the state.

On February 6, 2002 the Joint Committee voted 10-0 to introduce the bill in both houses of the legislature.

LRB 4717: Relating to requirements for registration of deer killed during gun season.

JCRAR will vote to introduce a draft as a result of their January 10, 2002 concurrence with the Assembly Natural Resources Committee objection action regarding CR 00-154, the Deer 2000 rule.

After JCRAR concurrence action regarding NR 10.106(2)(a), the language that remains is: "Gun license deer shall be registered within the zone in which the deer was killed no later than 5:00 pm of the first day following the season's close. Deer may be transported outside the unit in which it was killed until it is registered."

LRB 4717/2 provides that DNR may not promulgate a rule that requires a person who takes a deer with a firearm under the authority of a deer hunting license to register the deer in the deer management area in which it was killed or in an adjoining deer management area before transporting the deer elsewhere. The bill specifies that the prohibition does not apply to a rule regulating the registration of deer that are killed in a deer management area in which the department established a deer herd control season or a rule regulating the registration of antlerless deer.

LRB 4714: Relating to the beginning date authorized for the hunting of antlerless deer in October.

JCRAR will vote to introduce a draft as a result of their January 10, 2002 concurrence with the Assembly Natural Resources Committee objection action regarding CR 00-154, the Deer 2000 rule.

The language that remains in NR 10.01(3)(ez) 1 a. after JCRAR's concurrence action is "A 4-day antlerless only deer season allowing the use of bows and guns in October."

LRB 4714 prohibits DNR from promulgating a rule establishing a four-day deer herd control season in October during which a person is authorized to hunt antlerless deer with a firearm or with a bow and arrow, unless the rule requires that season to begin on the Thursday that immediately precedes the last Friday in October.