

Report to
Legislative Council Rules Clearinghouse
NR 8, Wis. Adm. Code
Natural Resources Board Order No. LE-07-07

Wisconsin Statutory Authority

ss. 29.03 and 29.972, Stats., interpreting ss. 29.03 and 29.972, Stats.

Federal Authority

N/A

Court Decisions Directly Relevant

None

Analysis of the Rule - Rule Effect - Reason for the Rule

2005 Wisconsin Act 282 authorized the Department to enter into a Wildlife Violator Compact with other states. Under the compact, convictions of wildlife law and revocation of license privileges and approvals that authorize the pursuing, taking or possession of wildlife that occur in any member state are treated as if they occurred in all member states. Before the Department can formally become a member state, rules need to be promulgated which establish procedures to:

1. Assure all violators receive notification when their license privileges and approvals have been revoked by this state or any other member state.
2. Assure the exchange of information between the department, the district attorney and the clerk of courts.
3. Provide an administrative appeal process by which the department can establish if sufficient grounds exist to deny a person's application for an approval or the revocation of their existing approvals.

The proposed rules require the department to revoke all issued hunting, fishing or trapping license privileges and approvals or deny new applications for approvals, by any person who fails to respond to a summons or warrant, fails to appear on their court date without having made a deposit, or fails to appear before the court and is subject to a bench warrant. These rules are also required to ensure that due process is accorded to individuals subject to revocation in this state or who are revoked in another member state. These rules are also necessary to assure records and information on revocations is shared with the clerks of court in the counties where the violation occurs.

Once the new rules and procedures are in place, the department will apply to become a member state.

Agency Procedures for Promulgation

Public hearing, Natural Resources Board final adoption, followed by legislative review.

Description of any Forms (attach copies if available)

None

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