

Report From Agency

REPORT TO LEGISLATURE

NR 10, 15, 19 and 45, Wis. Adm. Code

The 2011 Annual Wildlife Management Housekeeping Rule relating to game and hunting, game refuges, miscellaneous fur, fish, game and outdoor recreation, and the use of department properties.

Board Order No. WM-02-11
Clearinghouse Rule No. 11-030

Basis and Purpose of the Proposed Rule

The intent of these rule changes is to correct drafting errors, provide clarification to existing rules, simplify regulations, and update administrative code language and references. Policy issues affected by this rule are ones which have already been addressed by previous rulemaking.

SECTIONS 1, 2, and 8 clarify that the definitions of “animal part or animal byproduct” and “carcass” apply to bear baiting regulations as well as to deer baiting and feeding. These sections also clarify that eggs are not legal to use as bear bait and milk is, consistent with current interpretation. Lastly, this proposal clarifies that the term carcass includes domestic as well as wild animal carcasses.

SECTION 3 relaxes the deer registration requirement in the CWD management zone so that it is consistent with the registration requirements for archery hunters in the rest of the state.

SECTION 4 eliminates the April 10 elk permit application deadline in order to allow more time for people to submit applications. A new deadline will not be established by rule but is expected to be June 1.

SECTION 5 allows the use of no. 8 gauge shotguns for waterfowl hunting as long as the gun is modified so that the chamber cannot hold cartridges larger than no. 10 gauge and no larger cartridges are possessed.

SECTION 6 repeals trap tagging information that is unnecessary because there is a specific statutory requirement and because 2009 ACT 38 allowed use of department issued customer identification numbers instead of name and address information.

SECTION 7 corrects the location information of Vernon Marsh Wildlife Management area in Waukesha County to include acreage in an additional township.

SECTION 8 clarifies that the prohibition on the placement of personal property on department lands also applies to items left out to mark or “reserve” trap locations if the season is not open.

Summary of Public Comments

The department held a hearing in Madison on June 28, 2011. There were no appearances at the hearing and no correspondence was received during the comment period.

Modifications Made

No modifications were made as part of the hearing process.

Changes to Rule Analysis and Fiscal Estimate

No changes were made to the rule analysis and fiscal estimate.

Response to Legislative Council Rules Clearinghouse Report

The recommendations have been incorporated into the rule.

Final Regulatory Flexibility Analysis

These rules are applicable to individual sportspersons and impose no compliance or reporting requirements for small business, nor are any design or operational standards contained in the rule. Therefore, under s. 227.19(3m), Stats., a final regulatory flexibility analysis is not required.

