

Report From Agency

REPORT TO LEGISLATURE

NR 50, Wis. Adm. Code

Board Order No. LE-17-13
Clearinghouse Rule No. 14-062

Basis and Purpose of the Proposed Rule

The proposed rule modifies ch(s). NR 50.12 and NR 50.13, Wis. Adm. Code, and moves language from s. NR 64.15 to ch. NR 50, Wis. Adm. Code, pertaining to law enforcement aids to counties and municipalities for boat, All-Terrain/Utility Terrain vehicle, and snowmobile patrol units. The proposed revisions will provide consistency and standardization of eligibility and reimbursement standards for the state, counties and municipalities in the administration of the law enforcement aids program. Inconsistencies include the definition of allowable hours for patrol units, limits to the percentage of reimburseable administrative hours, eligibility to include time law enforcement officers spend teaching safety education classes, and depreciation methods.

Summary of Public Comments – DNR has worked very closely with the local recreation patrols and feel the input and comments provided by the local agencies has been heard and are reflective in the proposed revisions. Specifically, we received comments from three water safety patrol units:

- City of LaCrosse Police Department commented that they fully supported the proposed revisions.
- Town of Oakland Police commented that they opposed the allowance of 2 written warnings being given the same credit as a citation and suggested patrols be allowed to include citations issued for Juvenile Alcohol and Under-Age Alcohol. While this suggestion has merit and would be supported by the Department, current statutory requirements limit the scope of enforcement and time reimbursed through this grant program.
- Town of Oakland Police also commented that they opposed the change in depreciation dollar amount. The proposed change will allow the patrols to be reimbursed in the same year for equipment purchased or repaired with a dollar amount up to \$2,500. Currently, there is a \$1,000 limit that is reimbursed over a five year period.
- Town of Troy commented that they agreed with all of the proposed revisions except for the requirement that DNR pre-approve purchases of capital equipment. Approval of capital equipment purchases ensures that grant funds are distributed equitably across the patrol units. Approvals will be based on the type of equipment appropriate to the agency's necessary patrol operation per the statutory requirements in place. Patrols would be able to purchase equipment that is not pre-approved by the department. However, unapproved items may not be accepted as part of the reimbursement claim and payment.

Modifications Made - None

Appearances at the Public Hearing - None

Changes to Rule Analysis and Fiscal Estimate - None

Response to Legislative Council Rules Clearinghouse Report – suggestions and revisions identified in the Clearinghouse Report were included in the final draft of the board order.

Final Regulatory Flexibility Analysis