

Report to
Legislative Council Rules Clearinghouse
NR 10, 45 Wis. Adm. Code
Natural Resources Board Order No. WM-16-17

Wisconsin Statutory Authority

The chapter on wild animals and plants, in s. 29.014, “rule making for this chapter”, establishes that the department shall maintain open and closed seasons for fish and game and any limits, rest days, and conditions for taking fish and game. This grant of rule-making authority allows the department to make changes related to hunting regulations.

In s. Ch. 29.053 Stats. the department is authorized to take a variety of actions in order to provide additional hunting opportunities for persons who are physically disabled. This includes establishing that antlerless deer hunting permits, which are normally valid only on public or on private lands, are valid on both public and on private land types for persons holding a hunting permit for disabled persons.

Sections 29.014, 29.063 and 227.11 Stats. grant rule-making authority to the department to establish seasons and bag limits for hunting that ensure continued hunting opportunities for citizens of the state and are compatible with the state’s chronic wasting disease (CWD) policies. All rules promulgated under this authority are subject to review under ch. 227, Stats.

Federal Authority

Federal regulations allow states to manage the wildlife resources located within their boundaries provided they do not conflict with regulations established in the Federal Register. None of these rule changes violate or conflict with the provisions established in the Federal Code of Regulations.

Comparison of Adjacent States

These rule change proposals do not represent significant policy changes and do not differ significantly from surrounding states. All surrounding states have regulations and rules in place for the management and recreational use of wild game and furbearer species that are established based on needs that are unique to that state’s resources and public desires. Also, all of Wisconsin’s neighboring states have established management units for the purpose of managing deer populations.

Court Decisions Directly Relevant

None

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

These rule changes are proposed to update administrative code language to correct inconsistencies, update outdated language, and provide clarification when appropriate. This rule package will amend regulations for hunting, trapping, hunting opportunities for the physically disabled and deer management unit boundaries.

Agency Procedures for Promulgation

The agency will hold hearings in February and request adoption by the Natural Resources Board. The agency will then obtain the governor’s signature and submit the rules to the legislature for

review.

Description of any Forms (attach copies if available)

None

Name and Telephone Number of Agency Contacts

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