

Report From Agency

REPORT TO LEGISLATURE

NR 10, Wis. Adm. Code

Board Order No. WM-04-18
Clearinghouse Rule No. CR-19-005

Basis and Purpose of the Proposed Rule

This proposed rule brings NR 10 up to date following the effective date of 2017 Wisconsin ACT 59. That Act prohibited the department from requiring the possession or validation of a physical carcass tag for turkeys and eliminated the requirement that deer hunters possess or validate a physical deer carcass tag. Additional legislation prohibited the department from requiring reporting or registration of Canada goose harvest.

Summary of Public Comments

The public did not submit any comments on this proposed rule.

Modifications Made

No modifications were made to the rule as a result of public comments since no comments were received.

Appearances at the Public Hearing

The DNR held a public hearing regarding WM-04-18 on March 5, 2019 in Madison, Wisconsin. No members of the public attended, and the department received no written comments on the rule.

Changes to Rule Analysis and Fiscal Estimate

No changes were made to the rule analysis or fiscal estimate through the public comment process, as no public comments on either were received.

Response to Legislative Council Rules Clearinghouse Report

The Legislative Council Rules Clearinghouse submitted comments on February 28, 2019. The LCRC provided comments on statutory authority, the form, style and placement in administrative code, and on clarity, grammar punctuation, and use of plain language.

Changes to the proposed rule were made to address most of the recommendations by the Legislative Council Rules Clearinghouse. Comment 1 will be addressed in a forthcoming housekeeping rule. Comment 2.a was not changed since the department felt it would be easier for individuals to read the rule as a repeal and recreate due to the number of changes made to those sections. Comment 5.a. was not changed since an authorization may be a virtual approval so the conditions would not be placed "on the authorization" since that implies a physical approval. Finally, no change was made for 5.d.(1). Subd. 2 and 3. are two independent restrictions. One requires that game be removed from the field before it is gifted, while the other requires registration, if necessary, before gifting.

Final Regulatory Flexibility Analysis

Pursuant to the Governor's Executive Order 50, Section II, this will be a level 3 economic impact analysis. The rules most significantly impact individual sportspersons and impose no compliance or reporting requirements for small business, nor are any design or operational standards contained in the rule. No fiscal effects on small businesses, their associations, or local governments are anticipated.

Response to Small Business Regulatory Review Board Report

The Small Business Regulatory Review Board did not prepare a report on this rule proposal.