

Report From Agency

REPORT TO LEGISLATURE

NR 12, Wis. Adm. Code

Board Order No. WM-09-23
Clearinghouse Rule No. 24-055

Basis and Purpose of the Proposed Rule

The proposed rule makes updates to rules related to wildlife damage and abatement. The department and key impacted stakeholders met several times in order to complete a comprehensive review the entire chapter NR 12. These stakeholders included Wisconsin Farm Bureau Federation, USDA and the Wisconsin Conservation Congress. The group identified areas for potential changes in administrative code as a result of these meetings which are contained in this rule package. The changes proposed are meant to provide better clarity for stakeholders and partners.

Summary of Public Comments

No written comments on the rule were received during the public comment period which was open from July 15 through August 9, 2024.

Modifications Made

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

Appearances at the Public Hearing

The department held a virtual public hearing on August 8, 2024. Five members of the public attended the hearing for informational purposes. No public comments were made at the hearing.

Changes to Rule Analysis and Fiscal Estimate

No changes were made to the rule analysis or fiscal estimate through the public comment process.

Response to Legislative Council Rules Clearinghouse Report

The Legislative Council Rules Clearinghouse submitted comments on July 31, 2024.

Changes to the proposed rule were made to address all recommendations by the Legislative Council Rules Clearinghouse except for items 2. f. and v., and 5. f. of the Clearinghouse Report. In 2. f., the department chose to keep the cross-reference to the federal code of regulations to ensure that the department did not create a separate state law requirement. For 2. v., the department chose keep the treatment of s. NR 12.41 (4) (d) (intro), 1., and 2., in separate SECTIONS to provide clarity for our stakeholders. Finally, in 5. f., it is the department's intent to allow any type of hunting license that authorizes hunting with a firearm, bow or crossbow to be sufficient to participate under an elk shooting permit.

Final Regulatory Flexibility Analysis

These rules, and the legislation which grants the department rule making authority, do not have a significant fiscal effect on the private sector or small businesses. 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.

Response to Small Business Regulatory Review Board Report

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