

NOTICE OF HEARINGS

The Department of Natural Resources announces that it will hold a public hearing on an emergency rule, CS-04-16(E) related to modernizing the automated system for issuing recreational license products. The proposal would revise Ch.'s NR 8, 10, 12, 20, and 23 Wis. Admin. Code. The hearing will be held at the time and place shown below.

Hearing Information

Time: 11:00 a.m.

Date and location: April 26 in Room 513 of the Natural Resources State Office Building (GEF-2), 101 South Webster St., Madison, 53707.

Rule Information

Emergency rule order CS-04-16(E) related to modernizing the automated system for issuing recreational license products took effect upon publication in the official state paper on March 12, 2016.

The rule establishes the forms of acceptable proof of products issued by the department's statewide automated system. For hunting licenses, hunting stamps, trapping licenses, guide licenses, and wild rice harvest licenses, and fishing licenses and stamps used on inland waters that are not boundary waters or outlying waters, acceptable forms of proof of an original approval include a reprint of the original approval, a Wisconsin driver's license, a conservation card, or an image displayed on an electronic device of a digital file produced by the department. For fishing licenses and fishing stamps used while fishing on inland waters that are boundary waters or while fishing on outlying waters, acceptable forms of proof of an original approval include a reprint of the original approval. For hunter education, bow hunter education, elk hunter education, and trapper education certificates of accomplishment, acceptable alternative forms of proof of the original certificate include a reprint, a Wisconsin driver's license, a conservation card, or a digital file displayed on an electronic device. For an atv/utv, boating, and snowmobile safety certificates, acceptable forms of proof of the original certificate include a reprint or an image displayed on an electronic device of a digital file produced by the department. For temporary operating receipts issued for atv/utv, boat, or snowmobile registration or temporary trail use receipts issued for atv/utv and snowmobile trail passes, the only forms of proof of the original allowed is an image displayed on an electronic device of a digital file produced by the department. For a unique carcass tag for bear, deer, goose, grouse, sturgeon, wolf or turkey that has not been validated, the only alternative form of proof of the original tag allowed is a reprint. These rules specify that for those products for which a reprint is authorized as a form of proof, a person may obtain a reprint by producing a high-quality printed hard-copy themselves, requesting the department reprint the approval at a Service Center, or requesting a license agent reprint the approval.

The rule establishes new regulations for the tagging and registration of game and makes the regulations consistent among the species affected. The new rule provisions eliminate requirements that carcass tags be validated by marking the tag with a knife so that writing on the tag can be another way to validate. This rule also eliminates the requirement that carcass tags be immediately attached after harvesting an animal, which will prevent loss or damage to carcass tags which are paper instead of a more durable material. It would still be required to display the carcass tag upon the department's request or to attach the tag any time the carcass is left unattended by the person who tagged the animal. The species affected are the ones for which the department requires carcass tags and includes: deer, bear, elk, wild turkey, sharp-tailed grouse, Canada goose when extra harvest control measures are being implemented, bobcat, fisher, otter, and wolves when they are not listed as a threatened or endangered species.

This rule expands the prohibition of possessing a validated deer carcass tag while hunting and not also in possession of a deer carcass so that this prohibition also applies for other permit species in addition to deer. Further, these rule provisions specify that once a person harvests a bear, deer, goose, grouse, sturgeon, wolf or turkey under the authority of an unfilled tag, that tag is considered filled and may no longer be reprinted.

This rule repeals rules that were to be effective for the first time in 2016 and would have modified the allowable uses of antlerless tags issued with an archer or crossbow license. This rule will maintain that antlerless tags are valid in a farmland zone unit of the buyer's choice and will result in no change compared with rules in effect in 2014 and in 2015. These rule provisions will maintain that antlerless permits issued with the purchase of a firearm, archer, or crossbow license are not weapon or season specific, but the holder must possess the correct license for the method of harvest and season, which will also result in no change compared with rules previously in effect.

This rule modifies requirements for tagging, recording of harvest, possessing, and transferring harvested bobcat, otter, fisher, and wolves. It will still be necessary to physically attach a pelt tag to these species immediately upon harvest and registration of the pelts at a department location will still be required. However, if the department determines that not attaching carcass tags would be feasible in the future, the department would have the flexibility to allow that practice.

Lastly, this rule establishes new regulations for the tagging of lake sturgeon harvested during the existing hook and line and spearing seasons. These rule provisions eliminate requirements that a carcass tag be validated by marking it with a knife. Instead, people who harvest sturgeon must follow the validation directions written on the carcass tags: writing the date of harvest. This rule also eliminates the requirement that carcass tags be immediately attached after harvesting an animal, which will prevent loss or damage to carcass tags which are paper instead of a more durable material. Anglers will be required to display the carcass tag upon the department's request or to attach the tag any time the carcass is left unattended by the person who tagged the animal. The rule also clarifies that the person who harvested the sturgeon must be the person who registers a sturgeon at a department registration station.

Accessibility

1. Hearing impaired persons may request an interpreter for this hearing. Please make reservations for a hearing interpreter at least 10 days before the date of the scheduled hearing, by writing to e-mail
2. Alternatively, you may contact the Department of Natural Resources TDD at (608) 267-6897. The hearing facility is accessible to disabled users.
3. Pursuant to the Americans with Disabilities Act, reasonable accommodations, including the provision of information material in an alternative format, will be provided for qualified individuals with disabilities upon request. Please call with specific information on your request at least 10 days before the date of the scheduled hearing.
4. Handicap access is available at the hearing location.

Appearances at the Hearing and Submittal of Written Comments

Comments on the proposed rule must be received on or before April 26, 2016. Written comments may be submitted by U.S. mail, fax, E-mail, or through the internet and will have the same weight and effect as oral statements presented at the public hearing. Written comments and any questions on the proposed rules should be submitted to:

Ms. Linda Olver
P.O. Box 7921
101 S. Webster Street,
Madison, WI 53707-7921

Or email Ms. Olver at: linda.olver@wisconsin.gov

The rules may be reviewed and comments made at:

<https://health.wisconsin.gov/admrules/public/Home>

Initial Regulatory Flexibility Analysis

The proposed rule will not have an effect on small businesses, as defined under s. 227.114 (1).

Agency Small Business Regulatory Coordinator:

Linda Haddix (608) 266-1959

Linda.Haddix@wisconsin.gov

Dated at Madison, Wisconsin _____ 4/6/16 _____

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

By _____/S/_____
Cathy Stepp, Secretary