

AUG 30 2001

State of Wisconsin
Department of Natural Resources

NOTICE TO PRESIDING OFFICERS OF PROPOSED RULEMAKING

Pursuant to s. 227.19, Stats., notice is hereby given that final draft rules are being submitted to the presiding officer of each house of the legislature. The rules being submitted are:

Natural Resources Board Order No. CS-18-01

Legislative Council Rules Clearinghouse Number 01-038

Subject of Rules Issuance of licenses & approvals

Date of Transmittal to Presiding Officers August 28, 2001

Send a copy of any correspondence or notices pertaining to this rule to:

Carol Turner, Rules Coordinator
DNR Bureau of Legal Services
LS/5, 101 South Webster

Telephone: 266-1959
e-mail: turnec@dnr.state.wi.us

An electronic copy of the proposed rule may be obtained by contacting Ms. Turner

REPORT TO LEGISLATURE

NR 8, Wis. Adm. Code
Issuance of licenses and approvals

Board Order No. CS-18-01
Clearinghouse Rule No. 01-038

Statement of Need

The proposed rule will expand the types of approvals license agents would be authorized to issue through the Automated License Issuance System. Additional approvals that could be issued by authorized license agents include resident disability fishing licenses, armed forces fishing and small game licenses, bear harvest permits and set line and set or bank pole licenses. In addition, the proposed rule would allow parents or guardians of children under the age of 18 to purchase approvals for their children.

Modifications as a Result of Public Hearing

There were no modifications as a result of public hearing.

Appearances at the Public Hearing and Their Position

No one appeared at the public hearing.

Response to Legislative Council Rules Clearinghouse Report

One comment was received from the Clearinghouse. "Agent" was changed to "License agent". However, "authorized by the department" was not removed as recommended by the Clearinghouse since not all agents will be authorized to issue these approvals.

Final Regulatory Flexibility Analysis

These rules will not directly regulate small business, therefore no analysis is required.

ORDER OF THE STATE OF WISCONSIN NATURAL RESOURCES BOARD
REPEALING, AMENDING AND CREATING RULES

The State of Wisconsin Natural Resources Board proposes an order to repeal NR 8.02(2)(b) and (4) and to amend NR 8.02(2)(a)(intro.) and 8.06(1); and to create NR 8.02(2)(a) 6. to 8. relating to the issuance of licenses and approvals

CS-18-01

Analysis Prepared by Department of Natural Resources

Authorizing statutes: ss. 29.024 and 227.11(2)(a), Stats.

Statutes interpreted: ss. 29.024, 29.526, 29.531 and 29.533, Stats.

The proposed rule would expand the types of approvals license agents would be authorized to issue through the Automated License Issuance System and to modify the requirements for purchasing approvals for other persons, including allowing parents or guardians of children under the age of 18 to purchase approvals for their children.

SECTION 1. NR 8.02(2)(a)(intro.) is amended to read:

NR 8.02(2)(a)(title) Issued only by the department, and county clerks and license agents authorized by the department. (intro.) The following licenses shall be issued only by the department, and county clerks and license agents authorized by the department to issue them:

SECTION 2. NR 8.02(2)(a)6. to 8. are created to read:

NR 8.02(2)(a)6. Slat net licenses under s. 29.526, Stats.

7. Set or bank pole licenses under s. 29.531, Stats.

8. Set line licenses under s. 29.533, Stats.

SECTION 3. NR 8.02(2)(b) and (4) are repealed.

SECTION 4. NR 8.06(1) is amended to read:

NR 8.06(1) An individual may purchase an approval for another person who is not required to complete and submit an application for a customer identification number, pursuant to s. NR 8.04(1)(b). A signed purchase receipt under s. NR 8.04(1)(a) is not required. The purchaser shall submit an application form completed and signed by the applicant except that:

(a) A parent or guardian of a child under the age of 18 may submit and sign an application on behalf of a child under 18 years of age.

(b) Stamp approvals may be purchased for another person if a customer identification number is provided.

The foregoing rules were approved and adopted by the State of Wisconsin Natural Resources Board on August 15, 2001.

The rules shall take effect on the first day of the month following publication in the Wisconsin administrative register as provided in s. 227.22(2)(intro.), Stats.

Dated at Madison, Wisconsin _____

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

By _____
Darrell Bazzell, Secretary

(SEAL)



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

Ronald Sklansky
Clearinghouse Director

Richard Sweet
Clearinghouse Assistant Director

Terry C. Anderson
Legislative Council Director

Laura D. Rose
Legislative Council Deputy Director

CLEARINGHOUSE REPORT TO AGENCY

[THIS REPORT HAS BEEN PREPARED PURSUANT TO S. 227.15, STATS. THIS IS A REPORT ON A RULE AS ORIGINALLY PROPOSED BY THE AGENCY; THE REPORT MAY NOT REFLECT THE FINAL CONTENT OF THE RULE IN FINAL DRAFT FORM AS IT WILL BE SUBMITTED TO THE LEGISLATURE. THIS REPORT CONSTITUTES A REVIEW OF, BUT NOT APPROVAL OR DISAPPROVAL OF, THE SUBSTANTIVE CONTENT AND TECHNICAL ACCURACY OF THE RULE.]

CLEARINGHOUSE RULE 01-038

AN ORDER to repeal NR 8.02 (2) (b) and (4); to amend NR 8.02 (2) (a) (intro.); and to create NR 8.02 (2) (a) 6. to 8., relating to issuance of licenses and approvals.

Submitted by **DEPARTMENT OF NATURAL RESOURCES**

04-06-01 RECEIVED BY LEGISLATIVE COUNCIL.

05-01-01 REPORT SENT TO AGENCY.

RNS:WF:jal;wu

LEGISLATIVE COUNCIL RULES CLEARINGHOUSE REPORT

This rule has been reviewed by the Rules Clearinghouse. Based on that review, comments are reported as noted below:

1. STATUTORY AUTHORITY [s. 227.15 (2) (a)]
Comment Attached YES NO

2. FORM, STYLE AND PLACEMENT IN ADMINISTRATIVE CODE [s. 227.15 (2) (c)]
Comment Attached YES NO

3. CONFLICT WITH OR DUPLICATION OF EXISTING RULES [s. 227.15 (2) (d)]
Comment Attached YES NO

4. ADEQUACY OF REFERENCES TO RELATED STATUTES, RULES AND FORMS [s. 227.15 (2) (e)]
Comment Attached YES NO

5. CLARITY, GRAMMAR, PUNCTUATION AND USE OF PLAIN LANGUAGE [s. 227.15 (2) (f)]
Comment Attached YES NO

6. POTENTIAL CONFLICTS WITH, AND COMPARABILITY TO, RELATED FEDERAL REGULATIONS [s. 227.15 (2) (g)]
Comment Attached YES NO

7. COMPLIANCE WITH PERMIT ACTION DEADLINE REQUIREMENTS [s. 227.15 (2) (h)]
Comment Attached YES NO



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

Ronald Sklansky
Clearinghouse Director

Richard Sweet
Clearinghouse Assistant Director

Terry C. Anderson
Legislative Council Director

Laura D. Rose
Legislative Council Deputy Director

CLEARINGHOUSE RULE 01-038

Comments

[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated September 1998.]

5. Clarity, Grammar, Punctuation and Use of Plain Language

The term “license agents” should be substituted for the term “agents authorized by the department” in s. NR 8.02 (2) (a) (title) and for the term “agents authorized by the department to issue them” in s. NR 8.02 (2) (a) (intro.). “License agent” is the term defined in s. NR 8.01 (4) to mean persons authorized by the department to issue licenses.



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

Ronald Sklansky
Clearinghouse Director

Richard Sweet
Clearinghouse Assistant Director

Terry C. Anderson
Legislative Council Director

Laura D. Rose
Legislative Council Deputy Director

CLEARINGHOUSE REPORT TO AGENCY

[THIS REPORT HAS BEEN PREPARED PURSUANT TO S. 227.15, STATS. THIS IS A REPORT ON A RULE AS ORIGINALLY PROPOSED BY THE AGENCY; THE REPORT MAY NOT REFLECT THE FINAL CONTENT OF THE RULE IN FINAL DRAFT FORM AS IT WILL BE SUBMITTED TO THE LEGISLATURE. THIS REPORT CONSTITUTES A REVIEW OF, BUT NOT APPROVAL OR DISAPPROVAL OF, THE SUBSTANTIVE CONTENT AND TECHNICAL ACCURACY OF THE RULE.]

CLEARINGHOUSE RULE 01-038

AN ORDER to repeal NR 8.02 (2) (b) and (4); to amend NR 8.02 (2) (a) (intro.); and to create NR 8.02 (2) (a) 6. to 8., relating to issuance of licenses and approvals.

Submitted by **DEPARTMENT OF NATURAL RESOURCES**

04-06-01 RECEIVED BY LEGISLATIVE COUNCIL.

05-01-01 REPORT SENT TO AGENCY.

RNS:WF:jal;wu

LEGISLATIVE COUNCIL RULES CLEARINGHOUSE REPORT

This rule has been reviewed by the Rules Clearinghouse. Based on that review, comments are reported as noted below:

1. STATUTORY AUTHORITY [s. 227.15 (2) (a)]

Comment Attached YES NO

2. FORM, STYLE AND PLACEMENT IN ADMINISTRATIVE CODE [s. 227.15 (2) (c)]

Comment Attached YES NO

3. CONFLICT WITH OR DUPLICATION OF EXISTING RULES [s. 227.15 (2) (d)]

Comment Attached YES NO

4. ADEQUACY OF REFERENCES TO RELATED STATUTES, RULES AND FORMS [s. 227.15 (2) (e)]

Comment Attached YES NO

5. CLARITY, GRAMMAR, PUNCTUATION AND USE OF PLAIN LANGUAGE [s. 227.15 (2) (f)]

Comment Attached YES NO

6. POTENTIAL CONFLICTS WITH, AND COMPARABILITY TO, RELATED FEDERAL REGULATIONS [s. 227.15 (2) (g)]

Comment Attached YES NO

7. COMPLIANCE WITH PERMIT ACTION DEADLINE REQUIREMENTS [s. 227.15 (2) (h)]

Comment Attached YES NO



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

Ronald Sklansky
Clearinghouse Director

Richard Sweet
Clearinghouse Assistant Director

Terry C. Anderson
Legislative Council Director

Laura D. Rose
Legislative Council Deputy Director

CLEARINGHOUSE RULE 01-038

Comments

[NOTE: All citations to "Manual" in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated September 1998.]

5. Clarity, Grammar, Punctuation and Use of Plain Language

The term "license agents" should be substituted for the term "agents authorized by the department" in s. NR 8.02 (2) (a) (title) and for the term "agents authorized by the department to issue them" in s. NR 8.02 (2) (a) (intro.). "License agent" is the term defined in s. NR 8.01 (4) to mean persons authorized by the department to issue licenses.

ORDER OF THE STATE OF WISCONSIN NATURAL RESOURCES BOARD
REPEALING, AMENDING AND CREATING RULES

The State of Wisconsin Natural Resources Board proposes an order to repeal NR 8.02(2)(b) and (4) and to amend NR 8.02(2)(a)(intro.) and 8.06(1); and to create NR 8.02(2)(a) 6. to 8. relating to the issuance of licenses and approvals

CS-18-01

Analysis Prepared by Department of Natural Resources

Authorizing statutes: ss. 29.024 and 227.11(2)(a), Stats.

Statutes interpreted: ss. 29.024, 29.526, 29.531 and 29.533, Stats.

The proposed rule would expand the types of approvals agents would be authorized to issue through the Automated License Issuance System and to modify the requirements for purchasing approvals for other persons, including allowing parents or guardians of children under the age of 18 to purchase approvals for their children.

SECTION 1. NR 8.02(2)(a)(intro.) is amended to read:


NR 8.02(2)(a)(title) Issued only by the department, and county clerks and agents authorized by the department. (intro.) The following licenses shall be issued only by the department, and county clerks and agents authorized by the department to issue them:

SECTION 2. NR 8.02(2)(a)6. to 8. are created to read:

NR 8.02(2)(a)6. Slat net licenses under s. 29.526, Stats.

7. Set or bank pole licenses under s. 29.531, Stats.

8. Set line licenses under s. 29.533, Stats.

SECTION 3. NR 8.02(2)(b) and (4) are repealed. 

SECTION 4. NR 8.06(1) is amended to read:

NR 8.06(1) An individual may purchase an approval for another person who is not required to complete and submit an application for a customer identification number, pursuant to s. NR 8.04(1)(b). A signed purchase receipt under s. NR 8.04(1)(a) is not required. The purchaser shall submit an application form completed and signed by the applicant except that:

(a) A parent or guardian of a child under the age of 18 may submit and sign an application on behalf of a child under 18 years of age.

(b) Stamp approvals may be purchased for another person if a customer identification number is provided.

The foregoing rules were approved and adopted by the State of Wisconsin Natural Resources Board on

The rules shall take effect on the first day of the month following publication in the Wisconsin administrative register as provided in s. 227.22(2)(intro.), Stats.

Dated at Madison, Wisconsin _____

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

By _____
Darrell Bazzell, Secretary

(SEAL)