

01-038

*ATP*

*② \$50 COURT FEE*

*① GREAT B'S NOT GOING TO FISH GAME + PARKS - CO-OPERATION BETWEEN W C & STATE PARK combined SAVE B'S ③ high cost (\$2.00 fee INCREASE)*

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](mailto: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)

ORIGINAL  UPDATED  
 CORRECTED  SUPPLEMENTAL

**FISCAL ESTIMATE**

DOA-2048 N(R10/94)

**Subject**

Expanding the sale of licenses to agents previously only issued by DNR or County Clerks

**Fiscal Effect**

State:  No State Fiscal Effect

Check columns below only if bill makes a direct appropriation or affects a sum sufficient appropriation.

Increase Costs - May be possible to Absorb Within Agency's Budget  Yes  No

Decrease Costs

- Increase Existing Appropriation
- Decrease Existing Appropriation
- Create New Appropriation
- Increase Existing Revenues
- Decrease Existing Revenues

Local:  No local government costs

1.  Increase Costs

Permissive  Mandatory

2.  Decrease Costs

Permissive  Mandatory

3.  Increase Revenues

Permissive  Mandatory

4.  Decrease Revenues

Permissive  Mandatory

5. Types of Local Government Units Affected:

- Towns  Villages  Cities
- Counties  WTCS Districts
- School Districts  Others

**Fund Sources Affected**

GPR  FED  PRO  PRS  SEG  SEG-S

**Affected Ch. 20 Appropriations**

**Assumptions Used in Arriving at Fiscal Estimate**

SUMMARY OF BILL/RULE - The proposed rule change would expand the types of licenses which could be issued by agents. Some licenses currently are only issued at DNR Service Centers or County Clerks and would now be available through specified agents, making it more convenient for our customers.

FISCAL IMPACT - A loss of approximately \$3,000.00 in revenue would result due to the fact there would be an increase in the issuance fees paid.

**Long-Range Fiscal Implications**

Agency	Prepared By	Phone No.	Authorized Signature	Phone No.	Date
DNR	Joe Polasek	(608) 260-2794	<i>Joe Polasek</i>	(608) 260-2794	12/21/2000

**FISCAL ESTIMATE WORKSHEET**

1999 Session

Detailed Estimate of Annual Fiscal Effect  
DOA-2047 (R10/94)

ORIGINAL  UPDATED  
 CORRECTED  SUPPLEMENTAL

LRB or Bill No./Adm. Rule No. Amendment No.  
NR 8

Subject

Expanding the sale of licenses to agents previously only issued by DNR or County Clerks

One-Time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):

II. Annualized Costs:	Annualized Fiscal impact on State funds from:	
A. State Costs by Category	Increased Costs	Decreased Costs
State Operations - Salaries and Fringes		
(FTE Position Changes)		
State Operations - Other Costs		
Local Assistance		
Aids to Individuals or Organizations		
<b>TOTAL State Costs by Category</b>		
B. State Costs by Source of Funds	Increased Costs	Decreased Costs
GPR		
FED		
PRO/PRS		
SEG/SEG-S		
III. State Revenues:	Increased Rev.	Decreased Rev.
<small>Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.)</small>		
GPR Taxes		
GPR Earned		
FED		
PRO/PRS		
SEG/SEG-S		(\$3,000)
<b>TOTAL State Revenues</b>		(\$3,000)

**NET ANNUALIZED IMPACT**

STATE

LOCAL

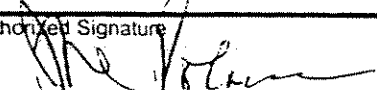
NET CHANGE IN COSTS

\_\_\_\_\_ \$0

NET CHANGE IN REVENUES

\_\_\_\_\_ (\$3,000)

\_\_\_\_\_ \$0

Agency	Prepared By	Phone No.	Authorized Signature	Phone No.	Date
DNR	Joe Polasek	(608) 266-2794		(608) 266-2794	12/21/2000

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**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





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## WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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*Clearinghouse Director*

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### 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.