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Testimony in Support of Assembly Bill 676

Assembly Committee on Sporting Heritage

December 15, 2021

Mr. Chairman and members of the committee, thank you for holding a public hearing on Assembly Bill (AB) 676. I'd like to thank Sen. Stroebel for working with me on this important legislation. This proposal has already passed its committee in the Senate, and I'm looking forward to seeing the support from this committee as well.

For decades, the Wisconsin Department of Natural Resources (DNR) has been putting up burdensome and unnecessary regulations that get in the way of enjoying the outdoors. As Wisconsinites, we understand the need to conserve our resources. However, overregulation is not the way to do it. We should be making it easier for folks to get outside and exercise their rights, not harder.

Under AB 676, for every rule that the department promulgates relating to hunting, fishing, or trapping, the department must also repeal three existing rules relating to hunting, fishing, or trapping. Wisconsin's sportsmen and women have an incredible impact on our state, and this legislation helps us to recognize this impact. However, this idea of cutting regulations upon introduction of new ones is nothing new. This kind of regulatory reform has been proposed or implemented in other states across the nation, in Congress, and other countries as well.

The proposal before you today allows us to cut the red tape the department has put up over the years, while maintaining those rules the department believes are most important. In a recent study by the Wisconsin Institute for Law & Liberty, of the more than 161,000 regulatory restrictions that can be found in Wisconsin Administrative Code (which is more than any other state in the Great Lakes region), the DNR comprises more than 55,000 of them, which is more than any other state agency. For a comparison with the next three state agencies with the most regulatory restrictions, DHS has 17,518, DATCP has 15,929, and DSPS has 15,629 in their respective sections of the administrative code.

Thank you again for this opportunity to testify in support of AB 676. I look forward to seeing your support on this important legislation.



DUEY STROEBEL

STATE SENATOR • 20TH DISTRICT

Testimony on AB 676

December 15, 2021

Thank you Chairman Pronschinske and members of the Assembly Committee on Sporting Heritage for holding a public hearing on Assembly Bill 676, a bill I authored with Rep. Callahan to help initiate the process of simplifying the dense, complicated web of regulations imposed on Wisconsin's sportsmen and women. AB 676 would require the Department of Natural Resources to repeal three existing rules on hunting, fishing or trapping for each new rule it promulgates relating to hunting, fishing or trapping.

To put the issue into perspective, look no further than the sheer volume of regulatory requirements imposed on Wisconsin's sporting community. Chapter 29 of the statutes houses our legislatively-enacted laws on fish and game regulation. It spans 80 pages. The DNR's administrative code chapters regulating hunting, fishing and trapping span over 400 pages.¹ If one were to include the DNR's guidance documents (booklets) explaining Wisconsin's fish and game regulations, this figure jumps to over 650 pages, which is over 8 times longer than the enabling statutes.

In short, a significant amount of red tape has been imposed on Wisconsin's sportsmen and women over the years. Navigating and complying with this red tape only becomes more burdensome as it continues to pile up. This directly undermines the shared, longstanding goal of increasing participation in Wisconsin's rich sporting tradition.

While the "one-in, three-out" concept of AB 676 may seem rather crude or novel, it's a concept that has been proposed or implemented in other states, at the federal level, and in other Western countries.²

A reasonable level of regulation is of course necessary to preserve Wisconsin's precious natural resources for current and future generations. There is a distinction to be made between regulations explicitly required by state statute or federal law versus those that exist at the discretion of the DNR. Nevertheless, right-sizing the amount of regulation imposed on our sportsmen and women is what this bill is all about.

Wisconsin's statutes governing the administrative rulemaking process (Chapter 227) already provide a mechanism for the DNR to work with the Legislature to identify outdated, unnecessary, overly-burdensome or outright unauthorized rules to repeal in conjunction with the promulgation of any new rule relating to hunting, fishing or trapping. Thank you again Chairman Pronschinske and members of the committee for your consideration of AB 676.

¹ See Chapters NR 1, NR 8, NR 10-13, and NR 16-25 in the Wisconsin Administrative Code

² Idaho Executive Order 2020-01 (one-in, two-out); Oklahoma Executive Order 2020-03 (one-in, two-out); Ohio Revised Code § 121.95(F) (one-in, two-out); U.S. Senator Mark R. Warner, "To revive the economy, pull back the red tape." *Washington Post*, December 13, 2010, <https://bit.ly/3AVRkA2>; RED Tape Act, S. 1944, 114th Congress, 2015-16; Executive Order No. 13771, 82 Fed. Reg. 9339 (January 30, 2017), <https://bit.ly/3AVRkA2>; Lessening Regulatory Costs and Establishing a Federal Regulatory Budget Act of 2017, H.R. 2623, 115th Congress, 2017-18; Government of Canada, "Red Tape Reduction Act", S.C. 2015, c. 12; United Kingdom Department for Business, Innovation & Skills (BIS), "One-in, two-out: statement of new regulation", July 10, 2013, <https://bit.ly/3n9YEDx>