CORRECTED

Form 1100-001N (Rev. 10/12)

Wisconsin Department of Natural Resources
Natural Resources Board Agenda Item

Item No. 3.B.2.

SUBJECT: Request adoption of Emergency Board Order CS-04-16(E), proposed rules affecting Ch.'s NR 8, 10, 12, 20, and 23 related to modernizing the automated system for issuing recreational license products.

FOR: February 2016 Board meeting

TO BE PRESENTED BY: Linda Olver, Customer and Outreach Services Policy Specialist

SUMMARY:

These rules will modernize Wisconsin's automated system for delivering recreational license products. This will result in better access to products, faster delivery of special permits and registrations, and improved customer service and satisfaction.

The department is directed to promulgate these rules by 2015 ACT 89.

Participants in outdoor recreational activities are a primary people who will be affected by these rules. Activities licensed by the department include hunting, fishing and trapping, as well as permits/passes/registrations for trails, boats, snowmobiles and all-terrain vehicles.

Private vendors who contract with the department to issue licenses will also be affected by the proposed rules. Those include a range of retail outlets such as convenience stores, department stores, small sporting goods shops, as well as large retailers of outdoors-related merchandise.

In nearly all situations, the effects are likely to be minimal but would result in improved delivery and access to services. The department would continue to contract with a variety of venders to deliver services which will be similar to those under current rules.

Correction: This agenda item has been corrected so that wolf carcass tags do not need to be issued through the statewide licensing system, consistent with the other furbearers bobcat, otter and fisher. See the highlighted language on pages 3 and 10 of the board order.

RECOMMENDATION: Adoption of Emergency Board Order CS-04-16(E), proposed rules affecting Ch.'s NR 8, 10, 12, 20, and 23 related to modernizing the automated system for issuing recreational license products.

LIST OF ATTACHED MATERIALS (check all that are applicable):

- ☒ Background memo
- ☒ Board Order
- ☐ Governor's letter of approval
- ☒ Fiscal Statement and Economic Impact Analysis

Approved by	Signature	Date
Susan Cook, Acting, Bureau Director	Susan K Cook	2/15/16
Mark Aquino, Administrator	Mark Aquino	2/15/16
Cathy Stepp, Secretary		2/15/16

cc: Board Liaison – AD/8

CORRESPONDENCE/MEMORANDUM

DATE: February 12, 2016

TO: Natural Resources Board Members

FROM: Secretary Cathy Stepp

SUBJECT: Adoption of Emergency Board Order CS-04-16(E), proposed rules affecting Ch.'s NR 8, 10, 12, 20, and 23 related to modernizing the automated system for issuing recreational license products.

We are requesting adoption of rules that will modernize Wisconsin's automated system for delivering recreational license products. This will result in better access to products, faster delivery of special permits and registrations, and improved customer service and satisfaction.

The department is authorized to promulgate these rules by 2015 ACT 89. The Act also establishes that the department may enact these rules using the process for emergency rules without finding that promulgating a rule is necessary for the preservation of public peace, health, safety, or welfare. The emergency rule may remain in effect until July 1, 2018 or until the permanent rule is promulgated.

Rule summary

This 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.

This rule establishes new regulations for the tagging and registration of game and makes 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 them. These rules also eliminate 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

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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 stablishes 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.

Public participation

In the fall of 2012, Customer Service staff initiated brainstorming and listening sessions with internal staff from the Divisions of Customer and Employee Services, Enforcement and Science, Land, and Water in addition to external partners such as the Wisconsin Conservation Congress. Over 400 ideas and suggestions aimed at improving the current license delivery system were generated as a result of those meetings. Several themes emerged. Increased customer convenience, greater purchasing flexibility and additional use of electronic technology were the most commonly identified suggestions.

Bureau of Customer and Outreach Service staff presented information on the new statewide automated system to the Sporting Heritage Council at their September 30, 2015 meeting.

On January 8, 2016, Bureau of Customer and Outreach Service staff provided information on the new statewide automated system at the Wisconsin Conservation Congress' Executive Council meeting.

The department will hold two hearings on the companion permanent version of these rules during the spring season of 2016. One hearing will be held in the Wausau area and another in the Madison area.

Q. What does Go Wild mean for me?
A. Starting in March 2016, the Go Wild licensing system will be available at more than 1,000 vendors statewide and will offer improved access though mobile devices at GoWild.Wi.Gov. The system will store your information online. Customers can purchase an optional conservation card, eliminating the need to carry the old thermal paper licenses. No fee increases are planned as part of the upgrade.

The GoWild.Wi.Gov website will serve as a portal to help plan adventures and make the most of Wisconsin's great outdoors. License options will include hunting licenses, fishing licenses, conservation patron licenses and boat, ATV and UTV registration renewals.

Q. Without the thermal paper license, what do I carry with me?
A. Every completed transaction will provide a printable output. Customers will receive a sales receipt, license document, carcass tags and operating passes in a printable format whether purchasing online or at one of more than 1,000 partnering vendors. Additionally, Go Wild provides other options for most licenses.

Check your regulations pamphlets to find out where you can use an optional conservation card or display permissions on your cell phone. The system also will allow you to use your Wisconsin driver's license, if validated within the Go Wild system. While in the past customers purchased licenses and permits and were provided with thermal paper documentation, with the Go Wild system, these permissions are stored electronically and can be accessed in many convenient ways.

Q. What do I show the warden if I'm asked for my fishing license?
A. No matter where you are, you will be safe with the paper documents. Check your regulations pamphlet to find the many ways that the alternative methods of proof can be used. These alternatives include the conservation card, a Wisconsin issued driver's license and the electronic display from your mobile device.

Q. What about the stamps for duck, pheasant and trout?
A. The old system printed these permissions on thermal paper and customers could request the physical stamp. The new system will store the stamp information electronically and customers will still have the option of requesting a physical stamp. Proof that you hold the proper stamp is similar to licenses – check your regulations pamphlets to find out what display options are available to you.

Q. What about back tags for deer and bear season?
A. The Legislature is considering legislation regarding back tags. More information is expected in the weeks ahead.

Q. What about youth hunters who don't have a driver's license?
A. One of the best new features of Go Wild is flexibility. Youth and nonresidents have the option to purchase a conservation card to use as card documentation since the Wisconsin driver's license is not an option. Other options include using the display from a mobile device or using the printable documents provided through all sales channels.

Q. Will you have your hunter education identification on your card?

A. Yes! All safety education certificates will be accessible via the conservation card and verified Wisconsin driver's license and also will be printed on your license documents. Customers will have the option to print a single certificate "card" from their account at any time.

Q. How do I validate my harvest, what do I punch without a harvest tag?
A. When you purchase your license, either at a vendor or at home, you will receive a printed paper copy of your harvest permits, such as spring turkey or goose. Each tag will include instructions and space for proper validation. Because Go Wild uses plain paper, validation of most tags involves marking the paper tag rather than slitting or punching.

Q. So I take the piece of paper into the woods and marsh and write down the date of harvest?
A. In most cases, yes, depending on the tag type. In wet or cold conditions, it may be worthwhile to carry the paper and a pencil in a small plastic bag.

Q. Where do I put my federal duck stamp if I have nothing to affix it to?
A. As long as you sign the federal duck stamp and have it with you, as required, you will be fine. You can affix the stamp to the paper license document if you wish. If you purchase your federal duck stamp through Go Wild, it will be included with your electronic records and can be accessible in all of the many options Go Wild offers.

Q. Will all states be doing this so another state will know my license and history?
A. Hunting regulations and licenses are established at the state level so you would still need to buy a separate license in others states and follow those procedures. Some states already have electronic license sales and access while others do not.

Q. Will this new system result in more expensive licenses?
A. There are no fee increases planned as part of the new system.

Q. What if I don't hunt or fish?
A. GoWild.Wi.Gov is the gateway to outdoor recreation in Wisconsin. The website includes access to information on camping, details on outdoor activities, information on state parks and links to land maps to name a few. There are so many opportunities to enjoy the outdoors in Wisconsin and Go Wild is here to help you find the activity that is best suited for you!

Changes to existing policy:

Implementation of these rules will not fundamentally change Wisconsin's core system for issuing recreational license products. The department will continue to sell licenses from its offices and contract with a variety of private retail outlets to deliver services which will be similar and include licenses, carcass tags, and registration renewals for outdoors related activities. In these respects, the proposals in these rule orders do not vary significantly from existing policy.

In the past, carcass tags have been made of a durable material that resisted damage from environmental elements and tags were required to be attached to the animal. Under the department's current contract for a statewide automated system, tags will be printed on plain paper. Through these rules the requirement to attach carcass tags will be relaxed, but not eliminated, so that paper tags are not damaged or lost while in the field or on the water. These rules will allow a person to keep a validated carcass tag safely in a pocket or wallet while, for instance, dragging a deer out of the field. To assure compliance with the requirement to validate tags, under current and these proposed rules, hunters and anglers will be required to display the

tag to the department upon request. The requirement to attach tags will still apply when an animal is left by the person who validated the tag for the animal. These rules require that information on the carcass tags remain legible and suggest that tags can be protected by enclosing them in a watertight, plastic bag such as a sandwich or snack bag.

A policy alternative to contract with a vendor whose system would allow the issuance of carcass tags made of a material that is more durable and more difficult to duplicate illegally was evaluated. The benefits of paper tags are significant and include immediate purchase fulfillment of internet purchases, simpler equipment for vendors, and less expensive tag and license material. The requirement to electronically register most species by 5:00 on the day after harvest will reduce fraud related to the illegal duplication of permits. For the first time with this statewide automated system, conservation wardens will quickly be able to query a database to find out if an animal has been registered. In the past, registration stubs filled out by hand were not recorded into a database for weeks. The incentive to register animals is significant because a registration verification number is needed to take a harvested animal to a taxidermist, meat processor, fur dresser, or simply to possess it legally. There are additional benefits that result from the new statewide automated system which will result in new opportunities to verify compliance and which may counterbalance perceived opportunities to illegally duplicate permits.

Groups and individuals impacted by the proposed rule:

Participants in outdoor recreational activities are a primary entity who will be affected by the proposed rule. Activities licensed by the department include hunting, fishing and trapping, as well as permits/passes/registrations for state parks, boats, snowmobiles, and all-terrain vehicles.

Private vendors who contract with the department to issue licenses will also be affected by the proposed rules. Those include a range of retail outlets such as convenience stores, department stores, small sporting goods shops, as well as large retailers of outdoors-related merchandise.

In nearly all situations, the effects are likely to be minimal but would result in improved delivery and access to services. The department would continue to contract with a variety of private retail outlets to deliver services which will basically be the same and include licenses and registrations for outdoors related activities.

Previous Board action:

The board authorized the statement of scope for these rules at its January 2015 meeting.

Rule Development:

This system for issuance of recreation license products and rules necessary for implementation were developed by the bureaus of customer and outreach services with assistance from wildlife management, fisheries management, law enforcement, legal services, science services, and parks & recreation. Each bureau has had involvement beginning with an integrated core team which began meeting in 2013. However, much of the detailed information has been developed only recently, beginning with passage of 2015 ACT 89 in November 2015 and scope statement approval to initiate drafting rule language in January.

Environmental Analysis:

The rulemaking process for Board Order WM-04-16(E) constitutes an equivalent analysis action under s. NR 150.20 (2) (b), Wis. Adm. Code and additional environmental analysis is not required.

Public Input on the Economic Impact Analysis
Pursuant to the Governor's Executive Order 50, Section II, this will be a level 3 economic impact analysis for the permanent rule which will be a companion to this emergency order. A notice for Solicitation of comments on this analysis will be posted on the department's website in the spring season of 2016 and various interest groups will be contacted by email.

Small Business Analysis and Economic Impact of proposed rules:

No economic impacts are anticipated as a result of these rules. The department currently contracts with a vendor and provides automated licensing to the public through private retail outlets such as convenience stores, department stores, small sporting goods shops, as well as large retailers of outdoors-related merchandise. Licenses will also continue to be available at department service centers, and online. Following these rules, the same basic framework of license delivery would still be in place.

We do anticipate improved delivery of services and continued high levels of customer satisfaction because more services will be available at all locations and through the internet. These proposals will generally contribute to providing access to opportunities for hunting, fishing, trapping and other outdoor activities and maintenance of the economic activity generated by people who participate in those activities. The long range implications of this rule proposal will be the same as the short term impacts in that access to outdoor recreational activities will continue or improve and that activity will continue to generate economic activity.

In large part these rules are applicable to individual recreational licensees and do not impose new compliance or reporting requirements for small business. Vendors who choose to serve as department license outlets would continue to have compliance and reporting requirements and follow operational standards, however, we do not anticipate that those will be significantly different than what is currently required of vendors. Therefore, under s. 227.19 (3m) Stats. a final regulatory flexibility analysis is not required.

These rules do not modify the actual fees for any licenses, permits, registrations, or trail use stickers.

STATE OF WISCONSIN
DEPARTMENT OF ADMINISTRATION
DOA-2049 (R03/2012)

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ADMINISTRATIVE RULES
Fiscal Estimate & Economic Impact Analysis

1. Type of Estimate and Analysis
☒ Original ☐ Updated ☐ Corrected

2. Administrative Rule Chapter, Title and Number

Board Orders CS-03-16 and CS-04-16(E) modifying Chs. NR 8 License and Permit Procedures, NR 10 Game and Hunting, NR 12 Wildlife Damage and Nuisance Control, 20 Fishing: Inland Waters; Outlying Waters, and 23 Wisconsin-Michigan Boundary Waters.

3. Subject

Customer and Outreach Services rules related to the automated system for delivering recreational license products.

4. Fund Sources Affected
☐ GPR ☐ FED ☐ PRO ☐ PRS ☐ SEG ☐ SEG-S

5. Chapter 20, Stats. Appropriations Affected
None

6. Fiscal Effect of Implementing the Rule
☐ No Fiscal Effect
☐ Indeterminate
☐ Increase Existing Revenues
☐ Decrease Existing Revenues
☐ Increase Costs
☒ Could Absorb Within Agency's Budget
☐ Decrease Cost

State Fiscal Impact
These rules have no state fiscal effect independent of the fiscal effect of the statute upon which it is based. Therefore, as described in Part 1.02 (7) (b) of the Wisconsin Legislative Council Administrative Rules Procedures Manual, the agency has based its fiscal estimate on the fiscal effect of the statutes as established by 2015 ACT 89.

The fiscal estimate prepared for AB 434, signed into law as 2015 Act 89, estimates a one-time cost of $3,500 for rule development. In addition, the fiscal estimate indicates the annualized fiscal impact of statutory changes will result in a reduction of state operating costs by $2,200 and a reduction of state revenue by $401,900. The reduction in state operating costs is due to eliminating the requirement for the department to issue a snowmobile trail pass free of charge to owners of snowmobiles registered as antiques and eliminating the requirement for the department to issue a reflectorized plate to commercial snowmobile certificate holders. The reduction in state revenues gained is due to the elimination of the expedited service fee associated with printing decals at the point of sale. State revenues will also decrease with the elimination of duplicate approval fees, however this decrease will be offset by an indeterminate amount from the revenue gained from the sale of the approval reprints at license agent locations.

Twenty-fifteen Act 89 made a number of statutory clarifications and simplifications that will reduce administrative overhead for enforcement investigations by an indeterminate amount. Although Act 89 aligned numerous penalty provisions through maximum penalty increases, maximum penalties can only be imposed by trial court judges and cannot be assigned by field law enforcement officers, so typical revenue from citation issuance is not expected to be impacted by this change.

The fiscal estimate prepared by the department for AB 434 included impacts associated with the elimination of the back tag reservation system. These impacts are not included in this discussion, as Assembly Substitute Amendment 1 removed the provisions from AB 434 that eliminated the back tag reservation system.

7. The Rule Will Impact the Following (Check All That Apply)
☐ State's Economy
☐ Local Government Units
☐ Specific Businesses/Sectors
☐ Public Utility Rate Payers
☐ Small Businesses **(if checked, complete Attachment A)**

8. Would Implementation and Compliance Costs Be Greater Than $20 million?
☐ Yes ☒ No

9. Policy Problem Addressed by the Rule

These rules will modernize Wisconsin's automated system for delivering recreational license products. This will result in better access to products, faster delivery of special permits and registrations, and improved customer service and satisfaction.

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ADMINISTRATIVE RULES
Fiscal Estimate & Economic Impact Analysis

The department is directed to promulgate these rules by 2015 ACT 89.

10. Summary of the businesses, business sectors, associations representing business, local governmental units, and individuals that may be affected by the proposed rule that were contacted for comments.

Pursuant to the Governor's Executive Order 50, Section II, this will be a level 3 economic impact analysis for this permanent rule. A notice for Solicitation of comments on this analysis will be posted on the department's website during the spring season of 2016 and various interest groups will be contacted by email.

Private vendors who contract with the department to issue licenses will also be affected by the proposed rules. Those include a range of retail outlets such as convenience stores, department stores, small sporting goods shops, as well as large retailers of outdoors-related merchandise.

In nearly all situations, the effects are likely to be minimal but would result in improved delivery and access to services. The department would continue to contract with a variety of private retail outlets to deliver services which will basically be the same and include licenses and registrations for outdoors related activities.

11. Identify the local governmental units that participated in the development of this EIA.

Pursuant to the Governor's Executive Order 50, Section II, this is a level 3 economic impact analysis. A notice for solicitation of comments on this analysis will be posted on the department's website during a 14 day period beginning during the spring season of 2016. The department will seek comments by contacting interest groups, individuals, and associations that represent local governmental units.

No effects on local governments are anticipated.

12. Summary of Rule's Economic and Fiscal Impact on Specific Businesses, Business Sectors, Public Utility Rate Payers, Local Governmental Units and the State's Economy as a Whole (Include Implementation and Compliance Costs Expected to be Incurred)

No economic impacts are anticipated as a result of these rules. The department currently contracts with a vendor and provides automated licensing to the public at private retail outlets, department service centers, and online. Those include a range of retail outlets such as convenience stores, department stores, small sporting goods shops, as well as large retailers of outdoors-related merchandise. Following these rules, the same basic framework of license delivery would still be in place.

We do anticipate improved delivery of services and continued high levels of customer satisfaction because more services will be available at all locations and through the internet. These proposals will generally contribute to providing access to opportunities for hunting, fishing, trapping and other outdoor activities and maintenance of the economic activity generated by people who participate in those activities. The long range implications of this rule proposal will be the same as the short term impacts in that access to outdoor recreational activities will continue or improve and that activity will continue to generate economic activity.

These rules are primarily applicable to individuals and impose no new compliance or reporting requirements for small business. Vendors who choose to serve as department license outlets would continue to have compliance and reporting requirements and follow operational standards, however, we do not anticipate that those will be significantly different than what is currently required of vendors.

These rules will not modify the actual fees for any licenses, permits, registrations, or trail use stickers.

13. Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule

We anticipate improved delivery of services and continued high levels of customer satisfaction because more services will be available at all locations and through the internet. These proposals will generally contribute to providing access to opportunities for hunting, fishing, trapping and other outdoor activities and maintenance of the economic activity generated by people who participate in those activities. The long range implications of this rule proposal will be the same as the short term impacts in that access to outdoor recreational activities will continue or improve and that activity will continue to generate economic activity.

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ADMINISTRATIVE RULES
Fiscal Estimate & Economic Impact Analysis

14. Long Range Implications of Implementing the Rule

The long range implications of this rule proposal will be the same as the short term impacts. These proposals will contribute to the maintenance of the current economic activity generated by people who purchase licenses, permits, and registrations and participate in a variety of outdoor recreational activities.

15. Compare With Approaches Being Used by Federal Government

Federal regulations allow states to manage the wildlife resources and state-owned lands located within their boundaries provided they do not conflict with regulations established in the Federal Register. None of these rule changes violate or conflict with the provisions established in the Federal Code of Regulations.

16. Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota)

Under the proposal, Wisconsin's rules and automated licensing system will not differ significantly from surrounding states. All surrounding states have an automated system in place for the issuance of recreational licenses. Their systems are established based on needs that are unique to those state's resources and public desires.

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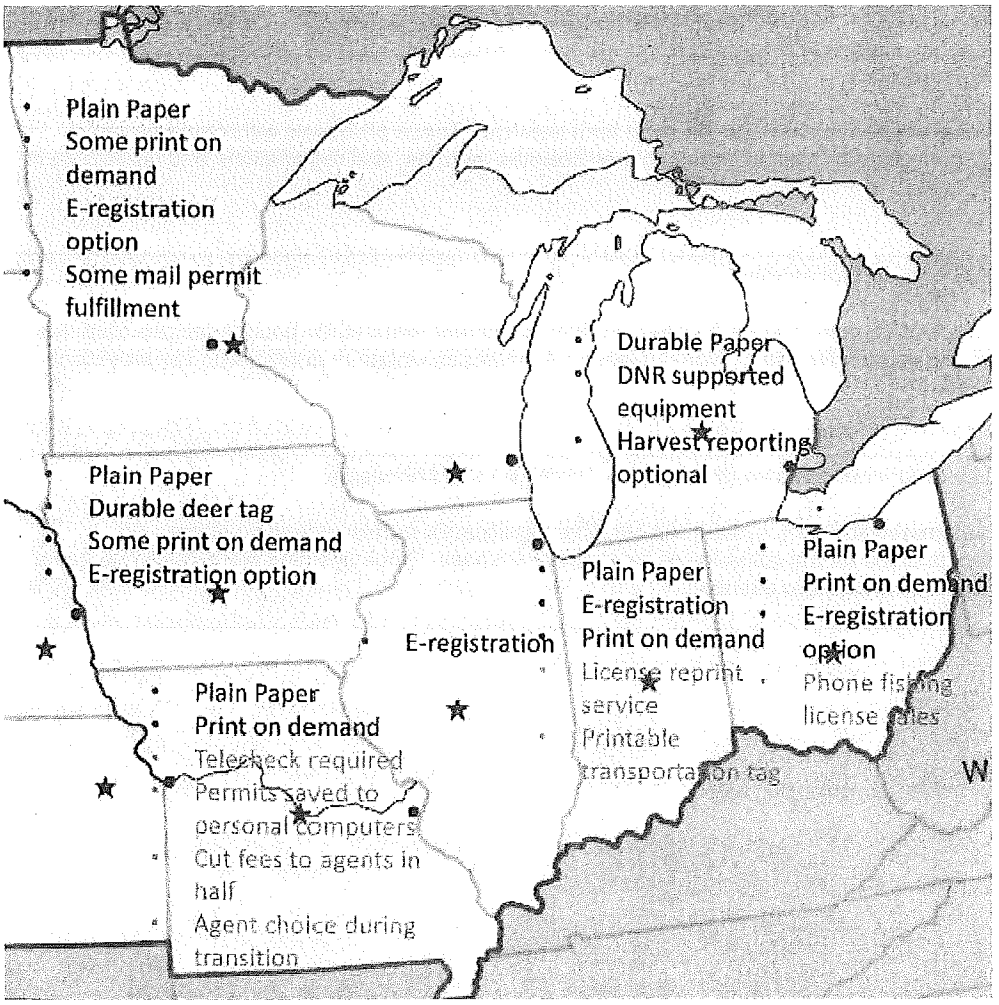
ADMINISTRATIVE RULES
Fiscal Estimate & Economic Impact Analysis



Wisconsin's surrounding states do not use screens that face both the license agent and the customer. Dual-facing screens provide added security and convenience at the point of sale. Customers may enter their social security number themselves, thus eliminating the need to recite it to the license agent. In addition, customers may directly attest to certifying statements, rather than requiring agents to read a certifying statement and enter the customers' response. Dual-facing screens also allow a customer to follow the transaction process and verify the accuracy of information entered, thereby reducing the potential for errors.

17. Contact Name	18. Contact Phone Number
Linda Olver, Customer and Outreach Services Policy Specialist	608-264-8985

This document can be made available in alternate formats to individuals with disabilities upon request.

CORRECTED
on pages 3 and 10

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

The statement of scope for this rule, SS 145-15, was approved by the Governor on December 22, 2015, published in Register No. 721A1 on January 4, 2016 and approved by the Natural Resources Board on January 27, 2016. This emergency rule was approved by the Governor on _____.

The Wisconsin Natural Resources Board proposes an order to repeal Ch. NR 8.01 (2), (5), and (6), 8.03 (2) (b) and (3) (b), 8.05, 10.103 (Note), 10.104 (7) (a) 2m., (7) (b) 2m., and (7) (c) 2m., 10.105 (2), 10.106 (2) (a) to (c) and (3), 10.11 (3), (4) (Intro.) and (a), (5), and (6), 10.125 (3) (a) to (c), 10.145 (5) and (6), and 10.25 (3); to renumber NR 10.106 (1), 10.145 (7) and (8), and 10.25 (4) and (5); to renumber and amend NR 10.106 (2) (Intro.) and 10.11 (4) (b); to amend NR Subch. I - NR 8 (title), 8.02, 8.03 (2) (c) (Intro.), 8.04 (1) (a) and (b), 8.07, 8.52 (1) (b) 2., (c) 2. and (d) 2., 8.54 (1) (a) 2. and (b), 10.08 (Intro.), 10.103 (1), 10.104 (7) (a) 2., (7) (b) 2., (7) (c) 2., and (9), 10.125 (1) (d) and (3) (Intro.), 10.25 (2) (a) 1., 12.06 (10), 12.15 (5) (a), 20.07 (1) and (Note) and (2) to (5), 20.10 (4), (5) to (7), (8), (10), and (11), 23.12 (1) and (Note) and (2) to (4); to repeal and recreate NR 8.01 (1), 10.101 (3), 10.103 (2), 10.105 (1), 10.11 (2) 10.145 (4), 10.25 (2), 10.26 (2), 12.16 (5); and to create NR 8.01 (3m), 8.045, 10.08 (7) and (Note), 10.085, 12.10 (12), 20.07 (1m), (1r), (Note), (1v), (6), and (7), 20.10 (4m), (7m), and (12), 23.12 (1m), (1r), (Note), and (1v), 23.12 (5) and (6); related to Customer and Outreach Services rules related to the automated system for delivering recreational license products.

CS-04-16(E)

Analysis Prepared by the Department of Natural Resources

Statutory Authority and Explanation of Agency Authority: Non-statutory provisions of 2015 Act 89 establish that the department may enact these rules using the process for emergency rules without finding that promulgating a rule is necessary for the preservation of public peace, health, safety, or welfare. The emergency rule may remain in effect until July 1, 2018 or until the permanent rule is promulgated.

The chapter on conservation, in s. 23.47 created in 2015 Act 89, establishes the department may promulgate rules relating to forms of acceptable proof of an approval, electronic retrieval of information, and reprints of approvals and safety certificates.

The chapter on wild animals and plants, in s. 29.014, "rule making for this chapter", establishes that the department shall establish and maintain conditions for taking fish and game. This grant of rule-making authority allows the department to promulgate rules related to the licensing, use of harvest permits, and other regulations necessary to conserve the fish and game supply and ensure the citizens of this state continued opportunities for good fishing, hunting, and trapping.

Wisconsin's boundary waters with other states are popular hunting, fishing, and trapping locations. Specific authority to regulate hunting and fishing in and on all interstate boundary waters and outlying waters is established in s. 29.041.

Sections 23.11 and 29.014, Stats., allow for the protection of natural resources, establish general department powers on lands it manages including migratory bird refuges, and authority to establish hunting and trapping regulations on department managed lands. This authority could apply if property-specific permits currently issued by the department are converted to electronic permit delivery.

Statutes Interpreted and Explanation: Nonstatutory provisions of 2015 Act 89 establish that the department may enact these rules using the process for emergency rules without finding that promulgating a rule is necessary for the preservation of public peace, health, safety, or welfare.

The chapter on conservation, in s. 23.47 created in 2015 Act 89, establishes the department may promulgate rules relating to forms of acceptable proof of an approval, electronic retrieval of information, and reprints of approvals and safety certificates.

The chapter on wild animals and plants, in s. 29.014, "rule making for this chapter", establishes that the department shall establish and maintain conditions for taking fish and game. Wisconsin's boundary waters with other states are popular hunting, fishing and trapping locations. Specific authority to regulate hunting and fishing in and on all interstate boundary waters and outlying waters is established in s.29.041.

Related Statute or Rule: The department is also promulgating permanent rules which will be similar to these emergency rules. The statement of scope for the permanent rule is the same document through which this emergency rule was approved, SS 145-15 approved by the Governor on December 22, 2015, published in Register No. 721A1 on January 4, 2016 and approved by the Natural Resources Board on January 27, 2016.

Plain Language Rule Analysis: These rules will modernize Wisconsin's automated system for delivering recreational license products. This will result in better access to products, faster delivery of special permits and registrations, and improved customer service and satisfaction.

SECTIONS 1, 6, 13, 14, and 15 of these rules replaces the outdated term "automated license issuance system" with the more generic "statewide automated system" to align with the terminology used in s. 23.47, Stats.

SECTION 2 repeals an unnecessary definition of "approval" and creates a definition of "authenticated" that identifies the conditions under which a Wisconsin operator's license is valid as a form of proof of holding an approval.

SECTION 3 repeals the definition of "automated license issuance system", a term that is no longer used in NR 8. While "automated license issuance system" is being replaced through NR 8 with "statewide automated system", it is not necessary to define "statewide automated system".

SECTION 4 creates a definition of "digital file" that specifies the file format type as a pdf file issued by the department for purposes of displaying on an electronic device as proof of holding an approval.

SECTION 5 repeals unnecessary definitions of "retail agent" and "service provider".

SECTION 7 repeals an outdated deadline to submit license agent applications.

SECTION 8 makes housekeeping changes to correct reference to a sub. and removes superfluous language.

SECTION 9 repeals a requirement that has been eliminated. Previously, all license agents were required to enter into an agreement with the service provider covering the maintenance and support of the electronic license equipment.

SECTION 10 clarifies an applicant shall sign the purchase receipt attesting to their residency and that their privileges for all approvals issued have not been suspended in addition to being revoked, eliminates the

unnecessary phrase "in a court of law", and eliminates the requirement to carry the signed approval while exercising privileges authorized by the department, consistent with the change made in 2015 Act 89.

SECTION 11 establishes the alternative forms of acceptable proof of items that are issued by the department's statewide automated system and the locations at and times during which those forms of proof are valid. For hunting licenses, hunting stamps, trapping licenses, guide licenses, and wild rice harvest licenses, and fishing approvals and stamps used on inland waters that are not boundary waters or outlying waters, acceptable alternative forms of proof include a reprint of the original approval, a Wisconsin driver's license, a conservation card, or a digital file displayed on an electronic device. 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 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 include a reprint of the original approval, a Wisconsin driver's license, a conservation card, or a digital file displayed on an electronic device. For atv/utv, boating, and snowmobile safety certificates, acceptable alternative forms of proof include a reprint of the original or a digital file displayed on an electronic device. 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 alternative forms of proof allowed is a digital file displayed on an electronic device. 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 allowed is a reprint of the original approval. This section stipulates that once a person harvests a bear, deer, goose, grouse, sturgeon~~, wolf~~ or turkey under the authority of an unfilled carcass tag, that tag is considered filled and may no longer be reprinted. Lastly, this section establishes a person may obtain a reprint by printing a high-quality hard-copy themselves, requesting the department reprint the approval at a Service Center, or requesting a license agent reprint the approval.

SECTION 12 repeals a rule provision regarding telephone issuance of approvals deemed unnecessary, as this rule provision recreates department authority already provided in statute.

SECTIONS 16 and 17 of these rules consolidate requirements for the possession and transportation of certain game species in one location and makes the requirements more consistent among all of the species affected. All of the provisions of this section are in place under current rules.

SECTION 18 establishes new regulations for the tagging and registration of game, consolidates existing regulatory information in one location, and makes 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 them. These rules also eliminate 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.

SECTION 19 repeals detailed descriptions of the requirements for validating, attaching, and removal and retention of bear carcass tags and establishes a cross reference to the new location for that information.

SECTIONS 20 to 22 repeal a prohibition of possessing a validated deer carcass tag while hunting and not also in possession of a deer carcass. This prohibition is re-established in SECTIONS 16 and 17 of these rules, and would apply for other permit species in addition to deer.

SECTIONS 23 to 28 repeal 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 sections 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.

SECTION 29 corrects a drafting error from previous rulemaking.

SECTIONS 30 and 31 repeal detailed descriptions of the requirements for possessing and transporting deer and bear and establish a cross reference to the new location for that information.

SECTION 32 moves language that establishes regulations for quartering deer and bear carcasses in the field to a more appropriate subsection.

SECTIONS 33 and 34 repeal detailed descriptions of the requirements for registering and for tagging registered deer and bear and establishes a cross reference to the new location for that information.

SECTIONS 35 to 38 repeal requirements and prohibitions related to transportation of elk, elk carcass tags, and the registration of harvested elk. This language is reestablished in SECTIONS 16 and 17 of these rules and is more consistent with comparable requirements for other species. Finally, SECTION 38 also repeals a cross reference to the hunting hours for elk which may be superfluous language considering that similar cross references to the section establishing all hunting hours are not found where the regulations for other species are established.

SECTIONS 39 to 41 amend detailed descriptions of the requirements for tagging, possessing and transporting Canada geese and establish a cross reference to the new location for that information. The department's ability to require that Canada geese harvested in the Horicon be tagged is not currently being utilized but this language is being updated in case that harvest control measure is needed in the future.

SECTIONS 42 to 44 repeal requirements for tagging, recording of harvest, possessing, and transferring harvested bobcat, otter, fisher, and wolf. A cross reference to the new location for that information is established. 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.

SECTIONS 45 to 48 repeal detailed descriptions of the requirements for tagging and registering wild turkeys and establish a cross reference to the new location for that information.

SECTION 49 repeals a detailed description of the requirements for tagging sharp-tailed grouse and establishes a cross reference to the new location for that information.

SECTIONS 50 to 53 repeal detailed descriptions of the requirements for tagging and registering deer harvested under the authority of nuisance and damage permits in Ch. NR 12 and establish a cross reference to the new location for that information in Ch. NR 10.

SECTIONS 54 to 57 regard hook and line angling for lake sturgeon on certain inland rivers and Lake Superior; SECTIONS 58 to 63 regard lake sturgeon spearing on Lake Winnebago and spearing on nearby upriver lakes; and SECTIONS 64 to 67 regard hook and line angling for lake sturgeon on Wisconsin-Michigan boundary waters. All of these sections update rules for the tagging and registration of lake sturgeon harvested during the existing hook-and-line and spearing seasons. The 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. These sections also eliminate 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.

Federal Regulatory Analysis: States may manage the fish and wildlife resources located within their boundaries provided they do not conflict with regulations established in the Federal Register. None of these rule changes violate or conflict with the provisions established in the Federal Code of Regulations.

Migratory game bird hunting is regulated by the United States Fish & Wildlife Service (USFWS), in 50 CFR part 20. Under international treaty and Federal law, migratory game bird seasons are closed unless opened annually through the USFWS regulations process. Wisconsin annually adjusts migratory bird seasons and regulations in order to stay within the federal framework.

Comparison with rules in Adjacent States: Wisconsin's surrounding states have comparable systems for the delivery of licensing products. Minnesota, Iowa, and Indiana all utilize print-on-demand systems with plain paper. Michigan still uses a durable paper system with equipment supported by their agency. Minnesota, Iowa, Illinois and Indiana all utilize electronic harvest reporting or registration systems.

Summary of Factual Data and Analytical Methodologies: The policies in this rule are consistent with past policies of issuing recreational licenses through an electronic based system using a network of local vendors and department offices.

Participants in outdoor recreational activities are a primary entity who will be affected by the proposed rule. Activities licensed by the department include hunting, fishing and trapping, as well as permits/passes/registrations for state parks, boats, snowmobiles, all-terrain vehicles. Private vendors who contract with the department to issue licenses will also be affected by the proposed rules. Those include a range of retail outlets such as convenience stores, department stores, small sporting goods shops, as well as large retailers of outdoors-related merchandise. In nearly all situations, the effects are likely to be minimal but would result in improved delivery and access to services.

Various methods to manage the public harvest of wild animals or sturgeon are available to the department. The department requires the use of carcass tags for certain species when that will assure equitable distribution of harvest, regulations compliance, or to limit harvest to a very specific level. Hunters purchase tags or, when demand exceeds supply, apply to be included in random drawings for tags.

For wildlife species, carcass tags are required to hunt or trap 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. A carcass tag is also required when an angler intends to harvest, or keep, a lake sturgeon during an open fishing season.

Immediately upon harvesting an animal for which a carcass tag is required, the carcass tag must be validated. Under current rules, this is done by cutting the corresponding tag with marks for information such as the date and time of harvest. Under these proposed rules, the department will be able to allow carcass tags to be validated by other methods as indicated on the tag. This will allow hunters and anglers to write on the tag which may allow hunters to record more information than under current rules.

In the past, carcass tags have been made of a durable material that resisted damage from environmental elements and tags were required to be attached to the animal. Under the department's current contract for a statewide automated system, tags will be printed on plain paper. Through these rules the requirement to attach carcass tags will be relaxed, but not eliminated, so that paper tags are not damaged or lost while in the field or on the water. These rules will allow a person to keep a validated carcass tag safely in a pocket or wallet while, for instance, dragging a deer out of the field. To assure compliance with the requirement to validate tags, under current and these proposed rules, hunters and anglers will be required to display the tag to the department upon request. The requirement to attach tags will still apply when an animal is left by the person who validated the tag for the animal. These rules require that information on the carcass tags remain legible and suggest that tags can be protected by enclosing them in a watertight, plastic bag such as a sandwich or snack bag.

These rules will still require that carcass tags be attached to bobcat, otter and fisher and the department will continue to issue durable carcass tags which will be produced outside of the statewide automated system. Under this rule the department could utilize paper tags through the statewide automated system if it determined that would be practical at a later time.

Electronic harvest registration is required of deer, bear and turkey hunters. These rules would expand that requirement so that elk harvest could be registered electronically. However, the option to require in-person registration is also retained. When the first elk seasons are held, the department anticipates that it may want to inspect carcasses for research purposes.

Successful sharp-tailed grouse hunters are asked to mail a registration stub, which is currently issued along with the carcass tag, to the department. However, registration is not mandatory under administrative rules and there are no citations to issue for failing to register sharp-tailed grouse. For consistency, these rules establish a requirement to register harvest with the department consistent with the requirements for deer and bear.

A policy alternative to contract with a vendor whose system would allow the issuance of carcass tags made of a material that is more durable and more difficult to duplicate illegally was evaluated. The benefits of paper tags are significant and include immediate purchase fulfillment of internet purchases, simpler equipment for vendors, and less expensive tag and license material. The requirement to electronically register most species by 5:00 on the day after harvest will reduce fraud related to the illegal duplication of permits. For the first time with this statewide automated system, conservation wardens will quickly be able to query a database to find out if an animal has been registered. In the past, registration stubs filled out by hand were not recorded into a database for weeks. The incentive to register animals is significant because a registration verification number is needed to take a harvested animal to a taxidermist, meat processor, fur dresser, or simply to possess it legally. There are additional benefits that result from the new statewide automated system which will result in new opportunities to verify compliance and which may counterbalance perceived opportunities to illegally duplicate permits.

Another provision 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 by establishing that they are valid statewide except in units without an antlerless quota. 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 sections 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 in effect in 2014 and in 2015. Based on experience gained by the department during the previous two seasons, it is assumed that regulations in place for those years were accepted by the public and there is no need to implement the more complicated regulations that were scheduled to be in effect for 2016.

Anticipated Private Sector Costs and Economic Impact of Implementing the Rule: No economic impacts are anticipated as a result of these rules. The department currently contracts with a vendor and provides automated licensing to the public at private retail outlets, department service centers, and online. Following these rules, the same basic framework of license delivery would still be in place.

The department anticipates improved delivery of services and continued high levels of customer satisfaction because more services will be available at all locations and through the internet. These proposals will generally contribute to providing access to opportunities for hunting, fishing, trapping and other outdoor activities and maintenance of the economic activity generated by people who participate in those activities. The long range implications of this rule proposal will be the same as the short term impacts in that access to outdoor recreational activities will continue or improve and that activity will continue to generate economic activity.

These rules are primarily applicable to individuals and impose no new compliance or reporting requirements for small business. Vendors who choose to serve as department license outlets would continue to have compliance and reporting requirements and follow operational standards, however, we do not anticipate that those will be significantly different than what is currently required of vendors.

These rules will not modify the actual fees for any licenses, permits, registrations, or trail use stickers.

Pursuant to the Governor's Executive Order 50, Section II, this will be a level 3 economic impact analysis for the permanent version of this rule. For the comparable permanent rule, a notice for Solicitation of comments on this analysis will be posted on the department's website in the spring season of 2016 and various interest groups may be contacted by email.

Effects on Small Business: The department currently contracts with a vendor and provides automated licensing to the public at private retail outlets, department service centers, and online. Following these rules, the same basic framework of license delivery would still be in place.

These rules are primarily applicable to individuals and impose no new compliance or reporting requirements for small business. Vendors who choose to serve as department license outlets would continue to have compliance and reporting requirements and follow operational standards, however, we do not anticipate that those will be significantly different than what is currently required of vendors.

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SECTION 1. Subch. I - NR 8 (title) is amended to read:

Subch. I - NR 8. Standards and Procedures for the Statewide Automated ~~License Issuance~~ System.

SECTION 2. NR 8.01 (1) is repealed and recreated to read:

NR 8.01 (1) "Authenticated", for purposes of s. NR 8.045, means the department or agent appointed under s. 29.024 (6) (a), Stats., in the presence of an applicant, has physically handled an applicant's operator's license and verified, using department of transportation records, the applicant's identity and that the applicant's customer account is properly linked to the operator's license.

SECTION 3. NR 8.01 (2) is repealed.

SECTION 4. NR 8.01 (3m) is created to read:

NR 8.01 (3m) "Digital file", for purposes of s. NR 8.045, means a portable document format (pdf) file.

SECTION 5. NR 8.01 (5) and (6) are repealed.

SECTION 6. NR 8.02 is amended to read:

NR 8.02 Authorization to issue approvals. All license agents shall issue all department approvals or federal approvals designated by the department to be issued through the statewide automated ~~licensing~~ system, except for approvals designated by the department to be issued only by the department or by specified license agents.

SECTION 7. NR 8.03 (2) (b) is repealed.

SECTION 8. NR 8.03 (2) (c) (Intro.) is amended to read:

NR 8.03 (2) (c) All license agent applicants not included in par. (a) ~~or (b)~~ shall be considered for approval by the department. Factors which may be considered for approval of an application include~~, but are not limited to the following~~:

SECTION 9. NR 8.03 (3) (b) is repealed.

SECTION 10. NR 8.04 (1) (a) and (b) are amended to read:

NR 8.04 (1) (a) An applicant shall provide appropriate identification and update all personal information as indicated by the department's license issuance manual when applying for an approval. In addition, an applicant shall sign the purchase receipt attesting to his or her residency and that his or her privileges for all approvals issued have not been suspended or revoked ~~by a court of law~~.

(b) An applicant shall sign the issued approval, if required by the department on the approval form, before exercising any privileges authorized by the approval~~ and carry the signed approval on their person when exercising privileges authorized by the approval~~.

SECTION 11. NR 8.045 is created to read:

NR 8.045 (Title) Forms of proof; reprints.

NR 8.045 (1) Pursuant to s. 23.47 (1) Stats., this sub. establishes that only the following, issued through the statewide automated system, may be used to provide proof of authorization to engage in the activities in par.'s (a) to (g).

(a) For hunting licenses, hunting stamps, and trapping licenses, authorized under subch. III of ch. 29, Stats., as published on January 1, 2016, except licenses and stamps authorized by s. 29.2297, Stats., and wild rice harvest licenses issued under 29.607 (3)and guide licenses issued under s. 29.512, Stats.

1. A reprint, as designated under sub. (3), of the original approval document issued by the department or agent appointed under s. 29.024 (6) (a), Stats.

2. A conservation card issued under s. 23.47(2), Stats.

3. An authenticated, current, non-expired Wisconsin operator's license issued by the department of transportation, of the type required under s. 343.18(1), Stats.

4. A discernible and easily viewable image produced by a digital file issued by the department, displayed on any electronic device, including a cellular telephone, in a manner that permits a law enforcement officer to complete a meaningful inspection of such image for purposes of establishing compliance with s. 29.024(1), Stats.

(b) For fishing licenses and fishing stamps, authorized under subch. III of ch. 29, Stats., as published on January 1, 2016, only while fishing on inland waters that are not boundary waters.

1. A reprint, as designated under sub. (3), of the original approval document issued by the department or agent appointed under s. 29.024 (6) (a), Stats.

2. A conservation card issued under s. 23.47 (2), Stats.

3. An authenticated, current, non-expired Wisconsin operator's license issued by the department of transportation, of the type required under s. 343.1 (1), Stats.

4. A discernible and easily viewable image produced by a digital file issued by the department, displayed on any electronic device, including a cellular telephone, in a manner that permits a law enforcement officer to complete a meaningful inspection of such image for purposes of establishing compliance with s. 29.024 (1), Stats.

(c) For fishing licenses and fishing stamps, authorized under subch. III of ch. 29, Stats., as published on January 1, 2016, while fishing on the waters that are boundary waters or while fishing on the waters that are outlying waters, a reprint, as designated under sub. (3), of the original approval document issued by the department or agent appointed under s. 29.024 (6) (a), Stats.

(d) For certificates of accomplishment authorized under ss. 29.591, 29.595, and 29. 597, Stats.

1. A reprint, as designated under sub. (3), of the original approval document issued by the department or agent appointed under s. 29.024 (6) (a), Stats.

2. A conservation card issued under s. 23.47(2), Stats.

3. An authenticated, current, non-expired Wisconsin operator's license issued by the department of transportation, of the type required under s. 343.18 (1), Stats.

4. A discernible and easily viewable image produced by a digital file issued by the department, displayed on any electronic device, including a cellular telephone, in a manner that permits a law enforcement officer to complete a meaningful inspection of such image for purposes of establishing compliance with s. 29.024(1), Stats.

(e) For safety certificates required under ss.23.33 (5) (b), 30.678, and 350.05, Stats., include:

1. A reprint, as designated under sub. (3), of the original approval document issued by the department or agent appointed under s. 29.024 (6) (a), Stats.

2. A discernible and easily viewable image produced by a digital file issued by the department, displayed on any electronic device, including a cellular telephone, in a manner that permits a law

enforcement officer to complete a meaningful inspection of such image for purposes of establishing compliance with the requirement to exhibit proof of the certificate.

(f) For a temporary trail use receipt issued under ss. 23.33 (2j) or s. 350.12 (3j) and a temporary operating receipt issued under s. 23.33 (2) (ig) 1. b., ss. 30.52 (1m) (ag) 1. a. and 350.12 (3h) (ag) 1. b., Stats., a discernible and easily viewable image produced by a digital file issued by the department, displayed on any electronic device, including a cellular telephone, in a manner that permits a law enforcement officer to complete a meaningful inspection of such image for purposes of establishing compliance with the requirement to exhibit proof of the receipt.

(g) For an approval issued as a unique carcass tag for bear, deer, goose, grouse, sturgeon, or turkey~~, or wolf~~ that has not been validated or used to harvest an animal, a reprint, as designated under sub. (3), of the original approval document issued by the department or agent appointed under s. 29.024 (6) (a), Stats.

NOTE: Once an individual has harvested a bear, deer, goose, grouse, sturgeon, or turkey~~, or wolf~~ under the authority of a unique carcass tag, the tag is no longer eligible to be reprinted.

~~**NOTE:** The department lacks authority to issue wolf carcass tags while the wolf is listed on the federal endangered list or the state endangered list. See s. 29.185, Stats.~~

NR 8.045 (2) For any approval not specifically enumerated in sub. (1), no alternative forms of proof are permitted.

NR 8.045 (3) Pursuant to s. 23.47 (3), Stats., for a license, stamp, certificate, or tag for which a reprint is established under sub (1)., an approval holder may cause their original approval document to be reprinted by doing any of the following:

(a) Utilizing a digital file issued by the department to produce a high-quality printed hard-copy that facilitates meaningful inspection by a law enforcement officer.

(b) Requesting the department to produce a printed hard-copy at a service center.

(c) Requesting an agent appointed under ss. 29.024 (6) (a) 2. or 3.Stats. to produce a printed hard-copy, if the approval is of the type the agent is authorized to issue.

NOTE: A tag that is identified by a unique number is a unique carcass tag that remains as a singular harvest approval regardless of the number of reprints generated. Every reprint that bears an identical unique number collectively represent one authorization to harvest an animal; once an animal has been harvested under the authority of the harvest approval, all of the reprints are considered filled.

SECTION 12. NR 8.05 is repealed.

SECTION 13. NR 8.07 is amended to read:

NR 8.07 Variances. The department may approve a variance from nonstatutory requirements of this chapter upon request when the department determines that the variance is essential to accomplish the objectives of the statewide automated ~~license issuance~~ system and where special circumstances make the variances in the best interest of the program. Before granting a variance, the department shall take into account factors such as good cause and circumstances beyond the control of the requester.

SECTION 14. NR 8.52 (1) (b) 2., (c) 2. and (d) 2. are amended to read:

NR 8.52 (1) (b) 2. Update the department's ~~Automated License Issuance System~~ statewide automated system with a violator's revocation status, including the starting date and the ending date when known.

(c) 2. Update the department's ~~Automated License Issuance System~~ statewide automated system with a violator's revocation status, including the starting date and the ending date when known.

(d) 2. Update the department's ~~Automated License Issuance System~~ statewide automated system with any change in the violator's hunting, fishing and trapping revocation status.

SECTION 15. NR 8.54 (1) (a) 2. and (b) are amended to read:

NR 8.54 (1) (a) 2. Enter the violator's identifying information and revocation status into the department's ~~Automated License Issuance System~~ statewide automated system if not already entered into the system.

(b) In addition to the requirements under par. (a), the department, through the ~~Automated License Issuance System~~ statewide automated system, shall deny applications for any hunting, fishing and trapping privileges, approvals and preference points subject to the revocation for the term of the revocation.

SECTION 16. NR 10.08 (Intro.) is amended to read:

NR 10.08 Possession and transportation of game.

SECTION 17. NR 10.08 (7) and (Note) are created to read:

NR 10.08 (7) CARCASS TAGS. No person may:

(a) Hunt or trap any of the species in s. NR 10.085 unless in possession of a valid, unique carcass tag that has not already been used to harvest an animal. A tag is not valid when hunting or trapping in a zone, management unit, or land type that is not authorized by the tag, or if the tag is expired. A tag is not valid when hunting with a weapon that is not authorized for use with the tag.

(b) Upon harvesting any of the species in s. NR 10.085, fail to immediately validate the carcass tag that authorized the harvest.

(c) Possess or transport the carcass of any of the species in s. NR 10.085 unless also in possession of the validated carcass tag.

(d) Fail to keep a validated carcass tag intact and in good, legible condition so as to permit meaningful inspection by the department.

(e) Transport or possess an unskinned bobcat, fisher, otter, or wolf carcass, or a raw pelt of these species unless it has been tagged in accordance with s. NR 10.085.

(f) While afield, possess or transport the carcass of any of the species in s. NR 10.085 which is tagged with or possessed under the authority of a validated carcass tag of another person unless accompanied by the person issued the carcass tag. After the animal is registered it may be transported by vehicle on a public roadway or possessed at a dwelling or business establishment by a person who is not hunting without the need to be accompanied by the person who tagged and registered it. A dwelling for the purposes of this subsection includes permanent residences as well as temporary residences, such as an established hunting cabin or camp site.

(g) While hunting or trapping, possess a validated carcass tag for any of the species in s. NR 10.085 unless the person is also in possession of a legally killed animal corresponding to that carcass tag.

(h) Except where s. 29.324 Stats. applies, validate or attach a carcass tag to an animal trapped, killed, or harvested by another, or an animal killed by unlawful or unknown means.

(i) Possess more than one copy of a unique carcass tag while afield or hunting or trapping.

(j) Possess raw bobcat, fisher, otter or wolf pelts after the 5th day following closure of the open season for each species and the respective opening date of the next trapping or hunting season without a registration tag attached and locked to the head of the animal.

(k) Transfer, give, trade, sell or purchase a raw pelt or unskinned carcass of any bobcat, fisher, otter or wolf without a registration tag being attached and locked to the head portion of the pelt by the department in accordance with s. NR 10.085 (6) (d) 3.

(L) Transport or possess a bobcat, fisher, otter or wolf pelt without a registration tag being attached and locked to the head portion of the pelt by the department in accordance with s. NR 10.085 (6) (d) 3. This par. does not apply to the authorized harvester of the animal.

Note: Additional requirements for the transportation of deer species from chronic wasting disease affected areas in this state and from other states and countries where CWD has been identified are established in s. NR 10.105.

Note: The department lacks authority to issue wolf carcass tags while the wolf is listed on the federal endangered list or the state endangered list. See s. 29.185, Stats.

SECTION 18. NR 10.085 is created to read:

NR 10.085 Tagging and registration of game. (1) SPECIES. Requirements for the tagging and registration of game in this section apply to the following species:

(a) Deer.
(b) Bear.
(c) Elk.
(d) Wild turkey.
(e) Sharp-tailed grouse.
(f) Canada goose if the department determines that extra harvest control measures are necessary to restrict harvest under s. NR 10.125 (3).
(g) Bobcat.
(h) Fisher.
(i) Otter.
(j) Wolf

NOTE: The department lacks authority to issue wolf carcass tags while the wolf is listed on the federal endangered list or the state endangered list. See s. 29.185, Stats.

(2) VALIDATION. Any person who kills any of the species identified in this section, or if s. 29.324 Stats. applies, the person providing the carcass tag, shall immediately validate the carcass tag by marking it as designated by the department on the tag. Failure to completely validate the carcass tag renders possession of the animal illegal and the carcass tag invalid.

(3) DISPLAY. No person may refuse or fail to display a validated carcass tag or registration verification number to the department or its wardens upon request.

(4) ATTACHMENT. (a) No person who kills any of the species identified in this section, or if s. 29.324 Stats. applies, the person providing the carcass tag, may leave the carcass unless the tag has been attached to the carcass.

Note: Tags may be attached using string, plastic ties, wire or in any manner which results in the tag being secured to the carcass in a visible manner. Carcass tags may be protected from environmental elements in sealed plastic bags.

(b) The pelt tag shall be attached to a bobcat, fisher, otter or wolf when it is killed and before it is carried by hand or transported in any manner. Failure to attach the pelt tag invalidates the permit. The pelt and registration tag shall remain attached to the pelt until removed by a fur dresser or taxidermist at time of preparation.

(5) REMOVAL AND RETENTION. A carcass tag attached as required in this section may be removed from the carcass at the time of butchering or when prepared by a taxidermist, but the person who killed or obtained the animal shall retain all tags until the meat is consumed. The validated carcass tag shall be retained by the person who possesses the carcass until it is consumed.

(6) REGISTRATION. A person who kills any of the following species, or if s. 29.324 Stats. applies, the person providing the carcass tag, shall register the animal as follows:

(a) Deer, bear, elk, wild turkey and sharp-tailed grouse shall be registered no later than 5:00 p.m. of the day after the animal was recovered using a telephone, internet, or other harvest registration system established by the department except when exhibition of elk, deer or bear is required under sub. (7).

(b) At the time a deer, bear, wild turkey, sharp-tailed grouse or elk is registered as required under this section, the person who tagged and registered it shall legibly print the registration verification number provided by the department or its agents on the validated carcass tag.

(c) Registration of deer and bear shall occur before the animal is moved from the unit of kill or an adjoining unit.

(d) Each person who has killed a bobcat, fisher, otter or wolf shall:

1. Exhibit the pelt, separated from the rest of the carcass, to an authorized department representative no later than 5 days after the month of harvest. Persons who intend to have a bobcat, fisher, otter or wolf mounted by a taxidermist may exhibit the bobcat, fisher, otter or wolf to the department for registration in whole carcass condition without separating the pelt, but shall surrender the skinned carcass to the department within 30 days after registration.

2. Allow inspection of the carcass and pelt, and attachment of a registration tag to the head portion of the pelt of all lawfully taken and possessed bobcat, fisher, otter or wolf.

3. Provide the skinned carcass to the department as required by the department.

(7) REGISTRATION OF CERTAIN ELK, DEER AND BEAR. The department may require that elk be exhibited and registered at registration stations designated by the department no later than 5:00 p.m. of the day after it was recovered. The department may require that any deer or bear harvested in an area affected by CWD, tuberculosis, or where there are other serious infections disease threats, or area where samples are needed for department research purposes, shall be exhibited and registered at registration stations designated by the department no later than 5:00 p.m. on the third day after it was recovered, or by 5:00 p.m. on the day after the close of the season during which it was recovered, as described in s. NR 10.01 (3), whichever is earlier, unless otherwise authorized by the department. No person shall fail to exhibit the carcass of a deer, bear or elk at a registration location specified by the department when required under this paragraph.

(8) RESEARCH. The department may require that any part of animal subject to registration under this section shall be collected, sampled, or submitted to the department for research purposes. No person may fail to comply with any collection, sampling, or submission procedure required by the department.

Note: In addition to registering harvested animals, the department also requires reporting of Canada goose, bobcat, fisher, otter or wolf harvest. Additional information on Canada goose harvest reporting is found in s. NR 10.125 and for bobcat, fisher and otter harvest in s. NR 10.145.

SECTION 19. NR 10.101 (3) is repealed and recreated to read:

NR 10.101 (3) POSSESSION (a) No person may possess bear carcass in violation of the requirements for possession and transportation established under s. NR 10.08 (7) and for tagging and registration established under s. NR 10.085.

SECTION 20. NR 10.103 (1) is amended to read:

NR 10.103 (1) TAGS. A carcass tag shall be issued with each hunting license except when an archer license is issued to a person who has already been issued a crossbow license or when a crossbow license issued to a person who has already been issued an archer license. ~~While hunting, no person may possess a validated carcass tag including bonus and special carcass tags unless it is attached to a legally killed deer.~~

SECTION 21. NR 10.103 (2) is repealed and recreated to read:

NR 10.103 (2) POSSESSION. No person may possess deer carcass in violation of the requirements for possession and transportation established under s. NR 10.08 (7) and for tagging and registration established under s. NR 10.085.

SECTION 22. NR 10.103 (Note) is repealed.

SECTION 23. NR 10.104 (7) (a) 2. is amended to read:

NR 10.104 (7) (a) 2. ~~During hunting seasons that open in 2015, licenses~~ Licenses that authorize the hunting of deer with a bow and arrow, and not with a firearm or crossbow, may include one or more carcass tags that are valid for the taking of one antlerless deer in a management zone, unit, or portion of a unit specified on the tag that is in a farmland zone or a metropolitan deer management subunit established in ss. NR 10.28 (2) and (4) except that, where the department has established an objective to increase or maintain the deer population under s. NR 10.104 (4), the department may establish that the antlerless tags under this subdivision are not valid. This antlerless deer carcass tag is not weapon or season specific, but the holder must possess the correct license for the method of harvest and season. This tag is valid statewide for a person holding a Class A or Class C disabled permit issued under s. 29.193 (2) (b), Stats., or a person who obtains the tag while under 18 years of age except that, in units where the department has not established a quota allowing the harvest of antlerless deer, the department may establish that tags obtained under this subdivision by people who are under 18 years of age are not valid. These carcass tags are valid as indicated on the permit only for harvesting antlerless deer on public access lands or only for harvesting antlerless deer on private land as defined in ss. NR 10.001 (23a) and (23b). A person who has already been issued a license authorizing deer hunting with a crossbow during a season established under s. 29.014 (1m) (b), Stats., or s. NR 10.01 (3) (ep) will not receive the carcass tag established in this subdivision. A person may use any carcass tags issued with a license authorizing hunting with a crossbow during a crossbow deer season established under s. NR 10.01 (3) (ep) under the authority of an archer hunting license during the archery deer season established in s. NR 10.01 (3) (em).

SECTION 24. NR 10.104 (7) (a) 2m. is repealed.

SECTION 25. NR 10.104 (7) (b) 2. is amended to read:

NR 10.104 (7) (b) 2. ~~During hunting seasons that open in 2015, licenses~~ Licenses that authorize the hunting of deer with a firearm may include one or more carcass tags that are valid for taking one antlerless deer in a management zone, unit, or portion of a unit specified on the tag that is in a farmland

zone or in a metropolitan deer management subunit established in s. NR 10.28 (2) and (4) except that, where the department has established an objective to increase or maintain the deer population under s. NR 10.104 (4), the department may establish that the antlerless tag under this subdivision is not valid. This antlerless deer carcass tag is not weapon or season specific, but the holder must possess the correct license for the method of harvest and season. This carcass tag is valid for the taking of one antlerless deer in any unit statewide by a person holding a Class A or Class C disabled permit issued under s. 29.193 (2) (b), Stats., or a person who obtains the tag while under 18 years of age except that, in units where the department has not established a quota allowing the harvest of antlerless deer, the department may establish that tags obtained under this subdivision by people who are under 18 years of age are not valid. These carcass tags are valid as indicated on the tag only for harvesting antlerless deer on public access lands or only for harvesting antlerless deer on private land as defined in ss. NR 10.001 (23a) and (23b). 2m.

SECTION 26. NR 10.104 (7) (b) 2m. is repealed.

SECTION 27. NR 10.104 (7) (c) 2. is amended to read:

NR 10.104 (7) (c) 2. ~~During hunting seasons that open in 2015, licenses~~ Licenses that authorize the hunting of deer with a crossbow, and not with a firearm or bow and arrow, may include one or more carcass tags that are valid for the taking of one antlerless deer in a management zone, unit, or portion of a unit specified on the tag that is in a farmland zones or a metropolitan deer management subunit established in ~~s.~~ ss. NR 10.28 (2) and (4) except that, when the department has established an objective to increase or maintain the deer population under s. NR 10.104 (4), the department may establish that the antlerless tags under this subdivision are not valid. This antlerless deer carcass tag is not weapon or season specific, but the holder must possess the correct license for the method of harvest and season. This tag is valid statewide for a person holding a Class A or Class C disabled permit issued under s. 29.193 (2) (b), Stats., or a person who obtains the tag while under 18 years of age except that, in units where the department has not established a quota allowing the harvest of antlerless deer, the department may establish that tags obtained under this subdivision by people who are under 18 years of age are not valid. These carcass tags are valid as indicated on the tag only for harvesting antlerless deer on public access lands or only for harvesting antlerless deer on private land as defined in ss. NR 10.001 (23a) and (23b). A person who has already been issued a license authorizing deer hunting with a bow and arrow during an archery-only deer season established under s. NR 10.01 (3) (em) will not receive the carcass tag established in this subdivision. A person may use any antlerless deer carcass tag issued with a license authorizing hunting with a bow and arrow during an archery-only deer season established under s. NR 10.01 (3) (em) under the authority of a crossbow hunting license during the crossbow deer season established in s. NR 10.01 (3) (ep).

SECTION 28. NR 10.104 (7) (c) 2m. is repealed.

SECTION 29. NR 10.104 (9) is amended to read:

NR 10.104 (9) TAG AUTHORITY. No person may hunt antlerless deer unless the hunter possesses a current valid antlerless deer carcass tag or bonus antlerless deer permit for the deer management unit or subunit or a portion thereof in ~~that~~ which the person is hunting, or as authorized when group hunting with a firearm as established in s. 29.324, Stats. No person may hunt antlerless deer under the authority of an antlerless deer carcass tag or bonus antlerless deer carcass tag or permit on public access lands or on private lands unless the hunter possesses a current valid bonus antlerless deer permit that is valid for the type of land, either public access lands or private land, upon which the person is hunting.

SECTION 30. NR 10.105 (1) is repealed and recreated to read:

NR 10.105 (1) POSSESSION AND TRANSPORTATION. No person may possess deer carcass in violation of the requirements for possession and transportation established under NR 10.08 (7).

SECTION 31. NR 10.105 (2) is repealed.

SECTION 32. NR 10.106 (1) is renumbered NR 10.105 (2).

SECTION 33. NR 10.106 (2) (Intro.) is renumbered NR 10.106 and amended to read:

NR 10.106 (1) REGISTRATION. Each person who has killed a deer or if s. 29.324, Stats., related to group deer hunting applies, the person who has tagged the deer ~~during the open seasons for hunting deer with a firearm, or who has killed a bear during the open seasons for hunting bear shall register that kill using a telephone, internet, or other harvest registration system established by the department as follows:~~ shall comply with the requirements for tagging and registration established under s. NR 10.085.

SECTION 34. NR 10.106 (2) (a) to (c) and (3) are repealed.

SECTION 35. NR 10.11 (2) is amended to read:

NR 10.11 (2) TAGS. A back and carcass tag shall be issued with each hunting license. ~~While hunting, no person may possess a validated carcass tag unless it is attached to a legally killed elk.~~

SECTION 36. NR 10.11 (3) and (4) (Intro.) and (a) are repealed.

SECTION 37. NR 10.11 (4) (b) is renumbered NR 10.11 (4) and amended to read:

NR 10.11 (4) CARCASS CONDITION. Elk may be skinned and the carcass divided into as many as 5 parts prior to registration. These animals or animal parts may not be removed from zones A and B as established in s. NR 10.37, unless exhibited, registered and tagged as established in ss. NR 10.08 (7) and 10.085.

SECTION 38. NR 10.11 (5) and (6) are repealed.

SECTION 39. NR 10.125 (1) (d) is amended:

NR 10.125 (1) (d) *Permit validation procedures.* When a Canada goose is killed and before it is carried by hand or transported in any manner, the hunter shall validate the permit by ~~slitting, tearing or punching holes in the permit~~ marking it in the manner indicated by the department. Failure to follow the validation procedure invalidates the permit and renders any goose in the person's possession illegal.

SECTION 40. NR 10.125 (3) (Intro.) is amended to read:

NR 10.125 (3) SPECIAL REQUIREMENTS. If the department determines that extra harvest control measures are necessary to restrict the harvest of Canada geese, the ~~following~~ requirements for possession, and tagging which are established under ss. NR 10.08 (7) and 10.085 apply to anyone hunting in the Horicon zone:

SECTION 41. NR 10.125 (3) (a) to (c) are repealed.

SECTION42. NR 10.145 (4) is repealed and recreated to read:

NR 10.145 (4) TAGGING, RECORDING OF HARVEST AND POSSESSION AND TRANSFER. No person may possess a bobcat, fisher, otter or wolf carcass or pelt in violation of the requirements for possession and transportation established under NR 10.08 (7) and for tagging and registration established under s. NR 10.085.

SECTION 43. NR 10.145 (5) and (6) are repealed.

SECTION 44. NR 10.145 (7) and (8) are renumbered NR 10.145 (5) and (6).

SECTION 45. NR 10.25 (2) (a) 1. is amended to read:

NR 10.25 (2) (a) 1. Validate the license and carcass tag by ~~tearing or cutting the carcass tag~~ marking it in the manner indicated by the department on the tag. Failure to follow the validation procedure in this manner invalidates the license and carcass tag.

SECTION 46. NR 10.25 (2) is repealed and recreated to read:

NR 10.25 (2) TAGGING AND REGISTRATION. No person may possess a turkey carcass in violation of the requirements for tagging and registration established under s. NR 10.085.

SECTION 47. NR 10.25 (3) is repealed.

SECTION 48. NR 10.25 (4) and (5) are renumbered NR 10.25 (3) and (4).

SECTION 49. NR 10.26 (2) is repealed and recreated to read:

NR 10.26 (2) TAGGING PROCEDURE. No person may possess a sharp-tailed grouse in violation of the requirements for possession and transportation established under NR 10.08 (7) and for tagging established under s. NR 10.085.

SECTION 50. NR 12.06 (10) is amended to read:

NR 12.06 (10) VALIDATION. Any person who kills a deer or if s. 29.324, Stats., applies, the person providing the carcass tag shall immediately validate ~~and attach~~ the carcass tag as designated by the department. The requirements for possession and transportation of deer established under NR 10.08 (7) and for tagging and registration of deer established under s. NR 10.085 apply unless otherwise indicated by the department on the permit.

SECTION 51. NR 12.10 (12) is created to read:

NR 12.10 (12) Refuse or fail to display a validated carcass tag or registration tag to the department or its wardens upon request.

SECTION 52. NR 12.15 (5) (a) is amended to read:

NR 12.15 (5) (a) Tagged with a validated carcass tag provided by the department immediately upon killing as required under s. NR 10.085;

SECTION 53. NR 12.16 (5) is repealed and recreated to read:

NR 12.16 (5) TAGGING, TRANSPORTATION AND REGISTRATION OF CARCASSES. No person may possess a deer carcass in violation of the requirements for possession and transportation established under s. NR 10.08 (7) and for tagging and registration established under s. NR 10.085 unless otherwise indicated by the department on the permit.

SECTION 54. NR 20.07 (1) and (Note) are amended to read:

NR 20.07 (1) Possess a lake sturgeon taken by hook and line and not immediately release it, unless a hook and line lake sturgeon carcass tag is immediately validated as required by the department. ~~and attached to the lake sturgeon and the tagged~~ The lake sturgeon must be ~~is~~ registered by the person who harvested the sturgeon at a department lake sturgeon registration station by 6:00 p.m. on the day after it was taken. The validated lake sturgeon carcass tag must accompany the lake sturgeon at all times until it is registered at a department registration station.

Note: Hook and line lake sturgeon carcass tags will be available at department service centers and regional offices each year prior to the open season. Each carcass tag shall contain a unique identifier that corresponds to the license issued.

SECTION 55. NR 20.07 (1m), (1r) and (Note), and (1v) are created to read:

NR 20.07 (1m) Possess more than one copy of a unique carcass tag while on the waters, banks or shores of waters or while fishing.

(1r) Prior to registering the lake sturgeon at a department lake sturgeon registration station, leave the carcass of a harvested lake sturgeon unless the validated sturgeon carcass tag has been attached to the carcass.

Note: Carcass tags may be attached using string, plastic ties, wire or in any manner which results in the tag being secured to the carcass. Carcass tags may be protected from environmental elements in sealed plastic bags.

(1v) Fail to keep a validated lake sturgeon carcass tag intact and in good, legible condition so as to permit meaningful inspection by the department.

SECTION 56. NR 20.07 (2) to (5) are amended to read:

NR 20.07 (2) Remove the registration tag attached to the fish by the department until the carcass is prepared for final consumption. The hook and line lake sturgeon registration tag shall be retained by the person ~~taking~~ in possession of the lake sturgeon until the fish is consumed.

(3) Transport any lake sturgeon in or on any motor-driven vehicle from the time the lake sturgeon is taken into possession to the time it is lawfully registered pursuant to sub. (1) unless the lake sturgeon is carried openly exposed. ~~and in a manner so that the lake sturgeon tag attached to the lake sturgeon cannot be handled or manipulated by any occupant of the vehicle.~~

(4) Transport any lake sturgeon in or on any boat from the time the lake sturgeon is taken into possession to the time it is lawfully registered pursuant to sub. (1) unless the lake sturgeon is carried openly exposed.

(5) ~~Obtain~~ Purchase more than one hook and line lake sturgeon carcass tag per season except that one additional hook and line lake sturgeon carcass tag may be ~~obtained~~ purchased for Wisconsin-Michigan boundary waters per season.

SECTION 57. NR 20.07 (6) and (7) are created to read:

NR 20.07 (6) Refuse or fail to display a validated carcass tag or registration tag to the department or its wardens upon request.

(7) Possess a validated sturgeon carcass tag unless it accompanies a legally killed sturgeon.

SECTION 58. NR 20.10 (4) is amended to read:

NR 20.10 (4) Possess a validated sturgeon carcass tag unless it ~~is attached to~~ accompanies a legally killed sturgeon.

SECTION 59. NR 20.10 (4m) is created to read:

NR 20.10 (4m) Possess more than one copy of a unique carcass tag while on the waters, banks or shores of waters or while fishing.

SECTION 60. NR 20.10 (5) to (7) are amended to read:

NR 20.10 (5) Possess a speared sturgeon unless immediately validating the sturgeon carcass tag as required by the department ~~by slitting the marks designating the month, day, time and location of kill and immediately attaching the validated tag to the sturgeon carcass~~. Failure to completely and immediately validate the sturgeon carcass tag ~~and immediately attach the tag to the sturgeon carcass~~ renders the possession of the sturgeon illegal and the sturgeon carcass tag invalid. A sturgeon carcass tag shall be issued with each sturgeon spearing license and shall ~~remain intact~~ not be validated until the spearer spears a sturgeon.

(6) Transport a sturgeon in any manner from the time the sturgeon is taken to the time it is lawfully registered pursuant to sub. (10) unless the sturgeon is carried openly exposed ~~and in a manner so that the sturgeon carcass tag attached to the sturgeon cannot be handled or manipulated~~.

(7) Possess a speared sturgeon unless the person who spears ~~and tags~~ the sturgeon accompanies the sturgeon with the validated carcass tag during transport until the sturgeon has been registered pursuant to sub. (10).

SECTION 61. NR 20.10 (7m) is created to read:

NR 20.10 (7m) Fail to keep a validated lake sturgeon carcass tag intact and in good, legible condition so as to permit meaningful inspection by the department.

SECTION 62. NR 20.10 (8), (10), and (11) are amended to read:

NR 20.10 (8) Possess a sturgeon speared from ~~lake~~ Lake Butte des Morts, Lake Poygan or Lake Winneconne under s. NR 20.20 (73) (e) 2. b. outside the following area unless the sturgeon has been registered pursuant to sub. (10): from the intersection of highways 45 and 21 in Oshkosh west on highway 21 to highway 116; north on highway 116 to county highway B; west on county highway B to county highway D; west on county highway D to highway 49; north on highway 49 to county highway H; east on county highway H to highway 110; east on highway 110 to county highway II; south on county highway II to county highway M; south on county highway M to highway 116; east on highway 116 to highway 45; south on highway 45 to highway 21.

(10) Possess a sturgeon unless ~~each~~ the person who has speared a sturgeon during the open season for spearing sturgeon exhibits the sturgeon~~,~~ with the person's sturgeon carcass tag ~~attached as required by s. 29.237, Stats.,~~ to a warden or other authorized department personnel at ~~an official~~ a department sturgeon registration station. Sturgeon shall be intact and registered at a station on Lake Winnebago if speared in Lake Winnebago. Sturgeon shall be intact and registered at a station on Lake Butte des Morts, Lake Winneconne or Lake Poygan if speared in Lake Butte des Morts, Lake Winneconne or Lake Poygan. Sturgeon shall be exhibited at a sturgeon registration station not later than 2:00 p.m. on the day speared. The registration tag obtained at a sturgeon registration station shall remain attached and locked to the sturgeon until the carcass is prepared for final consumption.

(11) Attempt to register a sturgeon unless the license information can be verified. The department sturgeon registration station operator shall collect biological information~~,~~ and lock a registration tag to the carcass immediately in front of the tail ~~and remove the validation portion of the sturgeon carcass tag leaving the remainder of the sturgeon carcass tag attached to the sturgeon~~.

SECTION 63. NR 20.10 (12) is created to read:

NR 20.10 (12) Refuse or fail to display a validated carcass tag or registration tag to the department or its wardens upon request.

SECTION 64. NR 23.12 (1) and (Note) are amended to read:

NR 23.12 (1) Possess a lake sturgeon taken by hook and line and not immediately release it, unless a hook and line lake sturgeon carcass tag belonging to the person who caught the lake sturgeon is immediately validated as required by the department ~~and attached to the lake sturgeon by immediately affixing the tag to the sturgeon in front of the fish's tail,~~ and the ~~tagged~~ lake sturgeon is registered by the person who harvested the sturgeon at a department lake sturgeon registration station by 6:00 p.m. on the day after it was taken.

Note: Hook and line lake sturgeon carcass tags will be available at department service centers and regional offices each year prior to the open season. Each carcass tag shall contain a unique identifier that corresponds to the license issued. ~~Department service centers may be located by viewing http://www.dnr.wisconsin.gov.~~

SECTION 65. NR 23.12 (1m), (1r) and (Note), and (1v) are created to read:

NR 23.12 (1m) Possess more than one copy of a unique carcass tag while on the waters, banks or shores of waters or while fishing.

(1r) Prior to registering the lake sturgeon at a department lake sturgeon registration station, leave the carcass of a harvested lake sturgeon unless a current validated sturgeon carcass tag has been attached to the carcass.

Note: Carcass tags may be attached using string, plastic ties, wire or in any manner which results in the tag being secured to the carcass. Carcass tags may be protected from environmental elements in sealed plastic bags.

(1v) Fail to keep a validated lake sturgeon carcass tag intact and in good, legible condition so as to permit meaningful inspection by the department.

SECTION 66. NR 23.12 (2) to (4) and are amended to read:

NR 23.12 (2) Remove the registration tag attached to the fish by the department until the carcass is prepared for final consumption. The hook and line lake sturgeon registration tag shall be retained by the person ~~taking~~ in possession of the lake sturgeon until the fish is consumed.

(3) Transport any lake sturgeon in or on any motor-driven vehicle from the time the lake sturgeon is taken into possession to the time it is lawfully registered pursuant to sub. (1) unless the lake sturgeon is carried openly exposed ~~and in a manner so that the lake sturgeon tag attached to the lake sturgeon cannot be handled or manipulated by any occupant of the vehicle~~.

(4) Transport any lake sturgeon in or on any boat from the time the lake sturgeon is taken into possession to the time it is lawfully registered pursuant to sub. (1) unless the lake sturgeon is ~~tagged and~~ carried openly exposed.

SECTION 67. NR 23.12 (5) and (6) are created to read:

NR 23.12 (5) Refuse or fail to display a validated carcass tag or registration tag to the department or its wardens upon request.

(6) Possess a validated sturgeon carcass tag unless it accompanies a legally killed sturgeon.

SECTION 68. FINDING OF EMERGENCY. Nonstatutory provisions of 2015 Act 89 establish that the department may enact these rules using the process for emergency rules without finding that promulgating a rule is necessary for the preservation of public peace, health, safety, or welfare. The emergency rule may remain in effect until July 1, 2018 or until the permanent rule is promulgated.

SECTION 69. EFFECTIVE DATE. This rule shall take effect upon publication in the Wisconsin state paper pursuant to s. 227.24(1)(c).

SECTION 70. BOARD ADOPTION. This rule was approved and adopted by the State of Wisconsin Natural Resources Board on [date].

Dated at Madison, Wisconsin _____.

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

By _____
Cathy Stepp, Secretary

(SEAL)