

## ADMINISTRATIVE RULES FISCAL ESTIMATE AND ECONOMIC IMPACT ANALYSIS

Type of Estimate and Analysis

Original     Updated     Corrected

Administrative Rule Chapter, Title and Number

Ch. NR 19, Miscellaneous Fur, Fish, Game and Outdoor Recreation. Board Order WM-10-13

Subject

Regulations for the rehabilitation of sick or injured wild animals, Ch. NR 19.

Fund Sources Affected

GPR     FED     PRO     PRS     SEG SEG-S

Chapter 20, Stats. Appropriations Affected

None

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 Costs

The Rule Will Impact the Following (Check All That Apply)

State's Economy

Local Government Units

Specific Businesses/Sectors

Public Utility Rate Payers

Would Implementation and Compliance Costs Be Greater Than \$20 million?

Yes     No

Policy Problem Addressed by the Rule

This subchapter was adopted in 2004 to establish consistent standards for the rehabilitation of wildlife, ensure that all persons engaged in wildlife rehabilitation are qualified, and to ensure that rehabilitators provide humane care and housing for wildlife being rehabilitated. These Proposed revisions will clarify existing rules and establish new requirements for people licensed to rehabilitate wild animals based on what the department has learned following ten years of experience administering the subchapter.

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)

Pursuant to the Governor's Executive Order 50, Section IV, the department accepted comments on this Economic Impact Analysis during a 14 day period beginning on July 15 and continuing through July 28, 2015. A comment period of 14 calendar days was selected because this rule will have no economic impact locally or statewide.

Comments and Responses

One comment was received which suggested that, contrary to the department's statement that these rules will have no economic impact, it will increase associated costs related to continuing education, enclosures, travel and more. The department's response is to acknowledge that there will be fiscal impacts of the rule for individuals who are regulated by Ch. NR 19 but predict that those impacts can be managed. The rules provide flexibility, such as online courses as an alternative to travelling for continuing education and applying new standards for enclosures only to new enclosures. The statutorily required economic impact analysis that agencies prepare for all administrative rules is a review of impacts on specific businesses, business sectors, public utility ratepayers, local governmental units, and the state's economy as a whole. It is not an analysis of fiscal impacts on individual wildlife rehabilitators.

Economic Impact

Wildlife rehabilitation is typically performed by non-profit organizations or individuals who are not reimbursed by government funding or by fees paid for services. These rules, and the legislation which grants the department rule making authority, will have no economic effect on small businesses. These rules are applicable to individual wildlife rehabilitators and impose no compliance or reporting requirements for small business, nor are any design or operational standards contained in the rule.

The department observes that wildlife rehabilitators contribute to the economy through their purchases of veterinary and animal husbandry related products and services. While these rules will modify the requirements for participating in the practice of wildlife rehabilitation, it is not anticipated that there will be any significant decline or increase in rehabilitation activities. The department anticipates that economic impacts will continue to occur under the proposed rules at the same level at which they occur under current rules.

Fiscal Impact

The department currently implements the requirements for licensing and enforcement of regulations on the rehabilitation of sick or injured wild animals by members of the public. These duties currently are the responsibility of the bureaus of wildlife management, law enforcement, and customer service and licensing. Under the proposed rules, we anticipate devoting the same level of department resources to these activities as under the current rules. Regulations modified by this proposal will not require significant changes to past practices or procedures and will have no fiscal impact but may result in more efficient use of department staff time.

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

This subchapter was first adopted in 2004 to establish consistent standards for the rehabilitation of wildlife, ensure that all persons engaged in wildlife rehabilitation are qualified, and to ensure that rehabilitators provide humane care and housing for wildlife being rehabilitated. These will be the first significant revisions and will clarify existing rules and establish new requirements for people licensed to rehabilitate wild animals based on what the department has learned after nearly ten years of experience administering the subchapter.

These rules will assure that standards for the rehabilitation of wildlife are consistent, that all persons engaged in wildlife rehabilitation are qualified, and that rehabilitators provide the most humane care and housing possible for wildlife being rehabilitated.

An alternative of not implementing the proposed rules would also have no economic impact but would not advance the goal of providing the most humane care of wild animals being held for rehabilitation purposes.

Long Range Implications of Implementing the Rule

Implementing these rules will have no specific long range economic impacts.

Compare With Approaches Being Used by Federal Government

Federal regulations allow states to manage the wildlife resources located within their boundaries provided they do not conflict with regulations established in the Federal Register. Under international treaty and Federal law, the possession of migratory birds is also regulated by the United States Fish & Wildlife Service. Additionally, federal regulations do apply to bald eagles and federally listed endangered or threatened species. None of these rule changes violate or conflict with the provisions established in the Federal Code of Regulations.

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

Wisconsin's surrounding states also have regulations in place establishing some type of licensure and which are designed to assure humane care of animals and manage the use of wildlife resources which are held in the public trust. Wildlife rehabilitation regulations vary from state-to-state but are generally comparable to Wisconsin's approach.

Michigan wildlife rehabilitation regulations require all new applicants to pass the International Wildlife Rehabilitation basic skills course prior to applying for a wildlife rehabilitation permit. Permits are valid for 5

years and continuing education credits are required prior to a permit renewal. Rehabilitation facilities must be in compliance with the International Wildlife Rehabilitation and National Wildlife Rehabilitation Association minimum standards.

The Minnesota wildlife rehabilitation regulations specify three classes of licenses. A passing score of an exam is required prior to obtaining the next level permit. Continuing education credits are required to renew licenses or apply for a subsequent license. Each permit level is allowed to have a specified number of in-shelter assistants who are authorized to assist in rehabilitation activities.

The Iowa wildlife rehabilitation regulations ensure that facilities are in compliance with International Wildlife Rehabilitation and National Wildlife Rehabilitation Association minimum standards.

Name and Phone Number of Contact Person

Scott Loomans, Wildlife Regulation Policy Specialist, 608-267-2452