

Notice of Public Hearing

LSA Document #12-115

Notice of Public Hearing

Under [IC 4-22-2-24](#), notice is hereby given that on October 4, 2012, at 5:30 p.m., at the Plainfield Public Library, 1120 Stafford Road, Plainfield, Indiana, the Natural Resources Commission will hold a public hearing on proposed amendments to [312 IAC 9-3-2](#) to add an electronic reporting system for checking in harvested deer and to allow three antlerless deer to be taken with the deer license bundle, [312 IAC 9-3-10](#), governing commercial processing of deer, for implementation of the established electronic reporting system and to establish a deadline for registration, [312 IAC 9-4-11](#) to add an electronic reporting system for checking in harvested turkeys, to extend the fall turkey season for an additional day, and to allow another individual to call for a turkey hunter if properly licensed and to make other technical amendments.

[IC 4-22-2-24\(d\)\(3\)](#) Justification Statement: The Department of Natural Resources (DNR) has proposed amendments to [312 IAC 9-3-2\(n\)](#), [312 IAC 9-3-2\(o\)](#), and [312 IAC 9-3-2\(p\)](#) as well as [312 IAC 9-4-11\(m\)](#) that will allow an individual to report (or check-in) a harvested deer or turkey through an electronic reporting system without taking it to a regular check station. These rule changes will cost the DNR an additional \$133,875. The DNR intends to charge hunters a user fee of approximately \$4 for each deer or wild turkey that is reported by telephone (only) with this new electronic system. If one-quarter of the deer or wild turkeys are checked in by telephone the first year, this would result in estimated revenue for the DNR Fish and Wildlife Fund in the amount of \$153,000 (3,250 turkeys and 35,000 deer at a cost of \$4 per deer and turkey).

Currently, the Indiana DNR has a manual hunter/retail-driven reporting system for deer and wild turkeys. For instance, if a hunter harvests a wild turkey or white-tailed deer, that hunter is required to have the animal/bird checked-in at one of the numerous turkey or deer check stations around the state. Hunter, harvest, and biological information are collected at the check station and a permanent tag (seal) is issued for the animal/bird that is checked-in. By allowing the hunter to report the harvest electronically (such as online), the hunter does not have to physically take the animal to the check station and can simply record the confirmation number on the piece of paper required to tag the animal. The electronic system will eliminate the need for a hunter to drive to a check station that may be miles away to check in the animal/bird, costing gas and taking more time. With the increased availability of the Internet, including the use of smart phones, reporting the game will be much simpler and, most likely, less expensive for the hunter. An electronic reporting system will also give the DNR a tool to be used in investigations (information for law enforcement would be available to conservation officers immediately after it is reported), and well as provide the DNR with a better estimate of the actual number of Indiana hunters for a given species. This electronic system will free up agency staff time currently being used to purchase, distribute, and collect check station materials, as well as save staff time in data collection and data entry of every animal/bird that is checked-in. Hunters will still have the option of checking-in their game the same way as they do now, but some will opt to report the harvest electronically. Missouri's Fish and Wildlife Department estimated a cost of \$6.48 for a person to drive to a check station.

Check stations operate on a voluntary basis for the DNR. In some counties, there are very few check stations, particularly for wild turkeys; therefore, some individuals have to drive a longer distance to get to a check station. The nearest check station may be miles away from the individual's home or place of hunting, resulting in additional time and gas expenses to travel to the check station. Additionally, some check stations are not always open when an individual needs to check in a deer or turkey (such as on a holiday or late in the evening), making it even more difficult for an individual to check in a deer or turkey when he or she has to go to work and still get the deer or turkey checked in within 48 hours of taking it. The electronic reporting system will be convenient to use and save gasoline expenses for the individual, with no cost to report the harvest online and approximately \$4 to report it by phone. The electronic reporting system will also allow a conservation officer to immediately verify if a deer or turkey has been checked in, and will save DNR staff time in entering information from hand-written check station logs into a database.

Many hunters have been asking for the availability of reporting the harvest electronically for a number of years, primarily those in counties where check stations are less prevalent. Furthermore, hunters have complained about the hours check stations are open, the distance to travel to a check station, and the fact that if he or she loses the permanent tag, it is very time-consuming for DNR staff to retrieve the information in a timely manner. Taxidermists and deer processors will not take in a deer for processing or mounting without this number. At least seven other states allow hunters to report the harvest of a deer or turkey, or both, electronically, usually via telephone and Internet.

Just as the individual currently has to maintain the permanent seal (numbered metal tag) that has been issued by a check station, the individual will have to maintain the confirmation number with the deer or turkey until processing begins or it is gifted to another individual. The individual already has to record information on a piece

of paper to serve as a temporary transportation tag ([312 IAC 9-3-2\(m\)](#) and [312 IAC 9-4-11\(l\)](#)), and the confirmation number will need to be added to this piece of paper if the deer or turkey is registered through the department's electronic harvest reporting system. Recording this number on the temporary transportation tag will provide documentation that the deer or turkey has been reported. These changes will likely affect 179,700 deer hunters and 56,000 turkey hunters.

There are no new compliance costs for regulated entities or for state and local government, other than the costs for establishing and maintaining the new electronic harvest reporting system. There will be a new user fee for hunters that report a deer or turkey by telephone of approximately \$4 per deer or turkey, but this cost may be offset by the savings in gas from driving to a check station that is miles away, as well as save time. There will be no new costs to hunters to report a deer or turkey online. There are no new administrative costs for any of the other rule changes in this package. Commercial deer processors are already required to register with the department each year and record information on a report form. They will simply have to register with the DNR earlier in the year. There are currently 159 registered commercial deer processors.

The DNR has the statutory authority to allow the taking wild animals and to establish the methods, locations, and means of taking wild animals in [IC 14-22-2-6](#). The DNR is also required to develop rules that are based upon "(A) The welfare of the wild animal, (B) The relationship of the wild animal to other animals, and (C) The welfare of the people in [IC 14-22-2-6](#)". "Wild animal" is defined in [IC 14-8-2-318](#). The Natural Resources Commission has the statutory authority to adopt rules under [IC 14-10-2-4](#).

The number of hunters in Indiana was obtained from the DNR Division of Fish and Wildlife's database of hunting license holders. The number of deer and turkey checked-in are based on the numbers reported in the check station log books in 2010 and 2011.

The number of commercial deer processors was obtained from the Division of Fish and Wildlife's database of commercial deer processors.

The benefits and costs of the proposed changes were obtained from staff of the DNR Divisions of Law Enforcement and Fish and Wildlife. The costs of the electronic harvest reporting system were obtained from the estimate of costs received by Indiana Interactive, the state's Internet provider.

Copies of these rules are now on file at the Indiana Government Center North, 100 North Senate Avenue, Room N501 and Legislative Services Agency, Indiana Government Center North, 100 North Senate Avenue, Room N201, Indianapolis, Indiana and are open for public inspection.

Bryan W. Poynter
Chairman
Natural Resources Commission

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