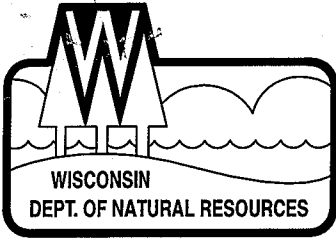


Clearinghouse Rule 97-123

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES



Tommy G. Thompson, Governor
George E. Meyer, Secretary

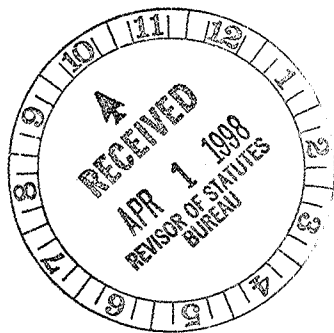
Box 7921
101 South Webster Street
Madison, Wisconsin 53707-7921
TELEPHONE 608-266-2621
FAX 608-267-3579
TDD 608-267-6897

STATE OF WISCONSIN)
) ss
DEPARTMENT OF NATURAL RESOURCES)

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, George E. Meyer, Secretary of the Department of Natural Resources and custodian of the official records of said Department, do hereby certify that the annexed copy of Natural Resources Board Order No. LE-23-97 was duly approved and adopted by this Department on January 28, 1998. I further certify that said copy has been compared by me with the original on file in this Department and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department at the Natural Resources Building in the City of Madison, this 24 day of March 1998



George E. Meyer
George E. Meyer, Secretary

(SEAL)

97-123

**ORDER OF THE STATE OF WISCONSIN
NATURAL RESOURCES BOARD
AMENDING AND CREATING RULES**

.....
The Wisconsin Natural Resources Board proposes an order to amend NR 20.13(2)(a) and create NR 20.13(2)(c) relating to ice fishing shelters.
.....

LE-23-97

Analysis Prepared by the Department of Natural Resources

Statutory authority: ss. 29.174(2)(a), 29.283(1) and 227.11(2)(a), Stats.

Statute interpreted: s. 29.174(2)(a), Stats.

In this order, SECTION 1 amends NR 20.13(2)(a) to refer to an exemption created in Section 2 and to make minor "housekeeping" changes. SECTION 2 creates a rule banning the placement of permanent ice fishing shelters in the Fox river, Brown county, from the dam at DePere downstream to its mouth at the bay of Green Bay. Only temporary shelters on this water are authorized.

SECTION 1. NR 20.13(2)(a) is amended to read:

NR 20.13(2)(a) Buildings, tents, fish shanties, portable shelters or similar enclosures or shelters may be used on the ice for fishing purposes. The door of any ~~such~~ enclosure or shelter shall be equipped with a latch which will permit the door to be readily opened from the outside at all times while the enclosure or shelter is occupied. ~~All such~~ Except as required under par.(c), all enclosures or shelters shall be removed from the ice on or before March 5 south of highway #64, excluding Green Bay waters, and March 15 north of highway #64 on all waters including other outlying waters. Such shelters shall be removed prior to that time by order of the department or by its agents when they feel that the ice has become unsafe for travel thereon. For any water, the department or its agents may direct that enclosures or shelters be removed by an earlier date if it has reason to believe that the ice has become unsafe for travel.

SECTION 2. NR 20.13(2)(c) is created to read:

NR 20.13(2)(c) No person may place or use a building, tent, fish shanty, portable shelter or similar enclosure or shelter for fishing purposes on the ice of the Fox river from the DePere dam downstream to the mouth of the river, except when the person is actively using the enclosure or shelter, and all enclosures or shelters shall be removed from the ice daily and when not in use.

The foregoing rule was approved and adopted by the State of Wisconsin Natural Resources Board on January 28, 1998.

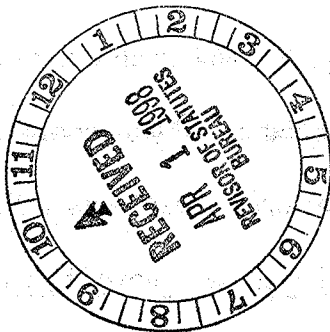
The rule shall take effect on the first day of the month following publication in the Wisconsin administrative register as provided in s. 227.22(2)(intro.), Stats.

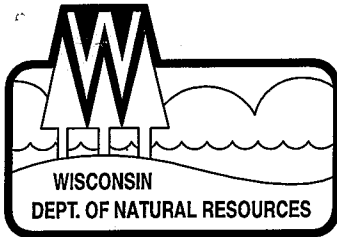
Dated at Madison, Wisconsin March 24, 1998

**STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES**

By George E. Meyer
George E. Meyer, Secretary

(SEAL)





State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor
George E. Meyer, Secretary

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March 24, 1998

Mr. Gary L. Poulson
Assistant Revisor of Statutes
131 West Wilson Street - Suite 800
Madison, WI

Dear Mr. Poulson:

Enclosed are two copies, including one certified copy, of State of Wisconsin Natural Resources Board Order No.LE-23-97. These rules were reviewed by the Assembly Committee on Natural Resources and the Senate Committee on Agriculture and Environmental Resources pursuant to s. 227.19, Stats. Summaries of the final regulatory flexibility analysis and comments of the legislative review committees are also enclosed.

You will note that this order takes effect following publication. Kindly publish it in the Administrative Code accordingly.

Sincerely,

George E. Meyer
George E. Meyer
Secretary

Enc.

