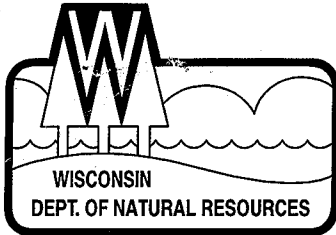


Clearinghouse Rule 98-024

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
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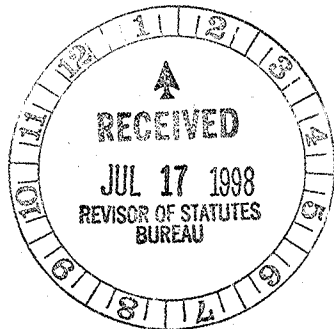
STATE OF WISCONSIN)
) ss
DEPARTMENT OF NATURAL RESOURCES)

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. WM-1-98 was duly approved and adopted by this Department on May 27, 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 16th day of July, 1998.

George E. Meyer
George E. Meyer, Secretary



(SEAL)

98-024

Quality Natural Resources Management
Through Excellent Customer Service

10-1-98
3-1-99



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

The Wisconsin Natural Resources Board proposes an order to renumber NR 10.13(1)(b)8. and 15.02(3); amend NR 10.01(4)(d), 10.06(7), 10.25 (3)(a), 11.02 (intro.), 11.04 (intro.), 11.041 (intro.), 11.042 (intro.), and 11.043 (intro.); repeal and recreate NR 10.01(4)(a)4, 10.01(4)(e)4; and create NR 10.01(3)(em)3, 10.09(1)(e) and 10.13(1)(b)8.a. relating to hunting and trapping.

WM-1-98

Analysis Prepared by the Department of Natural Resources

Statutory authority: ss. 29.174(3) and 227.11(2)(a), Stats.

Statutes interpreted: ss. 29.174(2), 29.107, 29.1075 and 29.103, Stats.

In this order:

Section 1 expands the archery season in DMU 77M.

Section 2 allows trapping in the Mississippi zone during the later part of long duck seasons.

Section 3 regulates otter harvest through a continuous preference system

Sections 4 and 8 extend turkey hunting hours.

Section 5 allows the use of handguns firing shotshells by disabled hunters.

Sections 6 and 7 regulate the use of 220 conibear type traps.

Section 7 opens 14 waterfowl closed areas to muzzleloader deer hunting.

Section 10 permits gun deer hunting in the Pine Island refuge.

Section 1. NR 10.01(3)(em)3 is created to read:

NR 10.01(3)(em)3 Deer bow season.

| Kind of animal and locality | Open season (all dates inclusive) | Limit |
|---------------------------------|--|--|
| 3. M-3 Deer management unit 77M | Beginning on the third Saturday in September and continuing through the Thursday immediately prior to the opening of the deer gun season and reopening on the Saturday immediately preceding the Thanksgiving holiday and continuing through January 31. | One deer of either sex and one antlerless deer per hunter's choice and bonus permit issued under s. NR 10.104. |

SECTION 2. NR 10.01(4)(a)4 and 10.01(4)(e)4 are repealed and recreated to read:

NR 10.01(4)(a)4 .

| Kind of animal and Locality | Open season (all dates inclusive) | Limit |
|--|--|-------|
| 4. 'Mississippi River zone' - All that part of Buffalo, Crawford, Grant, LaCrosse, Trempealeau, and Vernon counties lying east of the Chippewa river and west of the Burlington Northern railway | Beginning on the second Monday in November or the day following the close of the open season for ducks as established under sub. (1)(b)1., whichever occurs first, and continuing through the last day of February | None |

NR 10.01(4)(e)4 .

| Kind of animal and Locality | Open season (all dates inclusive) | Limit |
|--|---|-------|
| 4. 'Mississippi River zone' - All that part of Buffalo, Crawford, Grant, LaCrosse, Trempealeau, and Vernon counties lying east of the Chippewa river and west of the Burlington Northern railway | Beginning on the second Monday in November or the day following the close of the open season for ducks as established under sub. (1)(b)1., whichever occurs first, and continuing through January 15. | None |

SECTION 3. NR 10.01(4)(d) is amended to read:

NR 10.01(4)(d) .

| Kind of animal and Locality | Open season (all dates inclusive) | Limit |
|---|---|--|
| (d) Otter trapping | | |
| 1. North zone as described in s. NR 10.36 | Beginning on the first Saturday in December and continuing through April 30. | 3 per season by permit <u>One per permit issued under s. NR 10.145</u> |
| 2. Central zone as described in s. NR 10.36 | Beginning on the first Saturday in December and continuing through the first Sunday in March. | 2 per season by permit <u>One per permit issued under s. NR 10.145</u> |
| 3. South zone as described in s. NR 10.36 | Beginning on the first Saturday in December and continuing through the first Sunday in March | 1 per season by permit <u>One per permit issued under s. NR 10.145</u> |

SECTION 4. NR 10.06(7) is amended to read:

NR 10.06(7) WILD TURKEY HUNTING. The hunting hours for pursuing wild turkeys shall be the same as the hours established in sub. (3) except that spring hunting hours shall close at ~~12:00 noon~~ 5:00 p.m. daily.

SECTION 5. NR 10.09(1)(e) is created to read:

NR 10.09(1)(e) Persons possessing a class A or C disabled permit may use handguns chambered for .410 or larger shot shells for hunting all species except deer, bear, turkey and migratory game birds.

SECTION 6. NR 10.13(1)(b)8. is renumbered to NR 10.13(1)(b)8.a.

SECTION 7. NR 10.13(1)(b)8.b. is created to read:

NR 10.13(1)(b)8.b. Set, place or operate any 7"x 7" killer, 220 conibear type, trap; as a water set unless one-half of the trap is located underwater at all times; as an elevated set unless the trap is placed at least 5 feet above the surface; as a set in or on the ground unless the trap trigger is within an enclosure that provides openings no greater than 50 square inches each and is recessed a minimum of 7 inches from the enclosure openings; or as a bottom entry enclosure set unless the entire opening of the enclosure is no more than 7 inches above the surface. The measurement to the surface is the distance to the first surface beneath the trap or opening, where the surface is ground, ice, crusted or packed snow or any other hard material. For the purposes of this paragraph, an enclosure means any device that creates a barrier to the trap allowing entry only through designated openings.

SECTION 8. NR 10.25 (3)(a) is amended to read:

NR 10.25(3)(a) Spring season. A wild turkey taken during the spring seasons established in s. NR 10.01(2)(f) shall be registered no later than ~~2 hours after the closing time on the day of harvest~~ 5:00 p.m. on the day after it was killed.

SECTION 9. NR 11.02, 11.04, 11.041, 11.042 and 11.043 are amended to read:

NR 11.02 WATERFOWL CLOSED AREA EXCEPT GUN DEER AND SPECIAL GOOSE HUNTING. (intro.) A closed season is established in the following areas posted with department signs. No person may hunt or trap any species of wild animal thereon, except Canada geese on areas and during periods established in s. NR 10.23 and deer during periods established in s. NR 10.01(3)(e) and (es), during the open seasons on waterfowl established in s. NR 10.01(1). Legally killed or crippled game may be retrieved from such areas by dog or hand.

NR 11.04 WATERFOWL CLOSED AREA; GUN DEER HUNTING PERMITTED. (intro.) A closed season is established in the following areas posted with department signs. No person may hunt or trap any species of wild animal thereon, except deer during periods established in s. NR 10.01(3)(e) and (es), during the open season on waterfowl established in s. NR 10.01(1)(b) and (g). Legally killed or crippled game may be retrieved from such areas by dog or hand.

NR 11.041 WATERFOWL CLOSED AREA; TRAPPING AND GUN DEER HUNTING PERMITTED. (intro.) A closed season is established in the following areas posted with department signs. No person may hunt any species of wild animal thereon, except deer during periods established in s. NR 10.01(3)(e) and (es), during the open season on waterfowl established in s. NR 10.01(1)(b) and (g). Legally killed or crippled game may be retrieved from such areas by dog or hand.

NR 11.042 WATERFOWL CLOSED AREA; TRAPPING AND DEER HUNTING PERMITTED. (intro.) A closed season is established in the following areas posted with department signs. Trapping of furbearing mammals is permitted during established seasons. No

person may hunt any species of wild animal, except deer during periods established in s. NR 10.01(3)(e) ~~and~~, (em) and (es), during the open season on waterfowl established in s. NR 10.01(1)(b) and (g). Legally killed or crippled game may be retrieved from such areas by dog or hand.

NR 11.043 WATERFOWL CLOSED AREA; DEER HUNTING PERMITTED. (intro.) A closed season is established in the following areas posted with department signs. No person may hunt or trap any species of wild animal, except deer during periods established under s. NR 10.01(3)(e), ~~and~~ (em) and (es), during the open seasons on waterfowl established in s. NR 10.01(1)(b) and (g). Legally killed or crippled game may be retrieved from such areas by dog or hand.

SECTION 10. NR 15.02(3) is renumbered to NR 15.022(11)

The foregoing rules were approved and adopted by the State of Wisconsin Natural Resources Board on May 27, 1998.

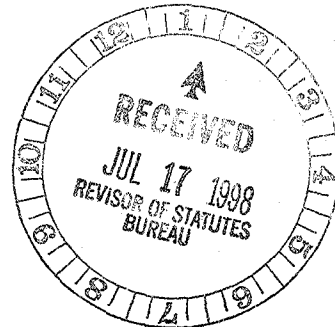
The rule shall take effect the first day of the month following publication as provided in s. 227.22(2)(intro.), Stats., except Section 1,2, and 5 which shall take effect March 1, 1999.

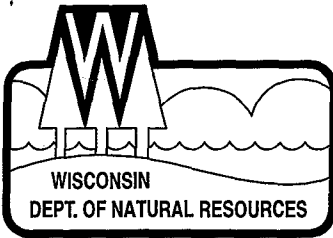
Dated at Madison, Wisconsin July 16, 1998

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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July 15, 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. WM-1-98. These rules were reviewed by the Assembly Committee on Natural Resources and the Senate Committee on Environment and Energy 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
Secretary

Enc.

