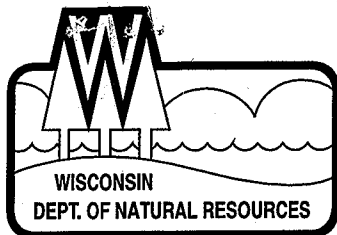


98-179

Clearinghouse Rule 98-179

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES



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

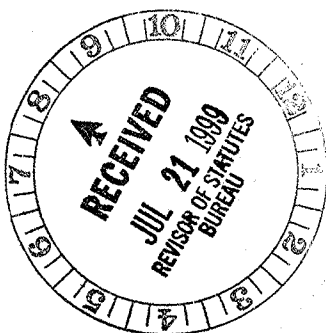
Box 7921
101 South Webster Street
Madison, Wisconsin 53707-7921
TELEPHONE 608-266-2621
FAX 608-267-3579
TDD 608-267-6897

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. WM-34-98 was duly approved and adopted by this Department on April 28, 1999. 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 15th day of July, 1999



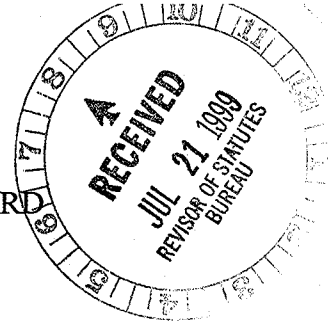
George E. Meyer
George E. Meyer, Secretary

(SEAL)

9-1-99



ORDER OF THE STATE OF WISCONSIN NATURAL RESOURCES BOARD
CREATING RULES



The Wisconsin Natural Resources Board proposes an order to create NR 10.40(5), relating to disabled turkey hunts.

WM-34-98

Analysis Prepared by the Department of Natural Resources

Statutory authority: ss. 29.014, 29.053, and 227.11, Stats.

Statutes interpreted: ss. 29.014 and 29.053(3), Stats.

In this order, section 1 creates expanded disabled turkey hunting opportunities in Wisconsin. Current disabled turkey hunting opportunities in Wisconsin are limited to 5 state parks. The only other option for disabled hunters is to enter the regular turkey permit drawing. As a result of the drawing system, the time period and zone in which a disabled hunter may hunt are variable and not entirely predictable. This rule change would allow disabled hunters to team with a landowner to set up a special hunt in a zone and time period of their choice. The hunter and landowner are required to be included in an application for department approval and issuance of turkey tags. The number of disabled hunters allowed under this hunt would be limited to 1,000 per year and 50 in any one turkey management zone. The special hunt would be available only in the spring season.

SECTION 1. NR 10.40 (5) is created to read:

NR 10.40(5) DISABLED TURKEY HUNTS ON PRIVATE LANDS. (a) Application requirements.

1. All applications to conduct a disabled turkey hunt on private land shall be on department forms and be submitted between September 10 to December 10 of the year prior to the hunt to the department office designated on the application form for the county within which the hunt shall be conducted.

2. An application shall include all of the following:

a. The written authorization of the host landowner to conduct a disabled turkey hunt;

and

b. The turkey management zone and a legal description of the lands on which the hunt is to be conducted, including government lot or quarter-quarter section, section, township, range and county; and

c. A list of the names, addresses and Class A or C permit numbers of all participating hunters and the names of their designated assistants.

Note: Applications may be obtained from department regional offices and the department license section. The department license section address is 101 South Webster St., P.O. Box 7924, Madison, WI 53707.

(b) Participation limits. No person may hunt in more than one disabled turkey hunt in the same calendar year and all special hunt permit applicants shall possess a valid turkey hunting license and stamp and either a Class A or C permit as defined in s. 29.193, Stats., that was issued on or after August 9, 1989. Participants may hunt only on the land described in the application and only during the time period described in the application. A person who is on the list of participating hunters for a disabled turkey hunt may not apply for a permit through the regular spring turkey hunting drawing in that year.

(c) Participant selection. No person may be refused participation based on their age, race, religion, color, handicap, sex, physical condition, developmental disability, creed, sexual orientation or national origin.

(d) Dates. Each disabled turkey hunt shall be conducted during any one of the 5 day time periods listed in s. NR10.01(2)(f)1. The dates of the disabled turkey hunt shall be listed on the application.

(e) Hunter participation limits. The department may not authorize disabled turkey hunts when the number of participating hunters will exceed 50 in any one wild turkey management zone or a total of 1,000 statewide in a calendar year. The department shall approve applications in the sequence in which they are received.

(f) Rule compliance. Unless otherwise provided by the department in a written condition of the application approval, all disabled hunters and designated assistants shall comply with all hunting rules and laws applicable to the regular spring turkey season specified under s. NR10.01(2)(f)1.

(g) Authorizations to assistant. The designated assistants of a disabled turkey hunt participant shall possess a valid hunting license for hunting of any species and may use the participant's firearm in compliance with s. NR10.09(1) while retrieving a turkey shot by a participant hunter.

(h) Other hunting prohibited. No person other than the disabled turkey hunt participant may hunt on the lands described on the application during the disabled turkey hunt.

(i) Reports. If requested by the department, applicants shall complete a turkey hunt report on forms supplied by the department.

(k) No fees. The landowner or applicants shall not charge any form of a fee to a person participating in a disabled turkey hunt.

The foregoing rules were approved and adopted by the State of Wisconsin Natural Resources Board on April 28, 1999.

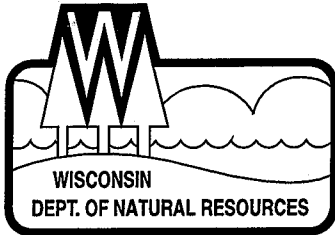
The rule shall take effect the first day of the month following publication in the Wisconsin administrative register as provided in s. 227.22(2)(intro.), Stats.,.

Dated at Madison, Wisconsin July 15, 1999.

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

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

July 14, 1999

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

Gary
Dear Mr. Poulson:

Enclosed are two copies, including one certified copy, of State of Wisconsin Natural Resources Board Order No. WM-34-98. These rules were reviewed by the Assembly Committee on Natural Resources and the Senate Committee on Agriculture, Environmental Resources and Campaign Finance Reform 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
George E. Meyer
Secretary

Enc.

