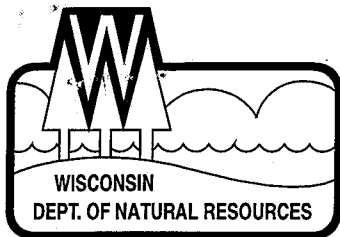


# Clearinghouse Rule 99-096

## State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES



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

Box 7921  
101 South Webster Street  
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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. LE-22-99 was duly approved and adopted by this Department on October 27, 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 18th day of January, 2000



*George E. Meyer*  
George E. Meyer, Secretary

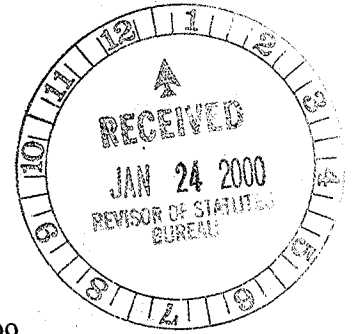
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ORDER OF THE STATE OF WISCONSIN  
NATURAL RESOURCES BOARD  
AMENDING AND CREATING RULES



The Wisconsin Natural Resources Board proposes an order to amend NR 20.12(1) (intro.), (c) and (d) and to create NR 20.12(1m) relating to the marking and tagging of set or bank poles in inland waters

LE-22-99

Analysis Prepared by Department of Natural Resources

Statutory authority: ss. 29.014(1) and 227.11(2)(a), Stats.

Statutes interpreted: ss. 29.011(1) and 29.014(1), Stats.

The rule requires that set or bank poles used in inland waters except the lower Wisconsin river be marked with a flag in a manner similar to setlines. A 10-inch square or larger white flag, bearing the license number of the set or bank pole and mounted on a flag shaft, must be attached to the set or bank pole by a cord and be placed no farther than 2' from the set or bank pole. Rules governing the lower Wisconsin river are unchanged, pending further study, but will now appear in a new, separate subsection (1m).

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SECTION 1. NR 20.12(1) (intro.), (c) and (d) are amended to read:

NR 20.12(1) GENERAL RESTRICTIONS. (intro.) No person may use, set, lift, attend or possess any set or bank pole or setline on any water except the lower Wisconsin river, unless:

(c) A white ~~setline~~ flag at least 10 inches square bearing the number of the license authorizing its use in black figures at least 3 inches high and attached to the top of a flag staff that extends at least 3 feet above the surface of the water or bank is placed and maintained at one end of the setline or within 2 feet of the set or bank pole with a cord attached from the flag staff to the set or bank pole. The flag staff may not exceed 2½ inches in diameter and shall be marked with 2 inch to 6 inch wide alternating horizontal black and white bands. When a buoy is used to hold a setline's flag staff the buoy shall be cylindrical in shape, 15 inches or less in diameter and

marked with 2 inch to 6 inch wide alternating horizontal black and white bands. No person may place a setline flag, flag staff or pole in the main channel of any navigable waterway.

(d) A metal tag stamped with the number of the license authorizing its use is securely attached directly to ~~each set or bank pole and to the flag staff~~ or pole of each setline or set or bank pole.

SECTION 2. NR 20.12(1m) is created to read:

NR 20.12(1m) LOWER WISCONSIN RIVER RESTRICTIONS. No person may use, set, lift, attend or possess any set or bank pole or setline on the lower Wisconsin river unless:

(a) Its use is specifically authorized by a set or bank pole license issued under s. 29.531 (1), Stats., or a setline license issued under s. 29.533 (1), Stats. No person may use, set, lift, attend or possess set or bank pole or setline licensed to another person.

(b) Its use in that water is specifically authorized in s. NR 20.20.

(c) A white setline flag at least 10 inches square bearing the number of the license authorizing its use in figures at least 3 inches high and attached to a flag staff that extends at least 3 feet above the surface of the water or bank is placed and maintained at one end of the setline. The flag staff may not exceed 2½ inches in diameter and shall be marked with 2 inch to 6 inch wide alternating horizontal black and white bands. When a buoy is used to hold the setline's flag staff, the buoy shall be cylindrical in shape, 15 inches or less in diameter and marked with 2 inch to 6 inch wide alternating horizontal black and white bands. No person may place a setline flag, flag staff or pole in the main channel of any navigable waterway.

(d) A metal tag stamped with the number of the license authorizing its use is securely attached directly to each set or bank pole and to the flag staff of each setline.

The foregoing rule was approved and adopted by the State of Wisconsin Natural Resources Board on October 27, 1999.

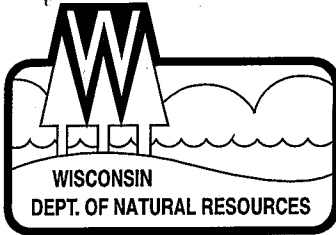
The rule shall take effect on the first day of the month following publication in the Wisconsin administrative register as provided in s. 227.22(2)(intro.), Stats.

Dated at Madison, Wisconsin January 18, 2000

STATE OF WISCONSIN  
DEPARTMENT OF NATURAL RESOURCES

By George E. Meyer  
George E. Meyer, Secretary

(SEAL)



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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January 18, 2000

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-22-99. 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 E. Meyer  
Secretary

Enc.

