

Clearinghouse Rule 97-018
State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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

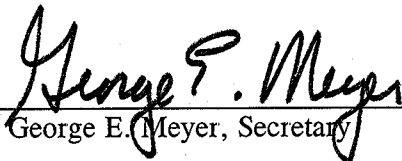
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STATE OF WISCONSIN)
) ss
DEPARTMENT OF NATURAL RESOURCES)

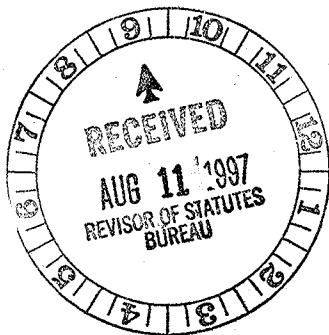
TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

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-4-97 was duly approved and adopted by this Department on May 28, 1997. 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 7th day of August, 1997.


George E. Meyer, Secretary

(SEAL)



97-018

Quality Natural Resources Management
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11-1-97
12-1-97
3-1-98



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

The Wisconsin Natural Resources Board proposes an order to amend NR 10.001(18), 10.06(6)(intro), 10.103(1), 10.103(2), 10.106(2)(b), 10.145(5)(a)1, 11.032 (intro.) 19.134(3); repealing and recreating NR 10.29 (map); and to create NR 10.28(2)(d) and (e) relating to hunting and trapping.

WM-4-97

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 allows the use of certain muzzleloading handguns in situations, other than deer and bear hunting, where other handguns are permitted.

Section 2 restores November 3 as the uniform expiration date and changes the starting date from the second to third day of the season for the 2:00 p.m. pheasant hunting closure date on stocked public hunting grounds.

Section 3 includes bonus and special carcass tags in the definition of carcass tags.

Section 4 clarifies validation of carcass tags which are not located on backtags by removing the requirement that they be removed from the back tag before being validated.

Section 5 requires that bonus deer be registered in the DMU of kill.

Section 6 eliminates the requirement that bobcat be registered in the county of kill or an adjoining county.

Section 7 makes minor changes to the boundary of the newly created DMU 64M and codifies the boundary of DMU 60M.

Section 8 increases the size of Wild Turkey Hunting Zone 38 and creates zones 40 and 41.

Section 9 prohibits goose hunting on Mississippi River closed areas at times when hunting and trapping for species other than ducks is permitted.

Section 10 allows the gifting and donation of deer killed in vehicle accidents. Current regulations allow only persons at the scene of the accident to possess such deer.

SECTION 1. NR 10.001(18) is amended to read:

NR 10.001(18) For the purpose of hunting wild animals other than deer and bear, "muzzle-loader" means any caliber of any muzzle-loading firearm ~~discharged from the shoulder~~. Muzzle-loading handguns shall have a minimum barrel length of 4 inches measured from the muzzle to the breech face.

SECTION 2. NR 10.06(6)(intro.) is amended to read:

NR 10.06(6) PHEASANT HUNTING. (intro.) Except as provided in this subsection, pheasant hunting hours are those hunting hours established for small game in s. NR 10.06(3). Pheasant hunting hours shall close at 2:00 p.m. daily within the posted boundaries of the following state wildlife areas beginning the ~~second~~ third day of the pheasant hunting season established in s. NR 10.01(2)(c) and continuing ~~for 13 consecutive days~~ through November 3.

SECTION 3. NR 10.103(1) is amended to read:

NR 10.103(1) TAGS. A one-piece back and carcass tag shall be issued with each hunting license and shall remain intact until the hunter kills a deer while hunting. While hunting, no person may possess a validated carcass tag including bonus and special carcass tags unless it is attached to a legally killed deer.

SECTION 4. NR 10.103(2) is amended to read:

NR 10.103(2) VALIDATION. Any person who kills a deer or if s. 29.405, Stats., applies, the person providing the carcass tag, shall immediately ~~separate the issued carcass tag from the back tag and~~ validate the carcass tag by slitting the marks on the carcass tag as designated by the department. Failure to completely validate the carcass tag renders possession of the deer illegal and the carcass tag invalid.

SECTION 5. NR 10.106(2)(b) is amended to read:

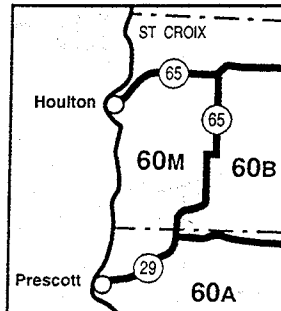
NR 10.106(2)(b) Special permit deer. Party permit deer, bonus permit deer or antlerless deer taken under authority of a hunter's choice permit, ~~or~~ gun deer license or special deer permit shall be registered within the deer management unit in which the deer was killed no later than 5:00 p.m. of the first day following the season's close unless transported on federal or state highways directly to the authorized registration station in an adjoining deer management unit.

SECTION 6. NR 10.145(5)(a)1 is amended to read:

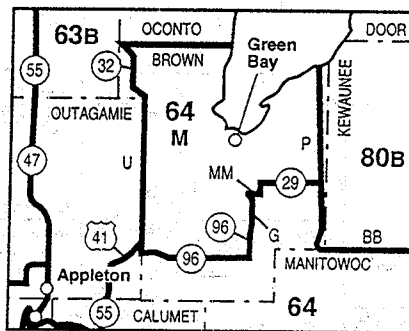
NR 10.145(5)(a)1. 'Bobcat'. Unless authorized by the department, each person who has killed a bobcat shall exhibit the pelt to an authorized department representative ~~in the county in which the animal was killed, or in an adjoining county~~, no later than 5 days after the close of the season.

SECTION 7. NR 10.28(2)(d) and (e) are created to read:

NR 10.28(2)(d) Unit 60M



(e) Unit 64M



SECTION 8. NR 10.29 (map) is repealed and recreated to read:

Wild Turkey Management Zones



4/1997

* Disabled Hunters Only

SECTION 9. NR 11.032 (intro.) is amended to read:

NR 11.032 MISSISSIPPI RIVER CLOSED AREA. (intro.) A closed season is established in the following areas which are posted with U.S. fish and wildlife service signs. No person may hunt or trap any species of wild animal ~~during the open season for ducks~~ at any time except that hunting or trapping is allowed for all species but ducks and geese during the seasons established in s. NR 10.01, but only from the day after the final closure of the duck season as established in s. NR 10.01(1)(b), until June 15. Legally killed or crippled game may be retrieved from these areas by dog or hand.

SECTION 10. NR 19.13(3) is amended to read:

NR 19.13(3) No ~~such~~ vehicle-killed deer, or any parts thereof, may sold, or bartered or given by the individual to any other person at any time, except the head or hide, which may be disposed of pursuant to s. 29.40(3), Stats.. Vehicle killed deer may be given to another person or to charitable organizations.

The foregoing rules were approved and adopted by the State of Wisconsin Natural Resources Board on May 28, 1997.

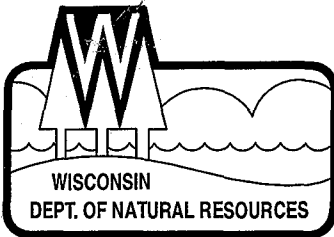
The rule shall take effect the first day of the month following publication as provided in s. 227.22(2)(intro.), Stats., except Section 8, which shall take effect December 1, 1997, and Sections 1 and 2, which shall take effect March 1, 1998.

Dated at Madison, Wisconsin August 7, 1997.

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

By George E. Meyer
George E. Meyer, Secretary

(SEAL)



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Tommy G. Thompson, Governor
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August 7, 1997


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-4-97. 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
Secretary

Enc.