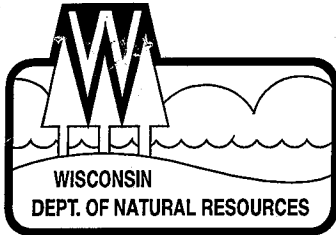


99-042



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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

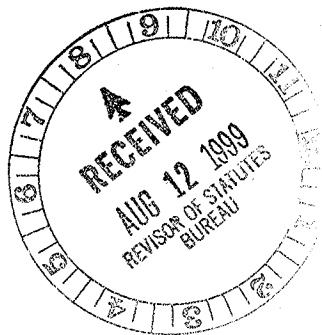
Box 7921
101 South Webster Street
Madison, Wisconsin 53707-7921
TELEPHONE 608-266-2621
FAX 608-267-3579
TDD 608-267-6897

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-2-99 was duly approved and adopted by this Department on May 26, 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 10th day of August, 1999



George E. Meyer
George E. Meyer, Secretary

(SEAL)



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

The Wisconsin Natural Resources Board proposes an order to amend NR 10.01(4)(d) and(dm), 10.106(1), 10.13(1)(b)8 a, 10.24(8)(a) and (b), 15.03 (intro.), 19.07 (title); and create NR 10.13(4), and 19.07 (intro.) relating to hunting and trapping.

WM-2-99

Analysis Prepared by the Department of Natural Resources

Statutory authority: ss. 29.014 and 227.11 Stats.

Statute interpreted: ss. 29.014, 29.331, and 29.865 Stats.

In this order:

Section 1 clarifies possession limits for otter and fisher trapping.

Section 2 allows skinning and quartering of deer by persons holding a Class A or B disabled hunting permit.

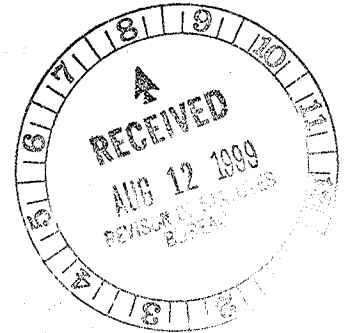
Section 3 clarifies that the "one-half submerged" requirement for killer traps and snares only applies to set traps and not sprung traps.

Section 4 includes "lawfully placed trap" as used in s. 29.331(5)(a), Stats., as the initial placement of the trap by the owner or operator of the trap. This definition would address situations in which fur theft or trap molesting is unenforceable because a lawfully set trap was altered in advance or during the violation.

Section 5 removes requirement for DNR constructed waterfowl blinds on Bong State Recreation Area.

Section 6 shortens the length of no entry status on wildlife refuge, rookeries and special areas.

Section 7 & 8 changes shooting preserve rule language to comply with statutory changes.



SECTION 1. NR 10.01 (4)(d) & (dm) are amended to read:

NR 10.01 (4)

(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. ~~One per permit issued under s. NR 10.145. The possession limit corresponds to the number of pelt tags issued.~~
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. ~~One per permit issued under s. NR 10.145. The possession limit corresponds to the number of pelt tags issued.~~
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. ~~One per permit issued under s. NR 10.145. The possession limit corresponds to the number of pelt tags issued.~~

(dm) *Fisher trapping.*

1. Management zone A—Deer Nov. 1-Dec.31
management units 1, 2, 3, 4, 5, 8, 9, 10,
11, 12, 15, 16, 17, 22, 78 and 79 as
described in s. NR 10.28 ~~One per permit issued under s. NR 10.145. The possession limit corresponds to the number of pelt tags issued.~~
2. Management zone B—Deer Nov. 1-Dec. 31
management units 6, 7, 13, 14, 18,19,
20, 23, 24, 25, 26, 28, 29A and 30 as
described in s. NR 10.28 ~~One per permit issued under s. NR 10.145. The possession limit corresponds to the number of pelt tags issued.~~
3. Management zone C—Deer Nov. 1-Dec.31
management units 29B, 31, 32, 33, 34,
35,36, 37 and 52 as described in s. NR
10.28 ~~One per permit issued under s. NR 10.145. The possession limit corresponds to the number of pelt tags issued.~~
4. Management zone D—Deer Nov. 1-Dec. 31
management units 38, 39, 40, 41, 42, 43,
44, 45, 46, 47, 48, 49A, 49B, 50, 51A
and 51B as described in s. NR 10.28 ~~One per permit issued under s. NR 10.145. The possession limit corresponds to the number of pelt tags issued.~~
5. Management zone E—Deer Nov. 1-Dec. 31
management units 27, 53, 55, 56, 57,
57A, 57B, 57C, 58 and 59A as described
in s. NR 10.28 ~~One per permit issued under s. NR 10.145. The possession limit corresponds to the number of pelt tags issued.~~
6. Management zone F—Remainder of the Nov. 1-Dec. 31
state ~~One per permit issued under s. NR 10.145. The possession limit corresponds to the number of pelt tags issued.~~

SECTION 2. NR 10.106 (1) is amended to read:

NR 10.106 (1) CARCASS CONDITION AND TRANSPORTATION. Deer shall be intact except they may be field dressed. Deer may be skinned and quartered by persons holding a Class A or B disabled hunting permit. Bear may be skinned and quartered. These animals or animal parts may not be removed from the area specified in this section unless exhibited, registered and tagged.

SECTION 3. NR 10.13(1)(b)8 a. is amended to read:

NR 10.13(1)(b)8. 'Killer traps and snares.' a. Set, place, or operate any killer type trap of the conibear type larger than 7" x 7" or any snare regardless of the size of the noose unless one-half of the set trap or set snare is located underwater at all times.

SECTION 4. NR 10.13(4) is created to read:

NR 10.13(4) TRAP PLACEMENT. "Lawfully placed" for the purposes of s. 29.331(5)(a), Stats., refers to when the trap was initially placed by the owner or operator of the trap.

SECTION 5. NR 10.24 (8)(a) and (b) are amended to read:

NR 10.24 (8) (a) *Blind requirement.* Hunting shall be restricted to blinds ~~constructed, located and~~ or locations assigned by the department except for the retrieval of crippled waterfowl. In assigned locations without a department blind, the hunter may assemble a blind using existing natural vegetation at the assigned site or use a portable blind. Individuals are required to hunt within 20 feet of the poles. All portable blinds shall be removed at the end of the day.

(b) *Blind limitation.* No more than 2 persons may hunt from any blind or location assigned by the department.

SECTION 6. NR 15.03 (intro.) is amended to read:

NR 15.03 No entry wildlife refuge, rookeries and special areas. A wildlife refuge is established in the following areas when posted with department signs and no person may enter upon such area for any reason from April 1 through ~~September 15~~ August 24.

SECTION 7. NR 19.07 (title) is amended to read:

NR 19.07 (title) SHOOTING PRESERVES, PHEASANT AND QUAIL FARMS.

SECTION 8. NR 19.07 (intro) is created to read:

NR 19.07 (intro) In this section, "shooting preserve" means a pheasant or quail farm licensed under s. 29.865, Stats.

The foregoing rules were approved and adopted by the State of Wisconsin Natural Resources Board on May 26, 1999.

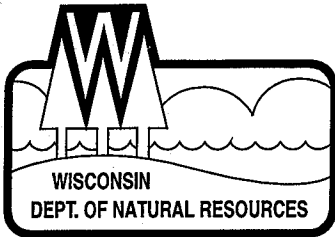
The rule shall take effect the first day of the month following publication in the Wisconsin administrative register as provided in s. 227.22(2)(intro.), Stats.,

Dated at Madison, Wisconsin August 10, 1999.

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

By George E. Meyer
George E. Meyer, Secretary

(SEAL)



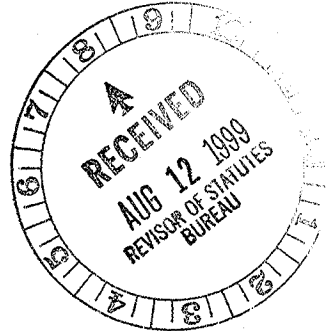
State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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August 9, 1999

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-2-99. 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.