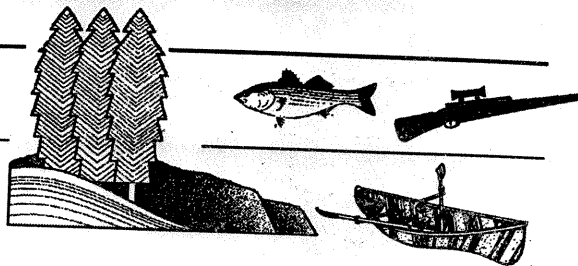


Assembly Committee on:

Natural Resources

State Representative

DuWayne Johnsrud, Chair



July 13, 1995

George Meyer, Secretary
Department of Natural Resources
GEF II, Fifth Floor
INTER-DEPARTMENTAL

Dear Secretary Meyer:

I am writing you to inform you that the Assembly Committee on Natural Resources held a Public Hearing and Executive Session yesterday, July 12, 1995 on Clearinghouse Rule 95-029. During the Executive Session, the Committee voted 8 - 4 to approve the following motion:

MOVED, that the Assembly Committee on Natural Resources:

- Requests the Department of Natural Resources to modify NR 10.01(2)(g) to provide for a daily bag limit of 15.

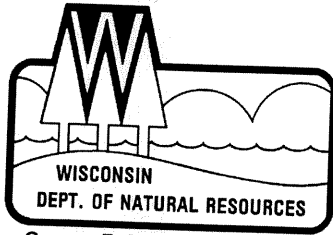
Please feel free to contact my office if you have any questions about the Committee's action.

Sincerely,

A handwritten signature in black ink that reads "DuWayne".

DuWayne Johnsrud
State Representative
96th Assembly District

cc: Senator Rob Cowles, Chair
Senate Committee on Environment & Energy



George E. Meyer
Secretary

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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

July 20, 1995

Honorable Robert Cowles, Chair
Senate Committee on Environment and Energy
Room 28 South
State Capitol

Honorable DuWayne Johnsrud, Chair
Assembly Committee on Natural Resources
Room 323 North
State Capitol

SUBJECT: Clearinghouse Rule No. 95-029
Crow Hunting

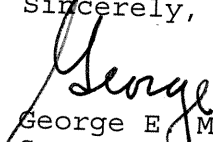
Gentlemen:

On June 22, 1995, the Senate Committee on Environment and Energy requested the Department of Natural Resources to modify Clearinghouse Rule No. 95-029 as it pertained to crow hunting to reduce the proposed daily bag limit to 10 and to evaluate the hunting season after its initial year. On July 12, 1995, the Assembly Committee on Natural Resources requested the Department of Natural Resources to modify the rule to reduce the proposed daily bag limit to 15.

At its July 19, 1995 meeting, the Natural Resources Board modified the rule to reduce the bag limit to 15 and to mandate a study at the end of the initial season.

Under s. 227.19(4)(b)2., Stats., the Department of Natural Resources refers this rule to your Committees for an additional 10 working day review on the modifications. If the Department does not hear from you within 10 working days of the receipt of this notification, the Department will continue processing this rule.

Sincerely,


George E. Meyer
Secretary

cc: Tim Andryk - LC/5
Tom Hauge - WM/4
Todd Peterson - WM/4
Carol Turner - LC/5



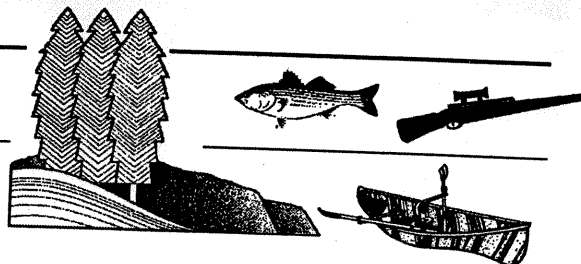
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Assembly Committee on:

Natural Resources

State Representative

DuWayne Johnsrud, Chair



MEMORANDUM

DATE: June 6, 1995
TO: Members, Assembly Natural Resources Committee
FROM: DuWayne Johnsrud, Chair
RE: rule referral

The following Rules have been referred to our committee:

Clearinghouse Rule 95-029	Relating to hunting. Submitted by Department of Natural Resources.
Clearinghouse Rule 95-023	Relating to sport fishing for yellow perch on Lake Michigan and commercial fishing for yellow perch in zones 2 and 3 on Lake Michigan and Green Bay. Submitted by Department of Natural Resources.

Our current review period extends through July 6, 1995. Copies of each rule summary are enclosed. Please contact my office if you would like a copy of any rule.

REPORT TO LEGISLATURE

NR 10 and 11, Wis. Adm. Code
Hunting

Board Order No. WM-12-95
Clearinghouse Rule No. 95-029

Statement of Need

Crow hunting - The proposed rule establishes a 124 day crow hunting season that would begin on the Saturday nearest September 15 and continue through the Thursday immediately preceding the deer gun season. It would close for the remainder of the calendar year, and reopen in mid to late January for the balance of the 124 days, closing March 20, yearly. The daily bag limit would be 25 and the possession limit would be 50. Calls, including electronic calls and decoys would be permitted. All crows taken during the proposed season must be recovered and utilized.

Sharp-tailed grouse season closure - The proposed rule closes the sharp-tailed grouse hunting season. In the early part of this century, sharp-tailed grouse were plentiful and a favored game bird. However, most of the barrens habitats have grown into merchantable timber or converted to agricultural fields; sharp-tail habitat exists largely as scattered patches of public land. Despite the Department's commitment to managing its lands, the future of sharp-tails in the state is not bright. Even with current management, we expect to maintain only marginal populations. If land use changes significantly in the future and sharp-tail populations increase measurably as a result, we would seek to reopen a season under a controlled hunting program.

Muzzleloader deer season - The proposed rule allows the taking of an antlered deer with a Hunter's Choice permit during the muzzleloader season. The muzzleloader season, which lasts for 7 days immediately following the 9-day gun deer season, has resulted in only a small harvest since it was established.

Twin Lakes closed area - Gun and bow deer hunting would be allowed in the Twin Lakes closed area. There are two waterfowl closed areas in St. Croix County - Oakridge Lake and Twin Lakes. Bow and gun deer hunting are permitted at Oakridge Lake, but not at Twin Lakes. The potential exists for Twin Lakes to harbor unnaturally high deer numbers due to its deer refuge status. This proposal would allow bow and gun deer hunting at Twin Lakes in a manner consistent with regulations at Oakridge Lake. Hunter recreation opportunities would increase and the potential for the area to act as a deer refuge would decrease.

Modifications as a Result of Public Hearing

Two proposed rule changes were dropped due to public opposition. The two proposals were: 1) establishing a new closed area at Crex Meadow; and 2) prohibiting trapping at Oakridge Lake.

Appearances at the Public Hearings and Their Position

Hearings were held in all 72 counties; 7,252 people attended the hearings. The statewide and county votes for each of the attached rule proposals are:

<u>Question</u>	<u>Statewide Vote</u>		<u>County Vote</u>	
	<u>Yes</u>	<u>No</u>	<u>Yes</u>	<u>No</u>
Crow hunting season	4,022	1,644	55	16
Closing sharp-tailed grouse season	2,290	2,413	34	33
Bucks/muzzleloader with hunters choice	3,884	1,630	51	20

Response to Legislative Council Rules Clearinghouse Report

The recommendations were accepted.

Final Regulatory Flexibility Analysis

The rules pertain to individual hunters; therefore a final regulatory flexibility analysis is not required.

SECTION 3. NR 10.01(3) (es) as affected by Clearinghouse Rule 94-199 is amended to read:

Kind of animal and Locality	Open season (all dates inclusive)	Limit
(es) Muzzleloader deer season		
Entire state excluding any state park with firearm seasons as described in s. NR 10.27.	Beginning on the Monday immediately following the Thanksgiving holiday and continuing for 7 consecutive days.	One antlerless deer per <u>As authorized by hunter's choice or and antlerless deer permit permits</u> issued under s. NR 10.104.

SECTION 4. NR 11.03(2) is renumbered to NR 11.043(1).

SECTION 5. NR 11.043 (intro.) is created to read:

NR 11.043 (title) WATERFOWL CLOSED AREA; DEER HUNTING PERMITTED. 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 during the periods established in s. NR 10.01 (3)(e) and (em), during the open season on waterfowl established in s. NR 10.01 (1)(b) and (g). Legally killed or crippled game may be retrieved by dog or hand.

The foregoing rule was approved and adopted by the State of Wisconsin Natural Resources Board on May 25, 1995.

Section 3 shall take effect on the first day of the month following publication as provided for in s. 227.22(2)(intro.), Stats. All other sections shall take effect April 1, 1996.

Dated at Madison, Wisconsin _____

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

By _____
George E. Meyer, Secretary

(SEAL)

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

The Wisconsin Natural Resources Board proposes an order to to renumber 11.03(2); to amend NR 10.01(3)(es); repeal and recreate NR 10.01(2)(b)1 and 2; and to create NR 10.01(2)(g) and NR 11.043(1) relating to hunting.

WM-12-95

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, and 29.1075, Stats.

In this order:

Section 1. Sharp-tailed grouse - closes the sharp-tailed grouse hunting season.

Section 2. Crow hunting - creates a statewide crow hunting season.

Section 3. Muzzleloader deer season - allows the take of deer of either sex with the appropriate permit.

Sections 4 and 5. Twin lakes - allows gun and bow deer hunting during the waterfowl season.

SECTION 1. NR 10.01(2)(b)1. and 2. are repealed and recreated to read:

Kind of animal and Locality	Open season (all dates inclusive)	Limit
NR 10.01(2)(b)1. Sharp-tailed grouse Statewide	Closed	Daily bag 0; possession 0

SECTION 2. NR 10.01(2)(g) is created to read:

NR 10.01(2)(g) Crow.

Kind of animal and Locality	Open season (all dates inclusive)	Limit
(g) Crow Statewide	Beginning on the Saturday nearest September 15 and continuing through the Thursday immediately preceding the gun deer season for Zone A. in s. NR 10.01(3)(e) and reopening in January and continuing through March 20. The date of reopening in January shall be established each year by the department to allow for a 124 day crow season.	Daily bag 25; possession 50

LRB or Bill No./Adm. Rule No.
WM-12-95
Amendment No. if Applicable

FISCAL ESTIMATE
DOA-2048 (R 11/90)

ORIGINAL UPDATED
 CORRECTED SUPPLEMENTAL

Subject
1995 Wildlife Management Spring Hearing Rule Proposals

Fiscal Effect

State: No State Fiscal Effect

Check columns below only if bill makes a direct appropriation or affects a sum sufficient appropriation

Increase Costs - May be possible to Absorb Within Agency's Budget Yes No

Increase Existing Appropriation Increase Existing Revenues
 Decrease Existing Appropriation Decrease Existing Revenues
 Create New Appropriation

Decrease Costs

Local: No local government costs

1. Increase Costs
 Permissive Mandatory
2. Decrease Costs
 Permissive Mandatory

3. Increase Revenues
 Permissive Mandatory
4. Decrease Revenues
 Permissive Mandatory

5. Types of Local Governmental Units Affected:
 Towns Villages Cities
 Counties Others
 School Districts VTAE Districts

Fund Sources Affected
 GPR FED PRO PRS SEG SEG-S

Affected Ch. 20 Appropriations
20.370(1)(mu)

Assumptions Used in Arriving at Fiscal Estimate

This rule contains rule change proposals to be placed on the 1995 spring fish and game hearing questionnaire. Sections 1, 4 and 7 close the sharp-tailed grouse hunting season and add sharp-tailed grouse to the list of protected species. There would be an estimated \$2,000 savings as a result of this change due to decreased enforcement needs and administration of sharp-tail permits. Section 2 establishes a crow hunting season. No significant cost change is associated with this rule. Section 3 expands the muzzleloader season to allow the take of either sex deer with the appropriate permit. No significant cost change is associated with this rule. Sections 5 and 6 allow gun and bow deer hunting during the waterfowl season at Twin lakes in St. Croix county. No significant cost change is associated with this rule.

Long-Range Fiscal Implications

Overall, department expenditures and revenues should not change.

Agency/Prepared by: (Name & Phone No.)

Todd L. Peterson - 608-267-2948
Natural Resources

Authorized Signature/Telephone No.

5 *J. Palach* 6-2794

Date

4-21-95

FISCAL ESTIMATE WORKSHEET

1995 SESSION

Detailed Estimate of Annual Fiscal Effect
 DOA-2047(R 11/90)
 Subject

ORIGINAL
 CORRECTED
 UPDATED
 SUPPLEMENTAL

LRB or Bill No/Adm.Rule No.
 WM-12-95

Amendment No.

1994 Wildlife Management Spring Hearing Rule Proposals

I. One-time Costs or Revenue Fluctuations for State and/or Local Government (do not include in annualized fiscal effect):
 \$800.00 to modify the existing posting on two Wildlife Management properties.

II. Annualized Costs:
 from:

Annualized Fiscal Impact on State funds

A. State Costs by Category	Increased Costs	Decreased Costs
State Operations-Salaries and Fringes	\$	\$ -
(FTE Position Changes)	(FTE)	(FTE)
State Operations-Other Costs		- \$2,000
Local Assistance		-
Aids to Individuals or Organizations		-
TOTAL State Costs by Category	\$	\$ - \$2,000

B. State Costs by Source of Funds	Increased Costs	Decreased Costs
GPR	\$	\$ -
FED	\$	\$ -
PRO/PRS	\$	\$ -
SEG/SEG-S	\$	\$ - \$2,000

III. State Revenues-	Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fees, etc.)	
	Increased Rev.	Decreased Rev.
GPR Taxes	\$	\$ -
GPR Earned		-
FED		-
PRO/PRS		-
SEG/SEG-S		-
TOTAL State Revenues	\$0	\$ -0

NET ANNUALIZED FISCAL IMPACT

	STATE	LOCAL
NET CHANGE IN COSTS	\$ 2,000	\$ 0
NET CHANGE IN REVENUES	\$ 0	\$ 0

Agency/Prepared by: (Name & Phone No.)
 Natural Resources
 Todd L. Peterson - 608-267-2948

Authorized Signature/Telephone No.

6-2794

Date
 4-21-95

Todd Peterson

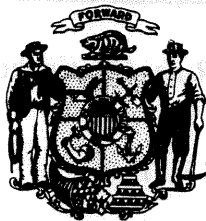
WISCONSIN LEGISLATIVE COUNCIL STAFF



RULES CLEARINGHOUSE

Ronald Sklansky
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(608) 266-1946

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Assistant Director
(608) 266-2982



David J. Stute, Director
Legislative Council Staff
(608) 266-1304

One E. Main St., Ste. 401
P.O. Box 2536
Madison, WI 53701-2536
FAX: (608) 266-3830

CLEARINGHOUSE REPORT TO AGENCY

[THIS REPORT HAS BEEN PREPARED PURSUANT TO S. 227.15, STATS. THIS IS A REPORT ON A RULE AS ORIGINALLY PROPOSED BY THE AGENCY; THE REPORT MAY NOT REFLECT THE FINAL CONTENT OF THE RULE IN FINAL DRAFT FORM AS IT WILL BE SUBMITTED TO THE LEGISLATURE. THIS REPORT CONSTITUTES A REVIEW OF, BUT NOT APPROVAL OR DISAPPROVAL OF, THE SUBSTANTIVE CONTENT AND TECHNICAL ACCURACY OF THE RULE.]

CLEARINGHOUSE RULE 95-029

AN ORDER to repeal NR 10.01 (2) (b) and 11.08; to renumber NR 11.01 (1) and 11.03 (2); to amend NR 10.01 (3) (es), 10.02 (5) and 11.042; and to create NR 10.01 (2) (g) and 11.01 (1), relating to hunting.

Submitted by **DEPARTMENT OF NATURAL RESOURCES**

02-09-95 RECEIVED BY LEGISLATIVE COUNCIL.

03-08-95 REPORT SENT TO AGENCY.

RS:RJC:kjf;jt

LEGISLATIVE COUNCIL RULES CLEARINGHOUSE REPORT

This rule has been reviewed by the Rules Clearinghouse. Based on that review, comments are reported as noted below:

1. STATUTORY AUTHORITY [s. 227.15 (2) (a)]

Comment Attached

YES

NO

2. FORM, STYLE AND PLACEMENT IN ADMINISTRATIVE CODE [s. 227.15 (2) (c)]

Comment Attached

YES

NO

3. CONFLICT WITH OR DUPLICATION OF EXISTING RULES [s. 227.15 (2) (d)]

Comment Attached

YES

NO

4. ADEQUACY OF REFERENCES TO RELATED STATUTES, RULES AND FORMS [s. 227.15 (2) (e)]

Comment Attached

YES

NO

5. CLARITY, GRAMMAR, PUNCTUATION AND USE OF PLAIN LANGUAGE [s. 227.15 (2) (f)]

Comment Attached

YES

NO

6. POTENTIAL CONFLICTS WITH, AND COMPARABILITY TO, RELATED FEDERAL REGULATIONS [s. 227.15 (2) (g)]

Comment Attached

YES

NO

7. COMPLIANCE WITH PERMIT ACTION DEADLINE REQUIREMENTS [s. 227.15 (2) (h)]

Comment Attached

YES

NO

WISCONSIN LEGISLATIVE COUNCIL STAFF

RULES CLEARINGHOUSE

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P.O. Box 2536
Madison, WI 53701-2536
FAX: (608) 266-3830

CLEARINGHOUSE RULE 95-029

Comments

[NOTE: All citations to "Manual" in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated October 1994.]

2. Form, Style and Placement in Administrative Code

SECTION 2 of the rule should contain some form of paragraph letter and a title. For example, above the word "Statewide" the following should be added: "(g) Crow."

5. Clarity, Grammar, Punctuation and Use of Plain Language

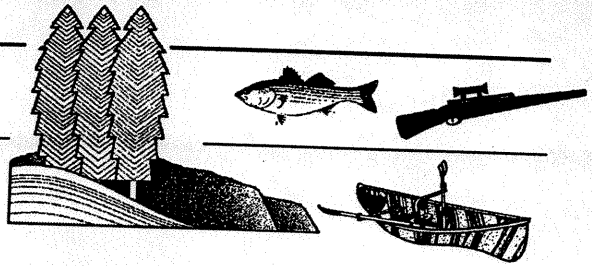
In s. NR 10.01 (3) (es), it would seem that to be consistent with the remainder of the tables found in s. NR 10.01, the title to par. (es) should contain some reference to the kind of animal being hunted. Thus, it would be appropriate to amend the title to read substantially as follows: "(es) Muzzleloader deer season."

Assembly Committee on:

Natural Resources

State Representative

DuWayne Johnsrud, Chair



July 13, 1995

George Meyer, Secretary
Department of Natural Resources
GEF II, Fifth Floor
INTER-DEPARTMENTAL

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DuWayne Johnsrud
State Representative
96th Assembly District

cc: Senator Rob Cowles, Chair
Senate Committee on Environment & Energy