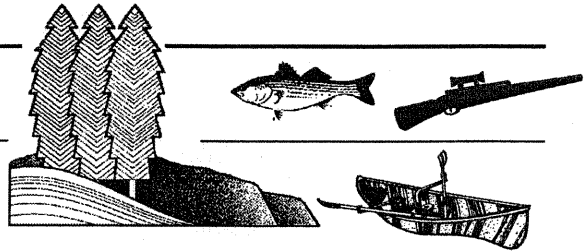


Assembly Committee on:

Natural Resources

State Representative

DuWayne Johnsrud, Chair



MEMORANDUM

DATE: June 14, 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 95-033	Relating to sport fishing. Submitted by Department of Natural Resources.
Clearinghouse Rule 95-034	Relating to sport fishing and fish refuges. Submitted by Department of Natural Resources.

Our current review period extends through July 13, 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 20 & 26, Wis. Adm. Code
Sport fishing and fish refuges

Board Order No. FM-16-95
Clearinghouse Rule No. 95-034

Statement of Need

The proposed rules are primarily of local interest and housekeeping changes/corrections. The changes are detailed in the analysis of the proposed order.

Modifications as a Result of Public Hearing

The following proposals were withdrawn:

1. Establish a 45 inch minimum length limit for muskellunge in Turtle-Flambeau flowage (including Trude lake), Iron county.
2. Eliminate the use of set or bank poles and setlines in a section of the Fox river, from the Wicks Landing road, Green Lake county, downstream to the Eureka dam, Winnebago county.
3. Establish conditions for a research project to study the effects of various levels of exploitation on walleye populations; 1) change season, bag and size limits for walleyes on Wolf, Big Crooked, Lost Canoe lakes, all in Vilas county; and Sherman lake in Vilas and Iron counties; 2) amend existing rules concerning experimental waters to prohibit fishing on Escanaba lake, Vilas county; and 3) exempt Wolf, Big Crooked and Lost Canoe lakes, all in Vilas county; and Sherman lake in Vilas and Iron counties from the modifications in daily bag limits in response to tribal harvest specified by s. NR 20.037. The overall local vote did not support this study largely due to the closure of Escanaba lake.

The following proposals were modified:

1. To establish an 18 inch minimum length limit and a daily bag limit of one fish for largemouth and smallmouth bass in Butternut and Franklin lakes, Forest county.
2. Trout rules: To withdraw the proposal to change the Mecan river, Marquette and Waushara counties, from category 3 to 5 (artificial lures only, bag limit 3 fish, only 1 larger than 15", size limit 12"); to withdraw the early catch and release season from April 1 to the Friday before the first Saturday in May 15 at 5:00 a.m. on the Willow river, St. Croix county; to add Neenah Creek, Marquette county, upstream from STH 82 to 1 fish over 18". Adding this small segment across the county line will make the rule consistent on a contiguous stream reach.
3. 40" muskellunge rules: To withdraw Echo lake, Lake of the Falls, Owl lake and Spider lake, Iron county from the list of lakes proposed for a 40" minimum length limit on muskellunge.

Appearances at the Public Hearing and Their Position

Public hearings were held in all 72 counties on Monday, April 10, 1995. 7,242 persons attended the hearings and 192 written comments were received. A copy of the hearing results is included in the rule jacket.

Response to Legislative Council Rules Clearinghouse Report

The recommendations were accepted.

Final Regulatory Flexibility Analysis

The proposed rules regulate individual fishers; therefore, a final regulatory flexibility analysis is not required.