

WISCONSIN LEGISLATIVE COUNCIL STAFF

LCRC
FORM 2

RULES CLEARINGHOUSE

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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 99-024

AN ORDER to amend NR 10.01 (2) (f) 2. and (3) (e) 2. a., b., c. and e. and (g) 1. and 2., 10.09 (1) (c) 1a., 15.022 (intro.), 15.024 (intro.) and 15.03 (a) (intro.); to repeal and recreate NR 10.145 (5) (a), 10.31 (11) and 10.321 (11) and 27.03 (2) (a) 3.; and to create NR 10.145 (2) (c) and (7), 15.03 (9) (a) and 27.03 (3) (a), relating to hunting and trapping.

Submitted by **DEPARTMENT OF NATURAL RESOURCES**

02-10-99 RECEIVED BY LEGISLATIVE COUNCIL.

03-10-99 REPORT SENT TO AGENCY.

MAR 12 1999

RNS:RJC:kjf;kjf

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)]

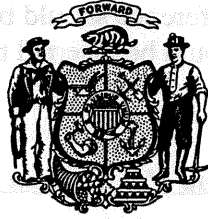
Comment Attached YES NO

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CLEARINGHOUSE RULE 99-024

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 September 1998.]

2. Form, Style and Placement in Administrative Code

a. In SECTIONS 6 and 7 of the rule, the term "(title)" can be deleted since both SECTIONS are creating new provisions.

b. In SECTION 9 of the rule, the title should be written in solid capital letters. [See s. 1.05 (2) (c), Manual.]

c. In s. NR 15.022, the title should be shown in bold typeface. [See s. 1.05 (2) (b), Manual.]

d. In SECTION 11 of the rule, the title in s. NR 15.024 should be written in bold typeface. [See s. 1.05 (2) (b), Manual.] Also, in the amendment to the title to sub. (1), the addition of the subsection title should follow the striking of the amended title as follows: "(1) PEAT LAKE KENOSHA COUNTY."

e. The treatment clause of SECTION 12 of the rule contains the parenthetical phrase "(as amended by clearinghouse order no. _____)". It appears that this phrase is unnecessary and should be deleted.

4. Adequacy of References to Related Statutes, Rules and Forms

In SECTION 3 of the rule, the treatment clause indicates s. NR 10.01 (6) (a) is being amended. It appears, however, that the correct reference should be to s. NR 10.01 (3) (e) 6. a. In addition, a reference to "NR 10.01 (3) (e) 6." should be inserted before the "a." in the substantive portion of SECTION 3.

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

Section NR 10.145 (5) allows the department to require successful applicants to file a harvest report in a manner "prescribed by the department." Where is the manner prescribed? Can an appropriate cross-reference be provided, or a note added, that would help clarify this issue?

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

The Wisconsin Natural Resources Board proposes an order to amend NR 10.01(2)(f)2, NR 10.01(3)(g)1 and 2, NR 10.01 (3)(e)2. a., b., c., and e., NR 10.09 (1)(c)1a, NR 15.022 (intro), NR 15.024 (intro), NR 15.03(a) (intro), to repeal and recreate NR 10.145(5)(a), NR 10.31(11) and NR 10.321(11), NR 27.03 (2)(a)3 and to create NR 10.145(2)(c), NR 10.145(7), NR 15.03 (9)(a), NR 27.03 (3)(a) relating to hunting and trapping.

WM-1-99

Analysis Prepared by Department of Natural Resources

Statutory authority: ss. 29.014, 29.192, 29.604, 29.621, and 227.11 Stats.

Statutory interpreted: ss. 29.192, 29.604, and 29.621, Stats.

In this order:

Section 1. turkey hunting - changes fall turkey season to begin the Saturday nearest October 10 and continue for 30 days.

Section 2 and 3. deer hunting - establishes a nine day either sex season bag limit for Mississippi river block units.

Section 4. black bear hunting - changes black bear season opening to the first Wednesday after Labor Day.

Section 5. muzzleloader hunting - allows the use of telescopic scopes on muzzleloaders during the seven-day muzzleloader season.

Section 6. otter harvest - creates population goal set at 13,000 otter.

Section 7. bobcat, otter and fisher trapping - establishes an in-season harvest monitoring system for bobcat, otter and fisher trapping.

Section 8. bobcat, otter, fisher harvest - create season closure authorization.

Section 9. goose hunting - changes subzones for early Canada goose hunt.

Section 10 and 11. muzzleloader hunting - includes muzzleloader gun deer hunting in wildlife refuges and modifies the title for the Peat Lake Refuge to include Kenosha County.

Section 12. wildlife refuge - established no entry status for Waukesha County - Big Muskego Lake Nesting Island Wildlife Refuge.

Section 13 and 14. wolf status - changes wolf listing from endangered to threatened.

SECTION 1. NR 10.01 (2) (f) 2 is amended to read:

NR 10.01 (2) (f) 2.

Kind of animal and locality	Open season (all dates inclusive)	Limit
2. All wild turkey hunting zones as described in s. NR 10.29, excluding state parks, for which a quota has been established under s. NR 10.25 (5).	Fall season beginning on the <u>Monday Saturday</u> nearest <u>October 10</u> and continuing for <u>28</u> <u>30</u> days.	Either sex of turkey may be killed. The possession limit corresponds to the number of carcass tags issued.

SECTION 2. NR 10.01 (3)(e) 2 a., b., c., and e. are amended to read:

NR 10.01 (3)(e) 2.

Kind of animal and locality	Open season (all dates inclusive)	Limit
<p>2. Zone "B" Mississippi River Units Deer management units 59D, 61, 61B, 74A and 74B.</p>	<p>a. The Buffalo, Trempealeau and Pepin county portions of deer management unit 61. Shotgun season beginning on the Saturday preceding the Thanksgiving holiday and continuing for 2 consecutive days.</p>	<p>One deer of either sex and as authorized by antlerless deer permits issued under s. NR 10.104.</p>
<p>b. The Pierce county portion of deer management unit 61.</p>	<p>Firearm season beginning on the day immediately following the shotgun season described above and continuing for 7 consecutive days.</p>	<p>One buck deer and as authorized by antlerless deer permits issued under s. NR 10.104.</p>
<p>b. The Pierce county portion of deer management unit 61.</p>	<p>Shotgun season beginning on the Saturday immediately preceding the Thanksgiving holiday and continuing for 2 consecutive days.</p>	<p>One deer of either sex and as authorized by antlerless deer permits issued under s. NR1 0.104.</p>
<p>c. The Jackson, La Crosse and Monroe county portions of unit 59D, and the La Crosse county portion of 74A.</p>	<p>Shotgun season beginning on the day immediately following the season described above and continuing for 7 consecutive days.</p>	<p>One buck deer and as authorized by antlerless deer permits issued under s. NR 10.104.</p>
<p>c. The Jackson, La Crosse and Monroe county portions of unit 59D, and the La Crosse county portion of 74A.</p>	<p>Shotgun season beginning on the Saturday immediately preceding the Thanksgiving holiday and continuing for 2 consecutive days.</p>	<p>One deer of either sex and as authorized by antlerless deer permits issued under s. NR 10.104.</p>
<p>e. The Vernon county portions of deer management units 59D and 74A, and the Vernon and Crawford county portion of unit 74B.</p>	<p>Firearm season beginning on the day immediately following the shotgun season described above and continuing for 7 consecutive days.</p>	<p>One buck deer and as authorized by antlerless deer permits issued under s. NR 10.104.</p>
<p>e. The Vernon county portions of deer management units 59D and 74A, and the Vernon and Crawford county portion of unit 74B.</p>	<p>Firearm season beginning on the Saturday immediately preceding the Thanksgiving holiday and continuing for 2 consecutive days.</p>	<p>One deer of either sex and as authorized by antlerless deer permits issued under s. NR 10.104.</p>
<p>e. The Vernon county portions of deer management units 59D and 74A, and the Vernon and Crawford county portion of unit 74B.</p>	<p>Firearm season beginning on the day immediately following the season described above and continuing for 7 consecutive days.</p>	<p>One buck deer and as authorized by antlerless deer permits issued under s. NR 10.104.</p>

10.01 (3)(e) G.A.

SECTION 3. NR 10.01 (6)(a) is amended to read:

- a. M1—Deer management unit 59M. Shotgun season beginning on the One deer of either sex and as Saturday immediately preceding authorized by antlerless deer the Thanksgiving holiday and permits issued under s. NR continuing for 2 consecutive days. 10.104.
- Shotgun season beginning on the One buck deer and as authorized day immediately following the by antlerless deer permits issued season described above and under s. NR 10.104. continuing for 7 consecutive days.

SECTION 4. NR 10.01 (3)(g) 1 and 2 are amended to read: ✓

NR10.01 (3)(g) 1 and 2

Kind of animal and locality	Open season (all dates inclusive)	Limit
(g) Black bear (gun and bow seasons).		
1. Those portions of bear management zones A and B as described in s. NR 10.30 where the use of dogs for bear hunting is authorized as described in s. NR 10.10 (1)(b).	With aid of dogs only, beginning on the second Saturday in September <u>first Wednesday following Labor Day</u> and continuing for 21 consecutive days in odd-numbered years and beginning on the third Saturday in September for 21 days in even-numbered years.	One adult bear per permit issued under s. NR 10.102.
	All methods not utilizing the aid of dogs, beginning on the second Saturday in September <u>first Wednesday following Labor Day</u> and continuing for 21 consecutive days in even-numbered years and beginning on the third Saturday in September for 21 days in odd-numbered years.	One adult bear per permit issued under s. NR 10.102.
2. Those portions of bear management zones A, B and C as described in s. NR 10.30 where the use of dogs for bear hunting is prohibited as described in s. NR 10.10 (1) (b).	All methods not utilizing the aid of dogs, beginning on the second Saturday in September <u>first Wednesday following Labor Day</u> and continuing for 28 consecutive days.	One adult bear per permit issued under s. NR 10.102.

SECTION 5. NR 10.09 (1)(c) 1. a. is amended to read: ✓

NR 10.09 (1)(c) 1. a. Muzzleloaders may be used for hunting, except that any muzzleloader used in the muzzleloading season described in s. NR 10.01 (3) (es) shall have a solid breech plug attached with threads, be capable of being loaded only from the muzzle, and use black powder or other black powder substitute, ~~and may not include a mounted telescopic sight.~~

SECTION 6. NR 10.145(2)(c) is created to read:

NR 10.145(2)(c) (title) *Otter*. The statewide overwinter population goal is 13,000 otter. X

SECTION 7. NR 10.145(5)(a) is repealed and recreated to read:

NR 10.145 (5) RECORDING OF HARVEST (a) (title) *Pelts*. 1. The department may require each successful applicant to submit a harvest report in a manner prescribed by the department within 48 hours of harvesting a bobcat, otter or fisher.

Note: The bobcat, otter and fisher harvest reports are used to calculate total harvest estimates in those zones where hunter participation is unlimited.

2. Unless otherwise authorized by the department, each person who has killed a bobcat, fisher or otter shall exhibit the pelt to an authorized department representative no later than 5 days after the close of the season for the animal from which the pelt was obtained.

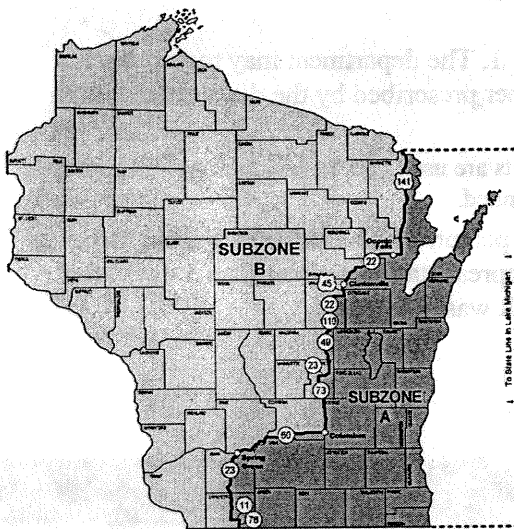
SECTION 8. NR 10.145(7) created to read:

NR 10.145 (7) SEASON CLOSURE. The secretary of the department may close a portion or all of any bobcat, otter or fisher season established in s. NR 10.01, upon a finding by the department that the harvest for that season will exceed the level authorized by the department. Closure shall become effective upon issuance of an order and publication in the official state newspaper.

SECTION 9. NR 10.31 (11) is repealed and recreated to read:

NR 10.31 (11) Early Goose Hunt Subzone.

Sec of Nat Program
1.05 (2)(c)
After - solid cap letters



105 (2)(4)

SECTION 10. NR 15.022 (title) and (intro) are amended to read:

Titles should be in bold

NR 15.022 (title) No entry wildlife refuge except gun deer and muzzleloader deer (Sept. 1-Dec. 31). (intro.) A wildlife refuge is established in the following areas when posted with department signs and no person may hunt waterfowl at any time within such areas. No person may enter such areas for any reason from September 1 through December 31 unless such areas are posted as open with department signs except to hunt deer during the open gun and muzzleloader seasons for hunting deer established in ss. NR 10.01 (3) (e) and (es) and 10.117, trapping by permit in the area described in sub. (5), and except for the retrieval of legally killed or crippled game in posted retrieval zones.

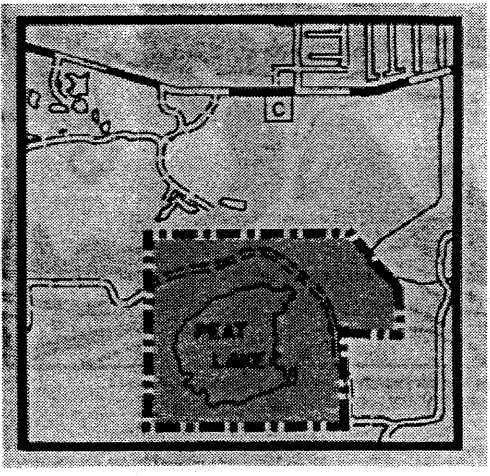
SECTION 11. NR 15.024 (title), (intro), and (1) are amended to read:

Titles should be in bold

NR 15.024 (title) No entry wildlife refuge (Sept. 1-Dec. 31); gun deer and muzzleloader deer hunting permitted. (intro.) A wildlife refuge is established in the following areas when posted with department signs and no person may hunt waterfowl at any time within such areas. No person may enter such areas for any reason from September 1 through December 31, except to hunt deer during the open gun and muzzleloader seasons for hunting deer established in ss. NR 10.01 (3) (e) and (es) and 10.117.

(1) KENOSHA COUNTY. PEAT LAKE. (a) Peat Lake. Township 1 north, range 20 east, town of Salem.

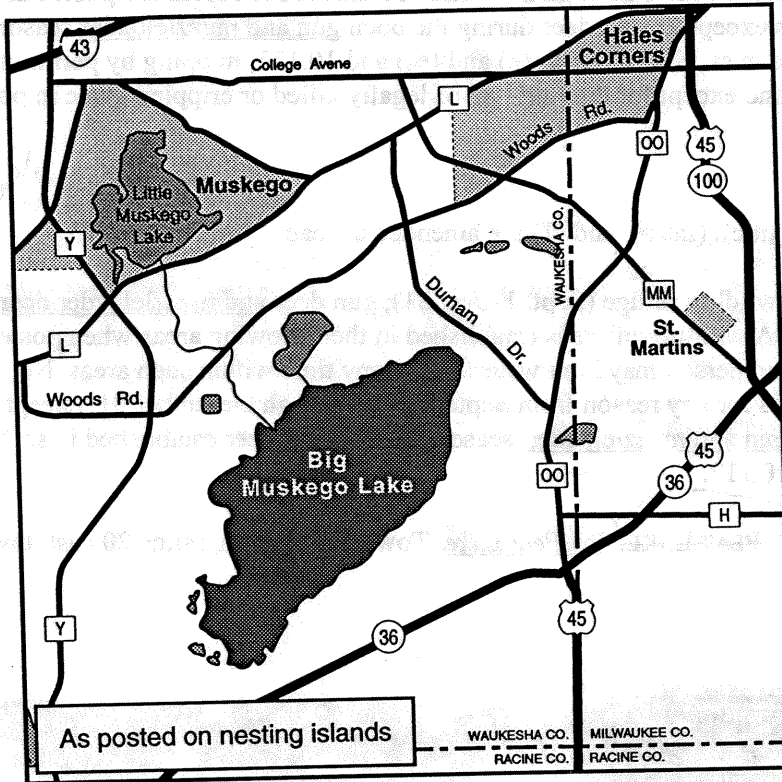
X



University?

SECTION 12. NR 15.03 (9) (as amended by clearinghouse order no. [redacted]) (a) is created to read:

NR 15.03 (9) WAUKESHA COUNTY. (a) *Big Muskego Lake Nesting Islands*. Township 5 north, range 20 east, city of Muskego.



SECTION 13. NR 27.03 (2)(a)3. is repealed.

SECTION 14. NR 27.03 (3)(a) is amended to read:

NR 27.03 (3)(a) Mammals - None

- 1. Gray Wolf - *Canis lupus* (also U.S. Endangered)

- general of a subset
needed and a subset

State of Wisconsin
Department of Natural Resources

**NOTICE TO PRESIDING OFFICERS
OF PROPOSED RULEMAKING**

Pursuant to s. 227.19, Stats., notice is hereby given that final draft rules are being submitted to the presiding officer of each house of the legislature. The rules being submitted are:

Natural Resources Board Order No. WM-1-99

Legislative Council Rules Clearinghouse Number 99-024

Subject of Rules Hunting and trapping

Date of Transmittal to Presiding Officers June 2, 1999

Send a copy of any correspondence or notices pertaining to this rule to:

**Carol Turner, Rules Coordinator
DNR Bureau of Legal Services
LC/5, 101 South Webster**

266-1959

The foregoing rule was approved and adopted by the State of Wisconsin Natural Resources Board on _____.

The rule shall take effect the first day of the month following publication in the Wisconsin administrative register as provided in s. 227.22(intro.), Stats., except Sections 1, 2, 3, 5, 7, 8, and 9 which shall take effect March 1, 2000 and Section 4 which shall take effect November 1, 1999.

Dated at Madison, Wisconsin _____.

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

By _____
George E. Meyer, Secretary

(SEAL)

REPORT TO LEGISLATURE

NR 10, Wis. Adm. Code Hunting and trapping

Board Order No. WM-1-99
Clearinghouse Rule No. 99-024

Statement of Need

The proposed rule changes will improve hunting and trapping opportunities, create protected areas for nesting islands and reclassify the legal status of wolves. The proposed rule:

1. Changes the fall turkey season opening date to the Saturday nearest October 10 and changes the season length from 28 to 30 consecutive days. Lengthening the season will not negatively impact the turkey population nor will it dramatically increase harvest rates.
2. Establishes a 9-day either sex deer season for Mississippi River deer management units. The existing season structure allows hunters to take a deer of either sex for the first 2 days of the season with their regular license. For the remaining 7 days the regular license is valid only for bucks. The proposed rule would establish a 9-day either sex season bag limit for the river block units. It simplifies season structure and reduces enforcement problems. Bonus antlerless permits would continue to be available.
3. Changes the opening of the bear hunting season to the first Wednesday in September after Labor Day and extends the season by 7 days. Specifically, the season changes from a 21-day season to a 28-day season in Zones A and B where the use of dogs for bear hunting is permitted, and from 28 days to 35 days in those portions of bear management Zones A, B and C where the use of dogs for bear hunting is prohibited.
4. Establishes an overwinter statewide population goal of 13,000 otters. To determine annual harvest quotas, the department must establish a population goal. The department proposes to initially establish a statewide population goal. As we gather sufficient data, the statewide goal will be broken down into goals for each otter management zone.
5. Establishes season closure authorization for the bobcat, otter and fisher season. This will allow the department to close the season upon finding that the harvest for the season will exceed the level authorized by the department.
6. Expands the early Canada goose hunting zones. Wisconsin's giant Canada geese population continues to increase at about 10% annually. Opening the early season Canada goose season to encompass the rest of the state will provide additional hunting opportunity and properly manage the expanding population.
7. Allows deer hunting in wildlife refuges during the muzzleloader deer season. Currently, only gun deer hunting is allowed in the majority of southeastern Wisconsin's wildlife refuges. This proposal would allow muzzleloader deer hunting during the 7-day muzzleloader deer season.

8. Establishes a no entry wildlife status for the Big Muskego Lake nesting islands in Waukesha county. The endangered Forster's tern, among other wetland species, nest on the cattail islands. This rule will prevent human disturbance to 3 nesting islands during the nesting season.

9. Changes the legal status of wolves from endangered to threatened.

Modifications as a Result of Public Hearings

As a result of comments, the length of the bear hunting season was extended. The proposal to allow the use of telescopic scopes on muzzleloaders during the muzzleloader season was deleted on a vote of 1,126 yes to 3,885 no. The proposal to create an in-season harvest monitoring system for bobcat, otter and fisher was deleted on a vote of 1,818 yes to 2,112 no.

Appearances at the Public Hearings and Their Position

Public hearings were held in all 72 counties on April 12, 1999. Individual appearance slips were not filed for these hearings. Total attendance at all hearings was 6,756. Individuals did not indicate a preference on all questions.

<i>Subject</i>	<i>Support</i>	<i>Oppose</i>
Turkey hunting	4,676	363
Mississippi River deer hunting	2,596	1,034
Bear hunting seasons	3,268	1,034
Otter population goal	2,714	671
Bobcat, otter or fisher season closure	2,143	1,919
Early Canada goose hunt zones	4,482	289
Deer hunting in 15 wildlife refuges (ave.)	1,600	252
Big Muskego Lake refuge	1,688	24
Gray wolf status	4,593	829

Response to Legislative Council Rules Clearinghouse Report

The recommendations were incorporated into the final rule.

Final Regulatory Flexibility Analysis

The proposed rules relate to hunting. The rules are applicable to individual sportspersons and impose no compliance or reporting requirements for small businesses, nor are any design or operational standards contained in the rule. Therefore, a final regulatory flexibility analysis is not required.

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

The Wisconsin Natural Resources Board proposes an order to repeal NR 27.03 (2)(a)3, to amend NR 10.01 (2)(f)2, (3)(e)2. a., b., c., and e., and 6.a., and (3)(g)1 and 2, 15.022 (title) and (intro), 15.024 (title),(intro), and (1), 27.03 (3)(a), to repeal and recreate NR 10.31(11), and to create NR 10.145(2)(c) and (7), and 15.03 (9)(a) relating to hunting and trapping.

WM-1-99

Analysis Prepared by Department of Natural Resources

Statutory authority: ss. 29.014, 29.192, 29.604, 29.621 and 227.11 Stats.

Statutory interpreted: ss. 29.192, 29.604 and 29.621, Stats.

In this order:

Section 1. turkey hunting - changes fall turkey season to begin the Saturday nearest October 10 and continue for 30 days.

Section 2 and 3. deer hunting - establishes a nine day either sex season bag limit for Mississippi river block units.

Section 4. black bear hunting - changes black bear season opening to the first Wednesday after Labor Day and extends the season.

Section 5. otter harvest - creates population goal set at 13,000 otter.

Section 6. bobcat, otter, fisher harvest - create season closure authorization.

Section 7. goose hunting - changes subzones for early Canada goose hunt.

Section 8 and 9. muzzleloader hunting - includes muzzleloader gun deer hunting in wildlife refuges and modifies the title for the Peat Lake Refuge to include Kenosha County.

Section 10. wildlife refuge - established no entry status for Waukesha County - Big Muskego Lake Nesting Island Wildlife Refuge.

Section 11 and 12. wolf status - changes wolf listing from endangered to threatened.

SECTION 1. NR 10.01 (2) (f) 2 is amended to read:

NR 10.01 (2) (f) 2.

Kind of animal and locality	Open season (all dates inclusive)	Limit
2. All wild turkey hunting zones as described in s. NR 10.29, excluding state parks, for which a quota has been established under s. NR 10.25 (5).	Fall season beginning on the Monday <u>Saturday</u> nearest October 10 and continuing for 28 <u>30</u> consecutive days.	Either sex of turkey may be killed. The possession limit corresponds to the number of carcass tags issued.

SECTION 2. NR 10.01 (3)(e) 2 a., b., c., and e. are amended to read:

NR 10.01 (3)(e) 2.

Kind of animal and locality	Open season (all dates inclusive)	Limit
2. Zone "B" Mississippi River Units Deer management units 59D, 61, 61B, 74A and 74B.		
a. The Buffalo, Trempealeau and Pepin county portions of deer management unit 61.	Shotgun season beginning on the Saturday preceding the Thanksgiving holiday and continuing for 2 consecutive days.	One deer of either sex and as authorized by antlerless deer permits issued under s. NR 10.104.
	Firearm season beginning on the day immediately following the shotgun season described above and continuing for 7 consecutive days.	One buck deer and as authorized by antlerless deer permits issued under s. NR 10.104.
b. The Pierce county portion of deer management unit 61.	Shotgun season beginning on the Saturday immediately preceding the Thanksgiving holiday and continuing for 2 consecutive days.	One deer of either sex and as authorized by antlerless deer permits issued under s. NR 10.104.

- Shotgun season beginning on the day immediately following the season described above and continuing for 7 consecutive days. ~~One buck deer and as authorized by antlerless deer permits issued under s. NR 10.104.~~
- c. The Jackson, La Crosse and Monroe county portions of unit 59D, and the La Crosse county portion of 74A. Shotgun season beginning on the Saturday immediately preceding the Thanksgiving holiday and continuing for 2 consecutive days. One deer of either sex and as authorized by antlerless deer permits issued under s. NR 10.104.

Firearm season beginning on the day immediately following the shotgun season described above and continuing for 7 consecutive days. ~~One buck deer and as authorized by antlerless deer permits issued under s. NR 10.104.~~
- e. The Vernon county portions of deer management units 59D and 74A, and the Vernon and Crawford county portion of unit 74B. Firearm season beginning on the Saturday immediately preceding the Thanksgiving holiday and continuing for 2 consecutive days. One deer of either sex and as authorized by antlerless deer permits issued under s. NR 10.104.

Firearm season beginning on the day immediately following the season described above and continuing for 7 consecutive days. ~~One buck deer and as authorized by antlerless deer permits issued under s. NR 10.104.~~

SECTION 3. NR 10.01 (3) (e) 6. a. is amended to read:

NR 10.01(3) (e) 6.

- a. M1—Deer management unit 59M. Shotgun season beginning on the Saturday immediately preceding the Thanksgiving holiday and continuing for 2 consecutive days. One deer of either sex and as authorized by antlerless deer permits issued under s. NR 10.104.

Shotgun season beginning on the day immediately following the season described above and continuing for 7 consecutive days. ~~One buck deer and as authorized by antlerless deer permits issued under s. NR 10.104.~~

SECTION 4. NR 10.01 (3)(g) 1 and 2 are amended to read:

NR10.01 (3)(g) 1 and 2

Kind of animal and locality	Open season (all dates inclusive)	Limit
(g) Black bear (gun and bow seasons).		
1. Those portions of bear management zones A and B as described in s. NR 10.30 where the use of dogs for bear hunting is authorized as described in s. NR 10.10 (1)(b).	With aid of dogs only, beginning on the second Saturday in September <u>first Wednesday following Labor Day</u> and continuing for 21 <u>28</u> consecutive days in odd-numbered years and beginning on the third Saturday in September <u>second Wednesday following Labor Day</u> for 21 <u>28</u> days in even-numbered years.	One adult bear per permit issued under s. NR 10.102.
	All methods not utilizing the aid of dogs, beginning on the second Saturday in September <u>first Wednesday following Labor Day</u> and continuing for 21 <u>28</u> consecutive days in even-numbered years and beginning on the third Saturday in September <u>second Wednesday following Labor Day</u> for 21 <u>28</u> days in odd-numbered years.	One adult bear per permit issued under s. NR 10.102.
2. Those portions of bear management zones A, B and C as described in s. NR 10.30 where the use of dogs for bear hunting is prohibited as described in s. NR 10.10 (1) (b).	All methods not utilizing the aid of dogs, beginning on the second Saturday in September <u>first Wednesday following Labor Day</u> and continuing for 28 <u>35</u> consecutive days.	One adult bear per permit issued under s. NR 10.102.

SECTION 5. NR 10.145(2)(c) is created to read:

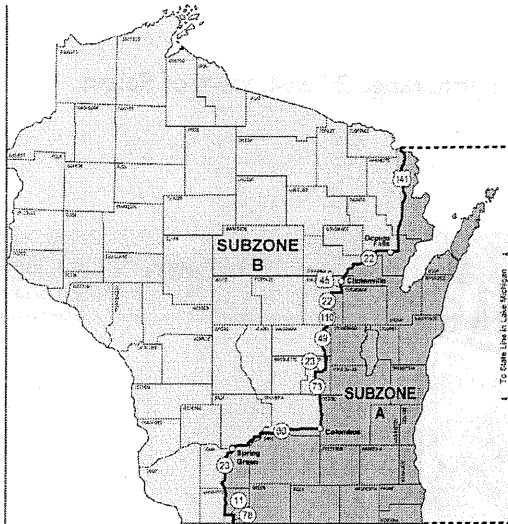
NR 10.145(2)(c) *Otter*. The statewide overwinter population goal is 13,000 otter.

SECTION 6. NR 10.145(7) created to read:

NR 10.145 (7) SEASON CLOSURE. The secretary of the department may close a portion or all of any bobcat, otter or fisher season established in s. NR 10.01, upon a finding by the department that the harvest for that season will exceed the level authorized by the department under sub. (1). Closure shall become effective upon issuance of an order and publication in the official state newspaper.

SECTION 7. NR 10.31 (11) is repealed and recreated to read:

NR 10.31 (11) EARLY GOOSE HUNT SUBZONE.



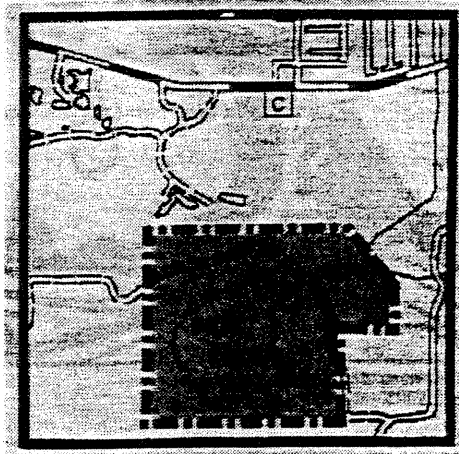
SECTION 8. NR 15.022 (title) and (intro) are amended to read:

NR 15.022 (title) **No entry wildlife refuge except gun deer and muzzleloader deer (Sept. 1-Dec. 31).** (intro.) A wildlife refuge is established in the following areas when posted with department signs and no person may hunt waterfowl at any time within such areas. No person may enter such areas for any reason from September 1 through December 31 unless such areas are posted as open with department signs except to hunt deer during the open season gun and muzzleloader seasons for hunting deer established in ss. NR 10.01 (3) (e) and (es) and 10.117, trapping by permit in the area described in sub. (5), and except for the retrieval of legally killed or crippled game in posted retrieval zones.

SECTION 9. NR 15.024 (title), (intro), and (1) are amended to read:

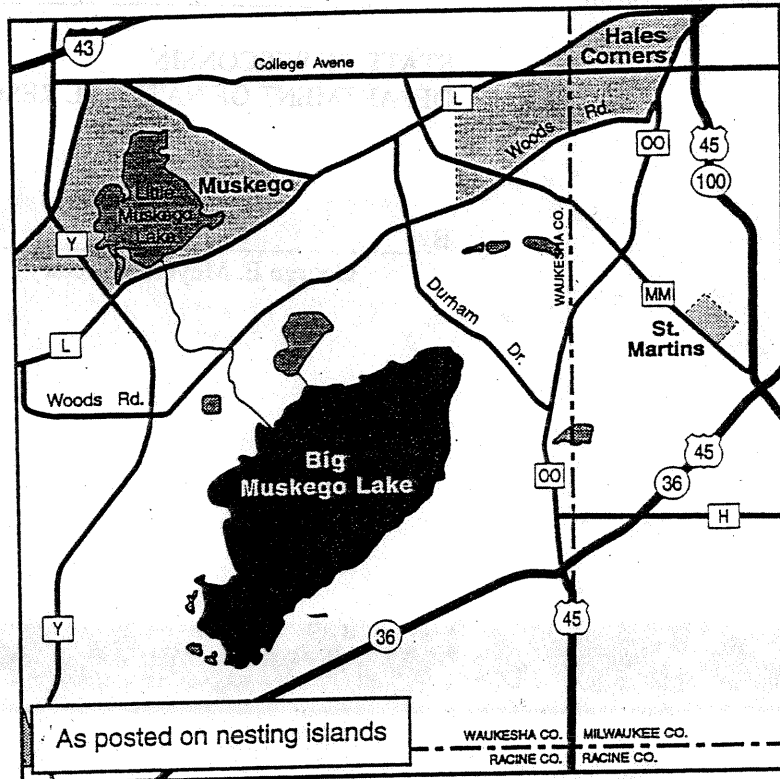
NR 15.024 (title) **No entry wildlife refuge (Sept. 1-Dec. 31); gun deer and muzzleloader deer hunting permitted.** (intro.) A wildlife refuge is established in the following areas when posted with department signs and no person may hunt waterfowl at any time within such areas. No person may enter such areas for any reason from September 1 through December 31, except to hunt deer during the open season gun and muzzleloader seasons for hunting deer established in ss. NR 10.01 (3) (e) and (es) and 10.117.

(1) KENOSHA COUNTY. (a) Peat Lake. Township 1 north, range 20 east, town of Salem.



SECTION 10. NR 15.03 (9)(a) is created to read:

NR 15.03 (9) WAUKESHA COUNTY. (a) *Big Muskego Lake Nesting Islands*.
Township 5 north, range 20 east, city of Muskego.



SECTION 11. NR 27.03 (2)(a)3. is repealed.

SECTION 12. NR 27.03 (3)(a) is amended to read:

NR 27.03 (3)(a) Mammals – ~~None~~

1. Gray wolf - *Canis lupus* (also U.S. endangered)

The foregoing rule was 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., except Sections 1, 6, and 7 which shall take effect March 1, 2000 and Section 4 which shall take effect November 1, 1999.

Dated at Madison, Wisconsin _____

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

By _____

George E. Meyer, Secretary

(SEAL)

