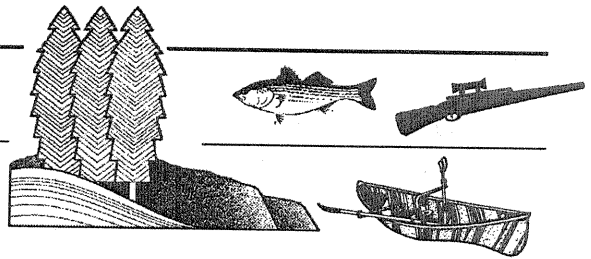


Assembly Committee on:

Natural Resources

State Representative

DuWayne Johnsrud, Chair



MEMORANDUM

DATE: February 15, 1996
TO: Members, Assembly Natural Resources Committee
FROM: DuWayne Johnsrud, Chair
RE: rule referral

The following Rule has been referred to our committee:

Clearinghouse Rule 96-016 Relating to the duck zone boundary for
migratory game bird hunting. Submitted by
Department of Natural Resources.

Our current review period extends through March 14, 1996. Copies of the rule summary is enclosed. Please contact my office if you would like a copy of any rule.

REPORT TO LEGISLATURE

NR 10.32, Wis. Adm. Code
Modification of the duck hunting zone

Board Order No. WM-46-95

Statement of Need

Clearinghouse Rule No. 95-196 included proposed changes in both the duck zone boundary and early Canada goose subzone boundary. Four public hearings were held from December 11 to December 14, 1995. The Conservation Congress asked the Department to delay action on the proposed early Canada goose subzone until after the 1996 Spring Hearings in April. That proposal will be processed as Clearinghouse Rule No. 95-196.

In 1990, the U.S. Fish and Wildlife Service announced that beginning in 1991, duck zone boundaries would be frozen for 5-year periods. The Department may change the duck zones in 1996 or keep the current zones. Either way, the zones will again be frozen for 5 years and the next change will not be allowed until the year 2001. If Wisconsin wishes to modify the duck zone, the U.S. Fish and Wildlife Service must be provided the desired modification by April 15, 1996.

Modifications as a Result of Public Hearing

The boundaries of the duck zone changes shifted Northwestern Wisconsin into the Southern Duck Zone. The duck zone boundary in northwestern Wisconsin will be highway 27, county highway B around the Chippewa Flowage in Sawyer County, and then highway 77 west to the Wisconsin-Minnesota state line. The current duck zone boundary is highway 10. Most of Kewaunee County and all of Door County will be placed in the Southern Duck Zone and Brown County will remain in the Northern Duck Zone.

Appearances at the Public Hearings and Their Position

December 11, 1995 - Horicon

In support:

Richard Christian, 205 Washington St., Horicon, WI 53032
Steve Knutson, USDA Animal Damage Control, W7231 Hwy. 49, Waupun, WI 53963
Dale Buske, 1301 Debra Lane, Madison, WI 53704
William Bermer, N4664 Lakeside Road, Juneau, WI 53039
Gerald T. Herling, 708 Karen Lane, Horicon, WI 53032
Dan Keiler, W5003 Cty. S, Horicon, WI 53032
Lloyd A. Wagener, 211 N. Vine, Horicon, WI 53032
Dwight Plautz, 332 S. Hubbard St., Horicon, WI 53032

In opposition:

John O. Donovan, W6019 Milligan Road, Waupun, WI 53963

As interest may appear:

Ray Berndt, N6212 Main Street Road, Horicon, WI 53032
David Miescke, 628 N. Hubbard St., Horicon, WI 53032
Robert Miescke, 709 N. Hubbard St., Horicon, WI 53032
Paul Zubke, W3910 Hwy. 60, Neosho, WI 53059
Ronald M. Tobianski, 1777 Cedar Sauk Road, Saukville, WI 53080
Eugene Hintz, 2060 LaVala Circle, Brookfield, WI 53005
Don Gamble, 1158 Decorah Road, West Bend, WI
Robert Harris, 2181 Point Comfort Road, Oshkosh, WI 54901
Thomas P. Hansen, 233 Mound St., Berlin, WI 54923
Clarence Kunde, 104 Wenban Avenue, Neenah, WI 54956
Mark Peters, 353 Pagelow Lane, Brooklyn, WI 53521
Walter Walker, 207 S. Vine St., Kingston, WI 53939

December 12, 1995 - Green Bay

In support:

Fred Gossfeld, 8742 Red Bank Road, Suring, WI 54174

In opposition - none

As interest may appear:

Hank M. Zuidmulder, 903 S. Quincy, Green Bay, WI
William Kreuser, 1695 Biemeret Street, Green Bay, WI 54304
Janet Smith, 3358 Nautical Avenue, Green Bay, WI 54311
Milton Geyer, 1135 Thrush Street, Green Bay, WI
Mitch Bent, 935 S. Union, Shawano, WI 54166
Dick Koerner, 540 Sunrise Bay Road, Neenah, WI
Maynard Kuehl, N4137 County E, Kewaunee, WI
Richard B. Knudson, E3821 Townline Road, Kewaunee, WI 54216
Vern Larson, Route 1, Shiocton, WI 54170
Tony R. Allman, 2154 Nellie Lane, Green Bay, WI 59311
Matt Johnson, 918 Catherine, Green Bay, WI 54301
Joe Lochlein, 3955 Valley Stream Circle, Oneida, WI 54155
Jerome N. Van Laanen, 2610 Longtail Beach Lane, Suamico, WI 54173
Jerry Rowland, 12930 Velp Avenue, Green Bay, WI 54313

December 13, 1995 - Ashland

In support:

Dick Mackey, 1122 2nd Avenue West, Ashland, WI

In opposition - none

As interest may appear:

Bill Kurtz, Route Box 107, Washburn, WI 54891
Kenneth R. Somppi, 901 14th Avenue West, Ashland, WI 54806
Jeff Hepner, Route 1, Box 4A, Bayfield, WI
Bryan Paulsen, P.O. Box 184, Washburn, WI 54891

December 14, 1995 - Park Falls

In support - none

In opposition - none

As interest may appear:

Greg Langrehr, 1037 Lawrence Lane, Park Falls, WI 54552

Larry Gregg, 829 Atwood Avenue, Park Falls, WI 54552

Larry Kutschenreuter, 8656 Buckskin Trail, Minocqua, WI 54548

Jake Kutschenreuter, 8656 Buckskin Trail, Minocqua, WI 54548

Response to Legislative Council Rules Clearinghouse Report

The recommendations in the report on Clearinghouse Rule No. 95-196 as they relate to the duck zone portion of the rule have been incorporated.

Final Regulatory Flexibility Analysis

The rules are applicable to individual sport persons 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 AND RECREATING RULES

.....
The Wisconsin Natural Resources Board proposes an order to repeal and recreate NR 10.32 relating
to the duck zone boundary for migratory game bird hunting
.....

WM-46-95

Analysis Prepared by the Department of Natural Resources

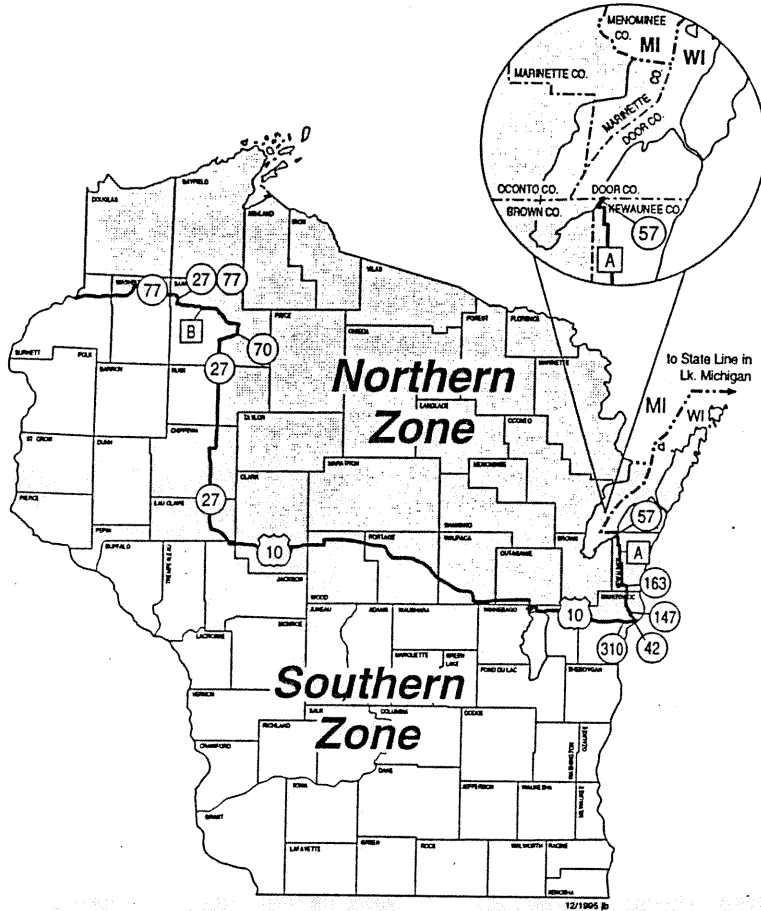
Statutory authority: ss. 29.174(3) and 227.11(2)(a), Stats.

Statutes interpreted: ss. 29.174(2) and 29.085, Stats.

In this order:

Section 1. Duck zone - modifies the duck hunting zone. The current duck zone boundary is highway 10. The new zone boundary will shift northwestern Wisconsin into the Southern Duck Zone. The duck zone boundary in northwestern Wisconsin will be highway 27, county highway B around the Chippewa Flowage in Sawyer County, and then highway 27 west to the Wisconsin-Minnesota state line. Most of Kewaunee County and all of Door County will be placed in the Southern Duck Zone.

SECTION 1. NR 10.32 is repealed and recreated to read:



The foregoing rules were 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(2)(intro.), Stats.

Dated at Madison, Wisconsin _____.

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

By _____
George E. Meyer, Secretary

(SEAL)

LRB or Bill No./Adm. Rule No.
NR WM-46-95
Amendment No. if Applicable

ORIGINAL UPDATED
 CORRECTED SUPPLEMENTAL

SCAL ESTIMATE

JOA-2048 N(R10/94)

Subject

Duck hunting hunting zone boundary change

Fiscal Effect

State: No State Fiscal Effect

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

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

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

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 WTCS 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

SUMMARY OF BILL - This rule contains one change that is primarily administrative. The fiscal impacts are negligible.

FISCAL IMPACT -

Long-Range Fiscal Implications

None.

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

Joe Polasek, 266-2794

Authorized Signature/Telephone No.

Joe Polasek
11

266-2794

Date

12-27-95