

Report to
Legislative Council Rules Clearinghouse
NR 25, Wis. Adm. Code
Natural Resources Board Order No. FH-13-08

Wisconsin Statutory Authority

ss. 29.014(1), 29.041, 29.503(4)(b) and (e), 29.519(1m)(b) and (c), (2)(d) and (5), 29.973 and 227.11(2)(a), Stats., interpreting ss. 29.014(1), 29.041, 29.503, 29.516, 29.519 and 29.973, Stats.

Federal Authority

N/A

Court Decisions Directly Relevant

None

Analysis of the Rule - Rule Effect - Reason for the Rule

After a series of successful law enforcement investigations in the 1990's, a citizen Task Force was convened to examine existing Great Lakes commercial fishing laws and develop a course of action to improve compliance with Wisconsin's commercial fishing and wholesale fish dealing laws. The integrated citizen Task Force concluded its work in 2000 with 12 key recommendations to address related law enforcement concerns. Statutory revisions were implemented with the enactment of 2003 Wisconsin Act 288 on April 21, 2006.

The proposed rules complete the implementation of the statutory requirements of 2005 Wisconsin Act 288 and recommendations of the Task Force. These rules extensively revise ch. NR 25. They create definitions, allow an individual to hold more than one commercial fishing license, eliminate some criteria for transfer of a commercial fishing license, create a permit to allow open water fishing of nets during the winter months on Lake Superior, prohibit anyone from lifting or disturbing legal commercial gear without the permission of the owner, prohibit licensees from allowing licensed boats and nets to be used by unlicensed persons, create a notification requirement for lost and recovered commercial fishing nets, implement an electronic fish harvest reporting system, create a fleet reporting system, eliminate inspection and tagging of foreign (imported) lake trout, implement annual inventory reporting requirements by commercial fishers and wholesale fish dealers for Great Lakes fish and sturgeon, create a repeat offender monitoring system, designate primary and secondary ports for the landing of commercial fish, and implement vehicle identification requirements for wholesale fish dealers and Great Lakes commercial fishers along with some housekeeping provisions to update language, clarify some gear use issues and clarify descriptions of locations and various boundaries relating to commercial fishing on the Great Lakes.

Agency Procedures for Promulgation

Public hearings, Natural Resources Board final adoption, followed by legislative review.

Description of any Forms (attach copies if available)

None

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