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NR 22, WLD 22



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

L. P. Voigt
Secretary

BOX 450
MADISON, WISCONSIN 53701

STATE OF WISCONSIN)
) ss.
DEPARTMENT OF NATURAL RESOURCES)

Greetings:

I, L. P. Voigt, Secretary of the Department of Natural Resources, hereby certify that the renumbering and amending of the rules and regulations of the Wisconsin Conservation Department (WCD) in the Wisconsin Administrative Code to Natural Resources (NR) designation are renumberings and amendments designed solely to bring the language of the existing rules into conformity with subsequent statutory changes which created the Department of Natural Resources (Chapter 75, Laws of 1969 and Wis. Stat. 15.34) and reorganized the state structure (Chapter 276, Laws of 1969).

I further certify that said copy has been compared by me with the original on file in this department and that the same is a true copy thereof, and of the whole of such original.

DEPARTMENT SEAL

In testimony whereof, I have hereunto set my hand and affixed the official seal of the Department at the Pyare Square Building in the City of Madison, this 8th day of March, A.D., 1971.

L. P. Voigt
Secretary

ORDER OF THE DEPARTMENT OF NATURAL RESOURCES
ADOPTING, AMENDING OR REPEALING RULES

Pursuant to authority vested in the Department of Natural Resources by 227.02 (2) (b), Wis. Stats., the Department of Natural Resources hereby repeals, amends and adopts rules as follows:

SECTION 1. Chapter WCD 22 is renumbered to Chapter NR 22.

SECTION 2. WCD 22.01 is renumbered to NR 22.01.

SECTION 3. WCD 22.02 is renumbered to NR 22.02.

SECTION 4. NR 22.02 (1) is amended to read:

(1) There shall be established and maintained on the interstate boundary waters between the states of Wisconsin and Iowa, which boundary waters are more particularly described under Wis. Adm. Code section WCD NR 22.01, the open and closed seasons for the taking of the various varieties and species of fish, bag limits, size limits, possession limits, and other rules and regulations as set forth herein.

SECTION 5. WCD 22.03 is renumbered to NR 22.03.

SECTION 6. WCD 22.04 is renumbered to NR 22.04.

SECTION 7. WCD 22.05 is renumbered to NR 22.05.

SECTION 8. NR 22.05 (1) (Intro. par.) is amended to read:

(1) Except as otherwise expressly provided by the Wis. Stats. or by ~~commission~~ department order:

SECTION 9. WCD 22.06 is renumbered to NR 22.06.

SECTION 10. WCD 22.07 is renumbered to NR 22.07.

SECTION 11. WCD 22.08 is renumbered to NR 22.08.

SECTION 12. NR 22.08 (1) and (4) are amended to read:

(1) It shall be unlawful for any person to set or operate more than 8 set lines (trot lines) with not to exceed a total of 50 hooks to each line and not to exceed a total of 400 hooks in the aggregate, for taking, catching, killing, or fishing for catfish 13 inches or over in length, hackleback.

sturgeon 25 inches or over in length, bullheads and rough fish only; size limits shall conform to the provisions of section WGD NR 22.09; in such fishing it shall be unlawful to use any frog or game fish, either dead or alive, as bait.

(4) Set or bank poles (set hooks) may be used for the taking, catching, killing or fishing for catfish 13 inches or over in length, hackleback sturgeon 25 inches or over in length, bullheads and rough fish only, during the period of time extending from the Saturday nearest May 1 to the next succeeding October 31; size limits shall conform to the provisions of section WGD NR 22.09. In such fishing it shall be unlawful to use any game fish or frog, either dead or alive as bait.

SECTION 13. WCD 22.09 is renumbered to NR 22.09.

SECTION 14. NR 22.09 (2), (4), (6), (7), (9), (10), and (12) are amended to read:

(2)

Type Net	Season	Specifications	Restrictions on use
Seine-----	All year	Any dimensions Any size mesh	No fishing on Sundays or legal holidays except from the time the ice goes out until May 1. No night fishing except as provided in section WGD <u>NR</u> 22.09 (11). No operations within 900 feet of any dam on the Mississippi river.
Buffalo net--	All year	Any dimensions Any size mesh	Must be raised and emptied once each 96-hour period unless a longer period is granted by the <u>Wisconsin Conservation-commission department</u> or its agents. No operations within 900 feet of any dam on the Mississippi river.
Bait net----	All year	Any size mesh Not over four foot hoop front	Must be used without lead or leads. Must be raised and emptied once, except for bait, each 96-hour period unless a longer period is granted by the <u>Wisconsin-Conservation-Commission department</u> or its agents. No operation within 900 feet of any dam on the Mississippi river.

Frame net-----	Closed season May 15 to Sept. 15 inclusive	Any size mesh not over 4 x 8 foot hoop front with a single lead	Must be raised and emptied once each 48-hour period unless a longer period is granted by the <u>Wisconsin-Conservation Commission department</u> or its agents. No operations within 900 feet of any dam on the Mississippi river.
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(4) Gill nets with a mesh of seven inches stretch measure or larger may be used at all times for the taking of rough fish and catfish 13 inches or over in length. All gill nets shall be lifted and emptied of fish at least once in every 48-hour period when set in open water and at least once in every 96-hour period when set under the ice, unless a longer period is granted by the Wisconsin-conservation-commission department or its agents.

(6) The Wisconsin-conservation-commission department may at its discretion require supervision of commercial fishing operations and said commission department may require the operators of such nets to pay for supervision individually or in groups in the manner they deem advisable, and said commission department shall fix the amount to be paid each supervising warden. The conservation-commission department may also allow at any time one supervising warden for as many seine, hoop net, frame net (wing net), fyke net or gill net operations as it deems advisable.

(7) The conservation-commission department or its agents may also require at any time any operator of any seine, gill net, buffalo net, frame net, bait net, basket trap (slat net) or set line to cease the fishing operations of such net or nets when said commission department finds these operations are proving destructive to game fish or for any other good or valid reason.

(9) Basket traps (slat nets) not more than 6 feet in length and not more than 72 inches in circumferences, over-all dimensions and with one end thereof closed with webbing of a mesh not less than one and one-fourth inches bar or square measure may be used for the taking of rough fish, bullheads

9 inches or over and catfish 13 inches or over during the period of time extending from the Saturday nearest May 1 to the next succeeding October 31 and shall be equipped with a metal tag as prescribed in section 29.343, Wis. Stats. Such webbing shall be attached in such manner that the length, depth or width of each mesh is not decreased. Licenses for such basket traps (slat nets) shall be obtained pursuant to section 29.343, Wis. Stats. All such nets mentioned above must be lifted at least once in every 48-hour period, unless a longer period is granted by the ~~Wisconsin-conservation~~ commission department or ~~it~~ its agents.

(10) It shall be lawful for any person licensed pursuant to section 29.343 (3), Wis. Stats., to use a trammel net not more than 300 feet in length and with a mesh of any size for the taking of fish as set forth in section ~~WGD~~ NR 22.09. Such trammel nets may be used throughout the year in that part of the Mississippi river between the states of Wisconsin and Iowa under the jurisdiction of the state of Wisconsin which lies within the navigation channel as established by the United States war department; in Twelve Mile (Cassville) slough, State Line slough and Hurricane Chute in Grant county. Such trammel nets may be used in a drifting manner only. It shall be unlawful for any person to use or operate any trammel net in any manner except as provided in this section.

(12) All fishermen licensed under the provisions of sections 29.34, 29.37 and 29.343, Wis. Stats., shall report to the ~~conservation-commission~~ department on blanks to be furnished by the ~~commission~~ department, detailed information regarding their activities which shall include the number of pounds and varieties of fish taken, amounts returned to the water and any other information pertaining to commercial fishing activities required by the ~~conservation-commission~~ department.

SECTION 15. WCD 22.10 is renumbered to NR 22.10.

SECTION 16. WCD 22.11 is renumbered to NR 22.11.

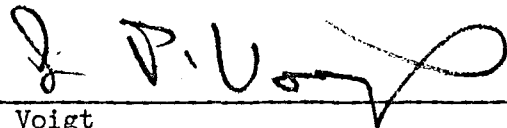
SECTION 17. WCD 22.13 is renumbered to NR 22.13.

The rules, amendments, and repeals contained herein shall take effect on publication.

Dated at Madison, Wisconsin, this 8th day of March, 1971.

DEPARTMENT OF NATURAL RESOURCES

By



L. P. Voigt
Secretary

(DEPARTMENT SEAL)