



State of Wisconsin

CR 82-128

DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny  
Secretary

BOX 7921  
MADISON, WISCONSIN 53707

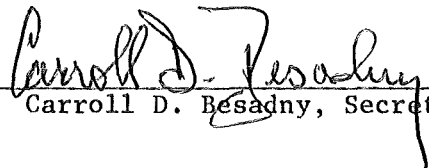
STATE OF WISCONSIN )  
 ) ss  
DEPARTMENT OF NATURAL RESOURCES )

RECEIVED  
SEP 10 1982  
9:45 am  
Revisor of Statutes  
Bureau

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Carroll D. Besadny, Secretary of the Department of Natural Resources and custodian of the official records of said Department, do hereby certify that the annexed copy of Natural Resources Board Order No. LE-26-82 was duly approved and adopted by this Department on July 29, 1982. 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.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department at General Executive Facility #2 in the City of Madison, this 9th day of September, 1982.

  
Carroll D. Besadny, Secretary

(SEAL)

ORDER OF THE STATE OF WISCONSIN NATURAL RESOURCES BOARD

CREATING RULES

.....  
IN THE MATTER of creating s. NR 10.001(21) .  
of the Wisconsin Administrative Code . LE-26-82  
pertaining to the definition of "enclosed" .  
within a carrying case" .  
.....

Analysis Prepared by the Department of Natural Resources

The proposed rule provides a written definition for the term "enclosed within a carrying case". The proposed rule covers all firearms, including long guns and handguns. The definition provides that all firearms be completely enclosed so that no portion would be exposed to view. Open holsters will not be acceptable for handguns.

The Department is codifying this definition since some courts are not convicting persons for transporting rifles, shotguns, and muzzleloaders when the carrying case is not zipped, snapped or tied, or when makeshift cases of materials so thin that firearms would be fired merely by sticking the fingers through the material are being used.

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Pursuant to the authority vested in the State of Wisconsin Natural Resources Board by ss. 23.09(2), 23.11(1) and 227.014, Stats., and the State of Wisconsin Natural Resources Board hereby creates rules interpreting ss. 29.224, 29.56 and 29.57, Stats., as follows:

SECTION 1. NR 10.001(21) is created to read:

(21) For the purposes of s. 29.224(2), 29.56, 29.565(2), 29.57(4) and 350.06, Stats., "enclosed within a carrying case" for firearms means completely contained in a gun case expressly made for that purpose which is fully enclosed by being zipped, snapped, buckled, tied, or otherwise fastened, with no portion of the firearm exposed.

Note: This rule does not remove the requirement of ss. 29.224 and 350.06, Stats., to enclose bows or crossbows in carrying cases. The rule does not apply to bows or crossbows only because the Natural Resources Board recognizes that certain designed bow cases may allow portions of the bow, for instance the handle, to be exposed and yet still render the bow inoperable.

The foregoing rule was approved and adopted by the State of Wisconsin Natural Resources Board on July 29, 1982.

The rule contained herein shall take effect as provided in s. 227.026(1) (intro.), Stats.

Dated at Madison, Wisconsin September 9, 1982

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

By Carroll D. Besadny  
Carroll D. Besadny, Secretary

(SEAL)