

State of Wisconsin

CR 83-148

DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny
Secretary

BOX 7921
MADISON, WISCONSIN 53707

RECEIVED

APR 26 1984

1:45 pm
Revisor of Statutes
Bureau

STATE OF WISCONSIN)
DEPARTMENT OF NATURAL RESOURCES) ss

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. F-21-83 was duly approved and adopted by this Department on November 16, 1983 and March 28, 1984. 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 25th day of April, 1984.

Carroll D. Besadny
Carroll D. Besadny, Secretary

(SEAL)

7-1-84

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

.....
IN THE MATTER of repealing ss. NR 20.05, .
20.07(5)(c), 20.07(11) and 20.08 and .
repealing and recreating s. NR 19.27 of . F-21-83
the Wisconsin Administrative Code .
pertaining to the taking of crayfish, .
frogs and turtles. .
.....

Analysis Prepared by Department of Natural Resources

The rule establishes the size of floats that are used to mark crayfish traps and requires the name and address of the owner or operator be attached to each float. Floats may not be of a orange or fluorescent coloration. Crayfish baits shall consist only of parts of fish legally taken and may include fish by-products including fish meal and prepared baits.

Other provisions concerning the open seasons, prohibited uses and methods of taking crayfish, frogs and turtles have not been modified but were repealed from other sections of the administrative code and incorporated into one section for clarification.

Pursuant to authority vested in the State of Wisconsin Natural Resources Board by ss. 29.085, 29.174, 29.175 and 227.014(2)(a), Stats., the State of Wisconsin Natural Resources Board hereby repeals, and repeals and recreates rules interpreting s. 29.174, Stats., as follows:

SECTION 1. NR 19.27 is repealed and recreated to read:

NR 19.27 SEASONS, LIMITS, RESTRICTIONS ON TAKING CRAYFISH, FROGS AND TURTLES. There is a closed season established for taking crayfish, frogs and turtles except when taken during the open seasons by the following methods:

Animal and locality	Open season (both dates inclusive)	Bag limit	Size limit	Methods of taking
(1) Crayfish All areas except Wis.-Minn. boundary waters. See s. NR 21.04(13)	Continuous	None	None	Crayfish may be taken by hand, minnow seine, minnow dipnets or minnow traps, as defined in s. NR 20.10, and by crayfish traps with an entrance not to exceed 2-1/2 inches at its greatest diagonal measurement. All traps used to take crayfish shall be raised and crayfish removed at least once each day following day set unless otherwise authorized by the district director All traps shall be tagged with a tag clearly bearing in the English language the name and address of the owner and trapper.
(2) Frogs				
(a) Jefferson county	No open season for bullfrogs	--	--	--
(b) All other areas	Saturday nearest May 1 to Dec. 31	None	None	No person may take frogs with the aid of a firearm.
(3) Turtles				Turtles may be taken as follows: Traps. A maximum of 5 hoop net turtle traps may be used to trap turtles. Hoop nets shall be constructed with a mesh of not less than 8 inch stretch

Animal and locality	Open season (both dates inclusive)	Bag limit	Size limit	Methods of taking
(a) All areas except Wis.-Minn. and Wis.-Iowa boundary waters. See ss. NR 21.13 and 22.13	June 16 to April 30	None	None	measure providing traps are set so that not less than 2 inches of the hoops extend above the surface of the water. Float and tank type turtle traps not exceeding 4 feet square or 4 feet in diameter may be used for trapping turtles. Each trap while in use shall have attached in a manner as to be visible and legible at all times, a metal tag bearing in the English language the name and address of the operator of the trap and no other person may tend or operate the trap. Turtle traps shall be checked and the entrapped contents shall be removed at least once each day following the day set. By hand, and hook and line.
(b) Trout streams				Hooking. Turtles may also be taken from trout streams, during the open season, by the method commonly known as hooking.

(4) ADDITIONAL RESTRICTIONS. (a) Crayfish. 1. Prohibitions. No person may:

a. Use live crayfish as bait on the inland waters except on the Mississippi river;

b. Possess live crayfish while on any inland waters of the state, except the Mississippi river, unless that person is engaged in crayfish removal. Simultaneous possession of live crayfish and hook and line fishing equipment while on the inland waters, except the Mississippi river, shall be considered prima facie evidence of a violation of this subsection.

c. Place, deposit, throw or otherwise introduce live crayfish into any waters of the state unless a permit authorizing introduction has been issued by the department.

2. Bait. a. Crayfish may be taken with use of bait consisting only of parts of fish lawfully taken or fish by-products including fish meal or prepared parts of such fish.

b. Bait or parts of bait authorized in this subdivision may not be deposited in the waters of this state unless they are enclosed within the trap.

3. Floats or markers. Floats or markers used to locate traps for the taking of crayfish:

a. May not exceed 5 inches in size at its greatest dimension;

b. May not extend more than 4 inches above the surface of the water.

c. Shall plainly and clearly display in the English language the name and address of the owner or operator; and

d. Shall be of a color other than orange or fluorescent colorations.

(b) Frogs. This section does not apply to frogs propagated in captivity.

SECTION 2. NR 20.05 is repealed.

SECTION 3. NR 20.07(5)(c) is repealed.

SECTION 4. NR 20.07(11) is repealed.

SECTION 5. NR 20.08 is repealed.

The foregoing rules were approved and adopted by the State of Wisconsin Natural Resources Board on November 16 and March 28, 1984.

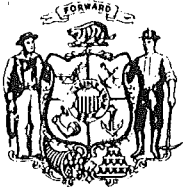
The rules contained herein shall take effect as provided in s. 227.026(1)(intro.), Stats.

Dated at Madison, Wisconsin April 25, 1984

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

By Carroll D. Besadny
Carroll D. Besadny, Secretary

(SEAL)



State of Wisconsin

DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny
Secretary

BOX 7921
MADISON, WISCONSIN 53707

April 19, 1984

IN REPLY REFER TO: 1020

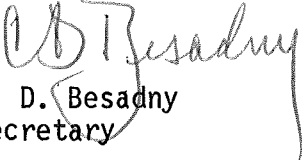
Mr. Orlan L. Prestegard
Revisor of Statutes
411 West
C A P I T O L

Dear Mr. Prestegard:

Enclosed are two copies, including one certified copy, of State of Wisconsin Natural Resources Board Order No. F-21-83. These rules were reviewed by the Assembly Committee on Tourism and Recreation and the Senate Committee on Energy and Environmental Resources pursuant to s. 227.018, Stats. Summaries of the final regulatory flexibility analysis and comments of the legislative review committees is also enclosed.

You will note that this order takes effect following publication. Kindly publish it in the Administrative Code accordingly.

Sincerely,


C. D. Besadny
Secretary

Enc.