

CR 85-66

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny  
Secretary

BOX 7921  
MADISON, WISCONSIN 53707

STATE OF WISCONSIN )  
 )  
DEPARTMENT OF NATURAL RESOURCES ) SS

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SEP 11 1985  
1:20 pm  
Revisor of Statutes  
Bureau

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Bruce B. Braun, Deputy 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. G-8-85 was duly approved and adopted by this Department on June 26, 1985. 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, 1985.

*Bruce B. Braun*  
Bruce B. Braun, Deputy Secretary

(SEAL)

5750J

10-1-85

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

IN THE MATTER OF repealing ss. NR 10.115(3)(c) .  
and 10.116; amending ss. NR 10.115 (title), .  
(1), (3)(a) and (5); repealing and . G-8-85  
recreating ss. NR 10.115(3)(b) and (6) and .  
creating s. NR 10.117 pertaining to deer .  
hunting permits .  
.....

Analysis Prepared by the Department of Natural Resources

Incentive Permits - The existing incentive permit authority is restricted to six deer management units, is specific to antlerless permits only, applies to 25% of the deer quota, provides for issuance at certain Department stations only after the first deer is harvested and registered and restricts permit use to the Monday through Friday period of the deer season.

While successful in achieving deer harvest quotas, the existing system proved inconvenient for hunters who had to travel to the issuing stations and wait in long lines. It was also very labor intensive and therefore expensive for the Department to administer. The management unit, 25% criteria and Monday through Friday restrictions proved unnecessarily complicated.

The proposed rule eliminates unit percentage and use period specificity, applies to either antlerless or hunters choice permits, provides for random selection of second permittees and mailing of the second permits. Permit issuance will recognize statutorily established landowner preference permit issuance systems.

Use of the incentive permit system continues to be restricted to management units where the number of permits to be issued exceeds the number of applications received.

Deer Season Modification - The potential exists for unforeseen circumstances such as severe weather to reduce the effectiveness of the established deer season in achieving deer harvest objectives.

The proposed rule authorizes the Department Secretary to liberalize the gun deer season by extending the season length. Use of this authority is restricted to situations where the deer population exceeds goals, at least 2 days of the established season have been completed and analyzed, it is unlikely that the established season will achieve goals and that failure to achieve goals will result in increased deer damage or waste the deer resource.

Pursuant to the authority vested in the State of Wisconsin Natural Resources Board by ss. 29.107, 29.108, 29.174(1) and 227.014(2)(a), Stats., the State of Wisconsin Natural Resources Board hereby amends rules interpreting ss. 29.107 and 29.108, Stats., as follows:

SECTION 1. NR 10.115 (title) is amended to read:

NR 10.115 DEER HUNTING PERMITS.

SECTION 2. NR 10.115(1) is amended to read:

NR 10.115(1) FINDING. The natural resources board finds that an additional harvest of deer ~~in the amount established by s. NR 10.01(3)(e)9.e.~~ is necessary to reduce the deer herd to the overwinter population goals established in s. NR 10.01(3)(e)9.e. and properly manage the deer herd in the state.

SECTION 3. NR 10.115(3)(a) is amended to read:

NR 10.115(3)(a) Initial permit. Successful applicants for hunter's choice or antlerless permits shall be determined by random selection from all eligible applications received for each deer management unit. Permits remaining unissued for any deer management unit after all initial applications have been processed may be issued by the department on a first-come, first-served basis, in accordance with any statutorily established landowner preference permit issuance system, or as established by par. (b).

SECTION 4. NR 10.115(3)(b) is repealed and recreated to read:

NR 10.115(3)(b) Second permit. If the number of hunters choice or antlerless permits in any management unit exceeds the number of applications for such permits, the department may issue the remaining permits available for

SECTION 8: NR 10.116 is repealed.

SECTION 9: NR 10.117 is created to read:

NR 10.117 DEER SEASON MODIFICATION. (1) POWERS. The secretary of the department may, upon making the findings in sub. (2), extend the gun deer season for any deer management unit or any group of deer management units to reduce or maintain the deer population to the overwinter population goals established in s. NR 10.01(3)(e)9.e.

(2) FINDING. The secretary shall, prior to exercising powers under sub. (1), find:

(a) It is unlikely the deer population for the deer management unit will be reduced to or maintained at the overwinter population goals established in s. NR 10.01(3)(e)9.e. during the established gun deer season. A minimum of 2 days of the gun deer season have been completed and the harvest data available has been reviewed and considered by the department;

(b) It is likely that a failure to reduce the deer population to the overwinter population goals in the unit will result in increased deer damage to commercial seedings or crops on agricultural lands, nurseries or orchards or a waste of the resource.

(3) NOTICE. Modification by the secretary under sub. (1) shall become effective upon issuance of an order and publication in the official state newspaper. In addition, a copy of the order shall be provided to newspapers in the area affected and to all legislators.

The foregoing rules were approved and adopted by the State of Wisconsin Natural Resources Board on June 26, 1985.

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

Dated in Madison, Wisconsin

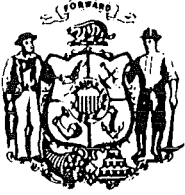
September 9, 1985

STATE OF WISCONSIN  
DEPARTMENT OF NATURAL RESOURCES

By

Carroll D. Besadny  
Carroll D. Besadny, Secretary

(SEAL)  
4113I



State of Wisconsin

DEPARTMENT OF NATURAL RESOURCES

*Carroll D. Besadny*  
Secretary

BOX 7921  
MADISON, WISCONSIN 53707

September 10, 1985

IN REPLY REFER TO: 1020

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

**RECEIVED**

SEP 11 1985

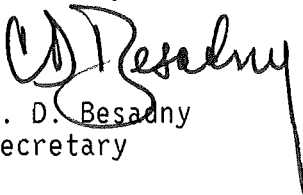
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Dear Mr. Prestegard:

Enclosed are two copies, including one certified copy, of State of Wisconsin Natural Resources Board Order No. G-8-85. These rules were reviewed by the Assembly Committee on Tourism, Recreation and Forest Productivity 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.  
5750J