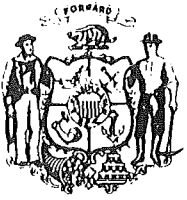


CR 86-50



State of Wisconsin

DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny  
Secretary

BOX 7921  
MADISON, WISCONSIN 53707

STATE OF WISCONSIN )  
DEPARTMENT OF NATURAL RESOURCES ) SS

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. F-9-86 was duly approved and adopted by this Department on July 24, 1986. 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 9<sup>th</sup> day of September, 1986.

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

(SEAL)

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1986

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

.....  
In THE MATTER of repealing s. NR 20.06(1)(b) .  
42. and 64.; renumbering s. NR 20.04(3)(am) 26.; .  
amending ss. NR 20.06(1)(b)(intro.), .  
20.09(2)(g), 20.12(5)(a) and 21.12(a) and 22.12(1); .  
repealing and recreating ss. NR 20.01, 20.04(3)(am) .  
3. and 24; and creating s. NR 20.04(3)(a) 11. and .  
(am) 26. of the Wisconsin Administrative Code .  
pertaining to fishing regulation housekeeping changes .  
for 1986. .  
.....

F-9-86

Analysis Prepared by Department of Natural Resources

The rules are promulgated under the authority of ss. 29.174(3), 227.11(2)(a) and 227.16(2)(e), Stats., and interpret s. 29.174(2), Stats.

The proposed rules are nonsubstantive changes in the fishing regulations. The specific changes are:

1. Repealing unnecessary references to crayfish and frog regulations.
2. Clarifying the extended open fishing season on Lake Columbia, Columbia County.
3. Clarifying the extended open fishing season areas on the Chippewa River, Wisconsin River and Yellow River.
4. Clarifying that motor trolling is not permitted on Lake Mohawksin, Lincoln County.
5. Repealing inconsistent rules allowing motor trolling on the Monroe County Flowage, Monroe County and Smoky Lake, Vilas County, since NR 23 prohibits motor trolling on Wisconsin-Michigan boundary waters and NR 45 prohibits the use of motors on the Monroe County Flowage.
6. Clarifying that there is no minimum hook size requirement on setlines fished on the Wisconsin-Minnesota and Wisconsin-Iowa boundary waters of the Mississippi River.

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SECTION 1. NR 20.01 is repealed and recreated to read:

NR 20.01 PURPOSE; GENERAL RESTRICTION. Seasons, bag limits, possession limits and other regulations for fishing in Wisconsin waters are established in this chapter. No person may take, catch, kill or fish for fish of any

variety in excess of the daily bag limit, by means other than hook and line, during other than the open season or possess or control any fish in excess of the possession limit or below the minimum size limit, except as expressly provided in this chapter.

SECTION 2. NR 20.04(3)(a)11. is created to read:

NR 20.04(3)(a)11. Columbia County - Columbia

SECTION 3. NR 20.04(3)(am) 3. and 24. are repealed and recreated to read:

NR 20.04(3)(am)3. Chippewa river including all sloughs, bayous and flowages from the Holcombe dam in Chippewa county downstream to the Burlington Northern railroad bridge in Buffalo and Pepin counties, and streams flowing into this part of the Chippewa river from their mouths up to the first highway or railroad bridge.

24. Wisconsin river including all sloughs, bayous and flowages from the St. Regis dam in Rhinelander, Oneida county, downstream to the Burlington Northern railroad bridge in Crawford and Grant counties and streams in Columbia county flowing into the Wisconsin river from their mouths upstream to the first highway bridge, except the Baraboo river which has the year round season for its entire length.

SECTION 4. NR 20.02 (3)(am) 26. is renumbered 27.

SECTION 5. NR 20.04(3)(am)26. is created to read:

NR 20.04(3)(am) 26. Yellow River including all sloughs, bayous and flowages from the highway 54 dam at Dexterville, Wood county, downstream to its confluence with the Castle Rock flowage in Juneau county.

SECTION 6. NR 20.06(1)(b) (intro.) is amended to read:

NR 20.06(1)(b)(intro.) Trolling. ~~It shall be unlawful for any person to take, capture or kill fish or fish for fish or fish of any variety at any time~~ No person may fish in the inland waters of the state from a motor-driven boat when the motor is running or from any boat in tow of a motor-driven boat when the motor is running or from any sailboat when in motion; or by means of shutting or drawing of water for that purpose. Casting and immediate retrieval of a bait or lure while positioning a boat by means of an electric motor, where motors are permitted, ~~shall not be deemed~~ is not trolling. The restrictions in this paragraph do not apply to the waters of Barron, Bayfield, Burnett, Douglas, Polk, Racine, Rusk, Taylor, Washburn and Waukesha counties, the Wisconsin river from county trunk A east of Tomahawk, Lincoln county, downstream, except Lake Mohawksin, the Chippewa river including sloughs, bayous and flowages up to the flowing portion of all tributary streams from the Holcombe flowage, Chippewa county, downstream, the Fox river from Buffalo lake downstream to the DePere dam and the following named lakes and rivers including their flowages and sloughs:

SECTION 7. NR 20.06(1)(b)42. and 64. are repealed.

SECTION 8. NR 20.09(2)(g) is amended to read:

NR 20.09(2)(g) A dip net not exceeding 8 feet in diameter or 8 feet square may be used in all other waters except designated trout streams at any time of the year, sunrise to sunset, for the taking of rough fish with no bag or possession limit ~~except for suckers and redhorse for which there is an aggregate daily bag limit of 50.~~

SECTION 9. NR 21.12(5)(a) is amended to read:

NR 20.12(5)(a) Set or bank poles and setlines may not use stainless steel hooks or be equipped with any hook smaller than 3/4 inch gap except that on the Mississippi river stainless steel hooks may be used and there is no hook size restriction.

SECTION 10. NR 21.12(1)(a) is amended to read:

Type of gear	Period gear may be used (dates inclusive)	Specifications	Restrictions
(a) Setlines	The Saturday nearest April 1 to October 31	Each licensee is limited to 8 setlines with not to exceed a total of 50 hooks on each line or 4 setlines with not to exceed 100 hooks on each line, either not to exceed a total of 400 hooks in the aggregate.	<p>Frogs or game fish, or any part of, whether dead or alive, <del>shall</del> <u>may</u> not used as bait in the Mississippi river.</p> <p><del>Lines must</del> <u>shall</u> be equipped with a metal tag stamped to designate the number of the license covering it attached to a buoy or stake at one end of the setline so that it will be visible above the surface of the water. At each end of every setline, there shall be a buoy on each end of the gang. The buoys shall have a staff extending at least 3 feet above the surface of the water. Upon the <u>upper end</u> of the staff there shall be a flag at least 10 inches square. Upon the bowl of the buoys there shall be</p>

Type of gear	Period gear may be used (dates inclusive)	Specifications	Restrictions
			<p>maintained in plain figures the license number of the licensee.</p> <p>Lines <del>must</del> shall be lifted and <del>fish</del> removed at least once each day following the day set in open water only between one hour before sunrise and one-half hour after sunset, unless a longer period is granted by the department or its agents.</p> <p>Lines may not be set in a manner which blocks off to any type of boat travel more than 3/4 the width of any slough, bay or channel.</p> <p>Shovelnose (hackleback) sturgeon 25" and over in length may be taken.</p> <p>Additional restriction are contained in <del>section</del> <u>s. NR 21.11.</u></p>

SECTION 10. NR 22.12(1) is amended to read:

Type of gear	Period gear may be used (dates inclusive)	Specifications	Restrictions
(1) Setlines	All year	<p>Each licensee is limited to 8 setlines with not to exceed a total of 50 hooks on each line or 4 setlines with not to exceed 100 hooks on each line, either not to exceed a total of 400 hooks in the aggregate.</p>	<p>Frogs or game fish, or any part of, whether dead or alive, <del>shall</del> <u>may</u> not be used as bait in the Mississippi river.</p>

Type of gear	Period gear may be used (dates inclusive)	Specifications	Restrictions
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Lines shall be equipped with a metal tag stamped to designate the number of the license covering it attached to a buoy or stake at one end of the setline so it will be visible above the surface of the water.

At one end of every licensed setline, there shall be placed and maintained a white flag, not less than 16 inches square, with the upper end of the shaft extending at least 2 feet above the water and numbered with figures at least 3 inches in height corresponding with the number of the license authorizing the use of such setline. It shall be lawful to use buoys in lieu of flags providing that same are numbered with figures at least 3 inches in height corresponding with the number of the license authorizing the use of such setlines.

Lines ~~must~~ shall be lifted and fish removed at least once each day following the day set unless a longer period is granted by the department or its agents.

Additional restriction are contained in s. NR 22.11.

The foregoing rules were approved and adopted by the State of Wisconsin Natural Resources Board on July 24, 1986.

The rules shall take effect as provided in s. 27.026(1)(intro.), Stats.

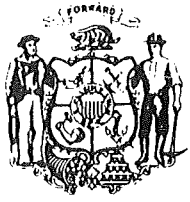
Dated at Madison, Wisconsin September 9, 1986

STATE OF WISCONSIN  
DEPARTMENT OF NATURAL RESOURCES

By Carroll D. Besadny  
Carroll D. Besadny, Secretary

(SEAL)  
40770





State of Wisconsin

DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny  
Secretary

BOX 7921  
MADISON, WISCONSIN 53707

September 9, 1986

IN REPLY REFER TO: 1020

Mr. Orlan L. Prestegard  
Revisor of Statutes  
Suite 904  
30 W. Mifflin Street

Dear Mr. Prestegard:

Enclosed are two copies, including one certified copy, of State of Wisconsin Natural Resources Board Order No. F-9-86. 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. 227.19, 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,

A handwritten signature in cursive script, appearing to read "C. D. Besadny".

C. D. Besadny  
Secretary

Enc.  
7303J

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