



CR 88-36

State of Wisconsin

DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny
Secretary

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STATE OF WISCONSIN)
DEPARTMENT OF NATURAL RESOURCES)

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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. WM-1-88 was duly approved and adopted by this Department on June 23, 1988. 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 here-
unto set my hand and affixed the
official seal of the Department at
the Natural Resources Building in
the City of Madison, this 2nd
day of September, 1988.

Bruce B. Braun
Bruce B. Braun, Deputy Secretary

(SEAL)

11-1-88

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

IN THE MATTER of repealing ss. NR 10.06(2)(d) and 10.09(3)(a); renumbering ss. NR 10.06(2)(e), 10.102(1)(b) to (e), and 10.102(2); amending s. NR 10.01(2)(c)1.; repealing and recreating ss. NR 10.06(2)(b), 10.06(3) to (5), 10.102(1) (title) and (a), 10.25(1)(c)2, and 10.25(3); and creating ss. NR 10.01(2)(f)3, 10.06(7) and (8), 10.25(1)(c)4. and 11.14 of the Wisconsin Administrative Code pertaining to 1988-89 hunting regulations.

WM-1-88

Analysis Prepared by Department of Natural Resources

Statutory authority: ss. 29.085, 29.103(3) and (4), 29.1085, 29.174(1) and (2)(a), and 227.11(2)(a), Stats.

Statutes interpreted: ss. 29.1085(1) and 29.174(2), Stats.

Four rules are proposed relating to hunting certain game species in Wisconsin.

1. Bear harvest quota including population objectives - Establish a bear harvest formula identical to deer and fisher quota formulas and increase the fall population objective from 5,500 to 5,900.
2. Fall turkey hunting - Establish 3, 5-day turkey hunting periods beginning the Wednesday nearest October 10.
3. Hunting hours - Change gun and bow bear and bow deer hunting hours to a zoning system similar to small game hunting hours.
4. Pheasant hunting - Close the pheasant season in 2 areas located in Dane, Rock and Iowa Counties.

SECTION 1. NR 10.01(2)(c)1. is amended to read:

Kind of animal and locality	Open season (all dates inclusive)	Limit
NR 10.01(2)(c) <u>Pheasants</u>		
1. Cocks only--In all counties of the state except the properties specified in subd. 2 and s. NR 10.24 <u>and within closed areas established in s. NR 11.14</u>	Beginning on the Saturday nearest October 17 at 12:00 noon and continuing for 54 consecutive days	The bag limit for the first 14 days of the season is one each day with a possession limit of 2; thereafter the bag limit is 2 each day with a possession limit of 4

SECTION 2. NR 10.01(2)(f)3. is created to read:

Kind of animal and locality	Open season (all dates inclusive)	Limit
NR 10.01(2)(f)3. Zones 1 and 1A to 5, 9 and 10 as described in s. NR 10.29	Beginning on the Wednesday nearest October 10 and continuing through Sunday for 3 consecutive 5-day time periods	One turkey of either sex per permit per year. Permit numbers are established in subd. 2

SECTION 3. NR 10.06(2)(b) is repealed and recreated to read:

NR 10.06(2)(b) General prohibition. Except as provided in subs. (4) and (6) to (8), no person may hunt or shoot any species of game on which an open season is established on any day during the open season before the time established by the a.m. column or after the time established by the p.m. column in any hunting hour zone.

SECTION 4. NR 10.06(2)(d) is repealed.

SECTION 5. NR 10.06(2)(e) is renumbered NR 10.06(3)(b).

SECTION 6. NR 10.06(3) to (5) are repealed and recreated to read:

NR 10.06(3) SMALL GAME HUNTING. (a) Formula. The hunting hours for pursuing small game in Zone A are listed in par. (b). Small game hunting hours for other zones are obtained by adding minutes to the Zone A a.m. and p.m. columns as follows:

- Zone - Adjustment
- B - add 4 minutes.
- C - add 8 minutes.
- D - add 12 minutes.
- E - add 16 minutes.
- F - add 20 minutes.

(4) MIGRATORY GAME BIRD HUNTING. The hunting hours for migratory game birds shall be the same as those established for small game hunting except in the Theresa goose management zone described in s. NR 10.31(10) where the hunting hours for Canada geese shall close at 1:00 P.M. daily.

(5) BIG GAME HUNTING. The start and close of hunting hours for pursuing bear and deer shall be as follows:

(a) Starting hours. Morning hunting hours shall start as established in the following table:

<u>Dates</u>	<u>A.M. Shooting hours</u>
September 1-17.....	5:00
September 18-October 1.....	5:15
October 2-9.....	5:30
October 10-16.....	5:30
October 17-25.....	5:45
October 26-November 6.....	6:00
November 7 through the day before the gun deer season.....	6:15
First day of gun deer season through December 31.....	6:30

(b) Closing hours. Gun deer hunting hours shall close at 4:30 p.m. daily. Bow and firearm bear hunting and bow deer hunting shall close at times determined by adding minutes to the small game hunting table p.m. column in sub. (3) as follows:

- Zone - Adjustment
- A - add 15 minutes
- B - add 19 minutes
- C - add 23 minutes
- D - add 27 minutes
- E - add 31 minutes
- F - add 35 minutes

SECTION 7. NR 10.06(7) and (8) are created to read:

NR 10.06(7) WILD TURKEY HUNTING. The hunting hours for pursuing wild turkeys shall be as follows:

(a) Spring. 1/2 hour before sunrise to 12:00 noon each day.

(b) Fall. The same as small game hunting hours established in sub. (3)

(8) EXCEPTIONS. There are no hunting hour restrictions for pursuing coyote, fox, raccoon and all wild animals for which no closed season is established except as follows:

(a) Gun deer season. Small game hunting hours established in sub. (3) shall apply during the gun deer season established in s. NR 10.01(3)(e).

(b) Bow deer season. Small game hunting hours established in sub. (3) shall apply to archers pursuing species other than deer.

(c) Bear season. Small game hunting hours established in sub. (3) shall apply to archers pursuing species other than bear.

Note: Small game hunting hours apply to archers when the deer and bear seasons are open concurrently.

SECTION 8. NR 10.09(3)(a) is repealed.

SECTION 9. NR 10.102(1)(title) and (a) is repealed and recreated to read:

NR 10.102(1) BEAR QUOTAS. Bear quotas are based on the status of zone black bear populations in relation to established population goals as determined by inventories.

(a) Purpose. The department shall issue bear harvest permits in sufficient numbers to assure maintenance of bear populations for each zone indicated in par. (d).

(b) Permit formula. In each black bear management zone, the number of permits to be issued to harvest the desired numbers of bear shall be based on an average of the hunter success rates from the most recent 3 previous seasons or by an average of fewer seasons where a 3-year average is not available. In establishing permits for a zone without an adequate history of permits, the average success rates of similar zones shall be applied or the department shall estimate an anticipated success rate. The permit number formula is:

$$\text{Permit number} = \frac{\text{Bear to be harvested}}{\text{Hunter success rate}}$$

(c) Success rate formula. Permit success rates used to compute the number of permits to be issued for each zone shall be those calculated by the department from annual bear season harvest reports except where no previous history of success rates exist. The success rate formula is:

$$\text{Success rate} = \frac{\text{Number of bear harvested}}{\text{Number of permits issued}}$$

(d) Population goals. The fall, pre-hunt black bear population goal is as follows:

<u>Zone</u>	<u>Population Goal</u>
A	4,100
B	1,600
C	200

SECTION 10. NR 10.102(1)(b) to (e) are renumbered NR 10.102(2) to (5).

SECTION 11. NR 10.102(2) is renumbered NR 10.102(6).

SECTION 12. NR 10.25(1)(c) 2. and 3. are repealed and recreated to read:

NR 10.25(1)(c) 2. All spring hunting applications shall be postmarked no later than the Friday nearest November 1 or received by the department license section, no later than 4:30 p.m. on that Friday to be considered for the spring turkey hunting season established in s. NR 10.01(2)(f)1.

3. All fall hunting applications shall be postmarked no later than the Friday nearest August 10 or received by the department license section no later than 4:30 p.m. on that Friday to be considered for the fall turkey hunting season established in s. NR 10.01(2)(f)3.

Note: The License section address is 101 South Webster, Box 7926, Madison, WI 53707.

SECTION 13. NR 10.25(1)(c)4. is created to read:

NR 10.25(1)(c)4. If a maximum of 2 persons wish to hunt together, each must complete an application form for individual permits and submit them together in a single envelope clearly marked "group application". Such group application shall be treated as one application for purposes of random selection or consideration for a permit. Preference may be requested by group applicants provided both individuals are eligible under par. (b).

SECTION 14. NR 10.25(3) is repealed and recreated to read:

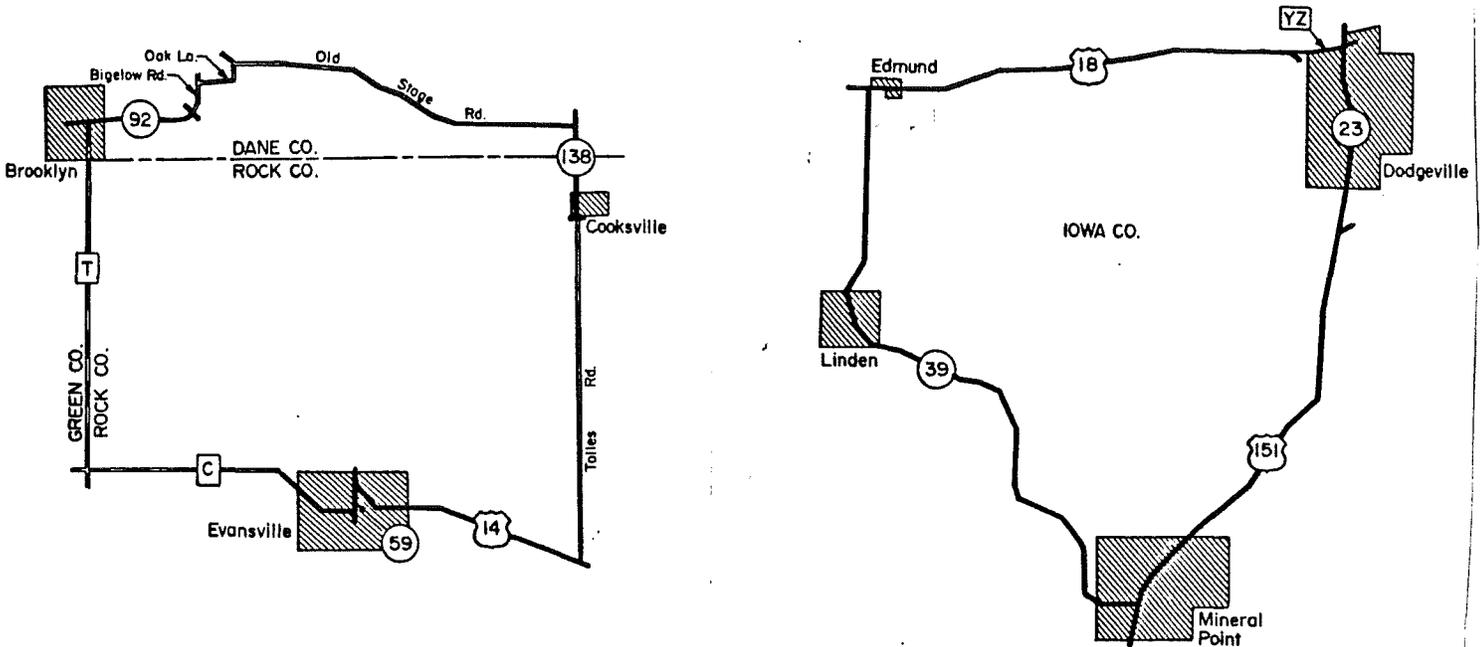
NR 10.25(3) REGISTRATION. A person who possesses a wild turkey killed in a wild turkey hunting zone shall exhibit and register the bird at a department station as follows:

(a) Spring season. A wild turkey taken during the season established in s. NR 10.01(2)(f)1. shall be registered no later than 1:30 p.m. on the day killed.

(b) Fall season. A wild turkey taken during the season established in s. NR 10.01(2)(f)3., shall be registered no later than 5:00 p.m. of the day after it was killed.

SECTION 15. NR 11.14 is created to read:

NR 11.14 PHEASANT CLOSED AREA. A closed season is established in the following areas as posted with department signs and no person may hunt pheasants at any time.



The foregoing rules were approved and adopted by the State of Wisconsin Natural Resources Board on June 23, 1988

Sections 1 and 15 shall take effect the first day of the month following publication in the Wisconsin administrative register as provided in s. 227.22(2)(intro.), Stats., Sections 2-14 shall take effect January 1, 1989.

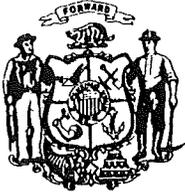
Dated at Madison, Wisconsin September 2, 1988

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

By Carroll D. Besadny
Carroll D. Besadny, Secretary

(SEAL)

6185M
4-28-88



State of Wisconsin

DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny
Secretary

September 6, 1988

1020

Mr. Orlan L. Prestegard
Revisor of Statutes
Suite 702
30 W. Mifflin Street

Dear Mr. Prestegard:

Enclosed are two copies, including one certified copy, of State of Wisconsin Natural Resources Board Order No. WM-1-88. These rules were reviewed by the Assembly Committee on Tourism, Recreation and Forest Productivity and the Senate Committee on Transportation, Tourism and Conservation pursuant to s. 227.19, Stats. A summary 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.