

CR 90-58



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny, Secretary
Box 7921
Madison, Wisconsin 53707
TELEFAX NO. 608-267-3579
TDD NO. 608-267-6897

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-3-90 was duly approved and adopted by this Department on March 1, 1990. 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 19th
day of July, 1990

Bruce B. Braun
Bruce B. Braun, Deputy Secretary

(SEAL)

part 9-1-90
part 10-1-90

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

.....
IN THE MATTER of repealing ss. NR 15.01(10), .
15.021 (title) and (intro) and 15.023 (title) .
and (intro), and renumbering ss. NR 15.021(1) .
to 15.02(5), 15.023(1) thru (4) to 15.02(6) .
thru (9); amending ss. NR 10.01(3)(f), .
10.06(8)(b), 10.106(1) and (2)(d), and 15.02 .
(title) and (intro), 15.022 (title) and .
(intro) and 15.024 (title) and (intro); repeal .
and recreating ss. NR 10.104(7)(b) and (c), .
10.106(3) and 45.05(3)(d) and creating ss. .
NR 10.001(9e) and 15.14 of the Wisconsin .
Administrative Code pertaining to 1990 hunting .
and trapping regulations, wildlife refuges and .
use of vehicles by disabled persons on DNR .
properties .
.....

WM-3-90

Analysis Prepared by the Department of Natural Resources

Statutory authority: ss. 29.174(3), 227.11(2)(a) and 227.16(2)(e), Stats.

Statutes interpreted: ss. 23.09(2)(b) and 29.174(2), Stats.

The proposed rules:

1. Create a definition for an "established range".
2. Allow raccoon hunting at night during extended deer seasons.
3. Amend bow deer registration regulations to allow bow killed deer to be registered outside the county of kill without any requirement to transport the deer directly to a registration station using only federal or state highways.
4. Update dates for "no entry refuges" to coincide with earlier opening dates of current waterfowl hunting seasons.
5. Establish "no entry refuge" from November 15 through March 31 for Ferry Bluff natural area in Sauk county to minimize disturbance of bald eagles wintering on the property.
6. Broaden the types of motorized vehicles eligible for use on department properties by persons with disabilities.
7. Allow quartering of bear carcasses prior to registration.
8. Opens fox trapping season one week prior to muskrat trapping season in the southern zone and extending the season statewide to February 15.

9. Change the procedure for calculating antlerless harvest success rates.
10. Repeal a year round wildlife refuge for Upham Woods in Juneau county.

SECTION 1. NR 10.001(9e) is created to read:

NR 10.001(9e) "Established range" means an existing facility that has target shooting with firearms as its major purpose.

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

(f) Fox, all species

- | | | |
|--|---|------|
| 1. North zone - All that part of Wisconsin north of state highway 64 | Beginning on the Saturday nearest October 17 and continuing through January 31 <u>February 15</u> | None |
| 2. South zone - All that part of Wisconsin south of state highway 64 | Beginning on the Saturday nearest November 1 <u>October 28</u> and continuing through January 31 <u>February 15</u> | None |

SECTION 3. NR 10.06(8)(b) is amended to read:

NR 10.06(8)(b) Gun deer season. Hunting hours established in sub. (3) shall apply to bow and gun hunters pursuing any species during the regular gun deer season established in s. NR 10.01(3)(e).

Note: During an extended gun deer season, the big game hunting hours do not apply to persons hunting coyote, fox, raccoon or other wild animals for which no closed season has been established.

SECTION 4. NR 10.104(7)(b) and (c) are repealed and recreated to read:

NR 10.104(7)(b) Permit formula. In each deer management unit, the number of permits issued by the department shall be determined by the following formula:

$$\text{Permit number} = \frac{\text{Antlerless deer to be harvested}}{\text{Predicted hunter success rate}}$$

(c) Success rate prediction. The predicted hunter success rates used by the department to compute the number of permits for each deer management unit shall be based upon the percentage of permitted hunters harvesting an antlerless deer in that unit during previous seasons. In new deer management units or units with significant boundary changes the predicted hunter success rate shall be based upon the harvest history of similar units.

SECTION 5. NR 10.106(1) and (2)(d) are amended to read:

NR 10.106 (1) CARCASS CONDITION AND TRANSPORTATION. Deer ~~and bear~~ shall be intact except they may be field dressed. Bear may be skinned and quartered. These animals or animal parts may not be removed from the area specified in this section unless exhibited, registered and tagged.

(2)(d) Archer license deer. Archer license deer shall be registered ~~within the county in which the deer was killed unless transported on federal or state highways directly to an authorized registration station outside the county in which the deer was killed by 5:00 P.M. on the third day after the deer was killed.~~

SECTION 6. NR 10.106(3) is repealed and recreated to read:

NR 10.106(3) REGISTRATION TAGGING. Upon verification of license information, the station operator shall:

1. Complete and retain the registration portion of the hunter's license;

2. Lock a registration tag to the carcass or part of the deer or bear;
and
3. Remove the validation portion of the carcass tag.

Note: The portion of the carcass tag remaining attached to the animal contains a number corresponding to the registrant's hunting license and backtag.

SECTION 7. NR 15.01(10) is repealed.

SECTION 8. NR 15.02 (title) and (intro.) are amended to read:

NR 15.02 (title) NO ENTRY WILDLIFE REFUGE (Sept. 1 - Dec. 31). (intro.)

A ~~game~~ wildlife refuge is established in the following areas when posted with department signs and no person may hunt waterfowl at any time, or enter such areas except for the retrieval of legally killed or crippled game in posted retrieval zones from ~~October~~ September 1 through ~~November 30~~ December 31 unless such areas are posted as open with department signs.

SECTION 9. NR 15.021 (title) and (intro.) are repealed.

SECTION 10. NR 15.021(1) is renumbered 15.02(5).

SECTION 11. NR 15.022 (title) and (intro.) are amended to read:

NR 15.022 (title) NO ENTRY WILDLIFE REFUGE EXCEPT GUN DEER (Sept. 1 - Dec. 31). (intro.) A ~~game~~ wildlife refuge is established in the following areas when posted with department signs and no person may hunt waterfowl at any time, or enter such areas for any reason, from ~~October~~ September 1 through ~~November 30~~ December 31 unless such areas are posted open with department signs except to hunt deer during the open season for hunting deer established in ~~s.s.~~ NR 10.01(3)(e) and 10.117, trapping by permit in the area described in sub. (5), and except for the retrieval of legally killed or crippled game

in posted retrieval zones.

SECTION 12. NR 15.023 (title) and (intro.) are repealed.

SECTION 13. NR 15.023(1) to (4) are renumbered to 15.02(6) to (9).

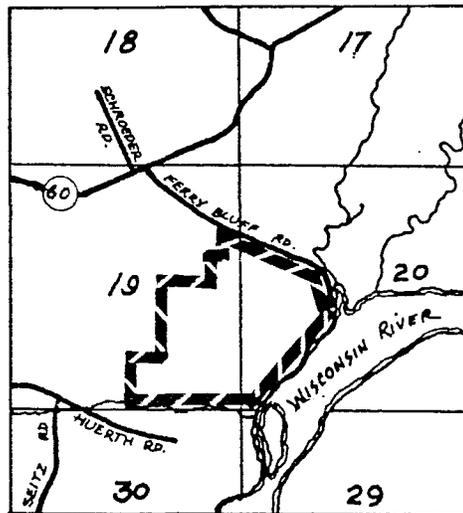
SECTION 14. NR 15.024 (title) and (intro.) are amended to read:

NR 15.024 (title) NO ENTRY WILDLIFE REFUGE (Sept. 1 - Dec. 31); gun deer hunting permitted. A ~~game~~ wildlife refuge is established in the following areas when posted with department signs and no person may hunt waterfowl at any time, or enter such areas for any reason from September 1 through ~~November 30~~ December 31, except to hunt deer during the open season for hunting deer established in ~~s.s.~~ NR 10.01(3)(e) and 10.117.

SECTION 15. NR 15.14 is created to read:

NR 15.14 FERRY BLUFF STATE NATURAL AREA. A wildlife refuge is established in the following area and no person may enter upon such area from November 15 through March 31 except for the retrieval of legally killed or crippled game.

Township 9 north, range 6 east, town of Prairie du Sac



SECTION 16. NR 45.05(3)(d) is repealed and recreated to read:

NR 45.05(3)(d) Persons with physical disabilities. The department may authorize by permit persons with physical disabilities to use a motorized vehicle as a mode of personal conveyance. A permit is not required for disabled persons using motorized wheel chair.

The foregoing rules were approved and adopted by the State of Wisconsin Natural Resources Board on March 1, 1990.

The rules 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.

Dated at Madison, Wisconsin

July 20, 1990
STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

By Carroll D. Besachny
Carroll D. Besachny, Secretary

(SEAL)