



CR 90-152

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny  
Secretary

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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. FM-49-90 was duly approved and adopted by this Department on June 27, 1991. 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.

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2:40 pm  
Revisor of Statutes  
Bureau

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 20<sup>th</sup>  
day of September, 1991.

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

(SEAL)

1-1-92

ORDER OF THE STATE OF WISCONSIN  
LAKE MICHIGAN COMMERCIAL FISHING BOARD  
REPEALING, RENUMBERING, AMENDING  
AND CREATING RULES

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.....  
IN THE MATTER OF repealing s. NR 25.07(2)(a)3.b.2) .  
and c., (b)3.b., (bg)4. and (br)4.; renumbering .  
s. NR 25.07(2)(a)3.e., (b)3.c., (bg)5. and (br)5.; .  
amending ss. NR 25.07(2)(a)3.d. and 25.08(intro.) .  
and (2); and creating ss. NR 25.07(2)(a)3.e. and .  
(7) and 25.08(2m) of the Wisconsin Administrative .  
Code pertaining to commercial fishing on Lake .  
Michigan and Green Bay .  
.....

FM-49-90

Analysis Prepared by the Department of Natural Resources

Statutory authority: ss. 29.174(3), 29.33(7) and 227.11(2)(a),  
Stats.

Statutes interpreted: ss. 29.085, 29.174(1) and (2) and 29.33(1)  
and (7), Stats.

SECTION 1 of the order ends some restrictions governing the  
"racehorse" component of the southern Lake Michigan chub fishery.  
It repeals the three quota periods of July 1 - September 30,  
October 1 - January 15 and March 1 - June 30 and repeals the 40%  
(currently equal to 12,000 pounds) per permittee per quota period  
harvest limit. SECTION 1 also repeals the rule that restricted  
the chub harvest on any one boat to a maximum of one individual  
quota allotment (one "admiral" chub quota) per license year.

SECTION 2 allows a maximum of up to 100% instead of the current  
50% of an admiral chub quota to be temporarily transferred to  
another admiral chub quota holder. (Note: SECTION 12 allows  
permanent transfers of admiral chub quotas.) SECTION 2 also  
deletes a restriction on the amount of chubs that may be  
harvested from the transferor's boat after an admiral quota  
transfer has occurred.

SECTION 4 allows fishers who hold a southern chub zone individual  
quota allotment (also know as "admirals") to temporarily transfer  
all or part of their admiral chub quota to fishers who are not  
admirals but who participate in the southern chub zone  
"racehorse" or un-allocated quota fishery. However, a transferee  
cannot begin to fish under the transferred admiral quota until  
whichever of the following occurs first: he or she has harvested  
the individual racehorse permittee maximum of 10% of the chubs

SECTION 12. NR 25.08(intro) and (2) are amended to read:

NR 25.08(intro). Individual licensee catch quotas allotted under s. NR 25.07(1)(a) and or (2)(a)3.a., and ~~(b) to (g)~~ (b), (bg), (br), (d), (e), (f) or (g) may be transferred by the licensee receiving the quota allocation to another valid licensee authorized to engage in commercial fishing in the waters to which the quota applies, who meets all criteria for receiving such a quota other than previous fishing history, subject to conditions stated in this section.

(2) All or part of an individual licensee catch quota allotted under s. NR 25.07(2)(a)3.a. and ~~(2)(b), (b), (bg), (br), (d), (e), (f) or (g)~~ may be permanently or temporarily transferred by the quota holder. ~~Such a transfer may occur in conjunction with the transfer of the quota holder's valid license authorizing commercial fishing in the outlying waters under s. NR 25.04.~~

SECTION 13. NR 25.08(2m) is created to read:

NR 25.08(2m) A northern chub fishing zone permit issued under s. NR 25.07(2)(a)1., or a forage fish trawling permit issued under s. NR 25.07(2)(c)2., may be permanently transferred by the permit holder only in conjunction with the transfer of the permit holder's valid license authorizing commercial fishing in the outlying waters under s. NR 25.04.



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September 26, 1991

Mr. Gary L. Poulson  
Assistant Revisor of Statutes  
119 Martin Luther King, Jr., Blvd.

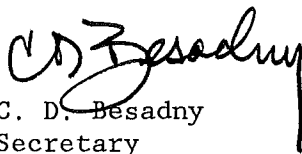
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Dear Mr. Poulson:

Enclosed are two copies, including one certified copy, of State of Wisconsin Natural Resources Board Order No. FM-49-90. These rules were reviewed by the Assembly Committee on Natural Resources and the Senate Committee on Urban Affairs, Environmental Resources and Elections pursuant to s. 227.19, Stats. Summaries of the final regulatory flexibility analysis and comments of the legislative review committees are 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.