



CR 92-74

State of Wisconsin | DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny  
Secretary

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Madison, Wisconsin 53707  
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STATE OF WISCONSIN )  
 )  
DEPARTMENT OF NATURAL RESOURCES ) ss

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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. LE-18-92 was duly approved and adopted by this Department on August 20, 1992. 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  
the City of Madison, this 9th  
day of November, 1992.

  
Bruce B. Braun, Deputy Secretary

(SEAL)

2-1-93

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

IN THE MATTER of repealing  
s. NR 20.03(1)(q)2.c., (2)(a) & (b);  
renumbering s. NR 20.03(3) to (5);  
renumbering & amending s. NR 20.03(2)(c);  
amending s. NR 20.03(1)(q)1.a.; and  
creating ss. NR 20.015(2d) & (2r), of the  
Wisconsin administrative code pertaining to  
the tagging of lake sturgeon.

LE-18-92

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Analysis Prepared by Department of Natural Resources

Statutory authority: ss. 29.174(1) and 227.11(2)(a), Stats.  
Statutes interpreted: ss. 29.148(4) and 29.174(2)(a), Stats.

This proposed rule:

1. Adds two tributaries of the Wolf River to those areas containing lake sturgeon, where the possession of a spear is illegal.
2. Creates sturgeon spearing tagging, validation, transportation and registration language identical to the deer tagging laws already contained within ch. NR 10, Wis. Adm. Code

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SECTION 1. NR 20.015(2d) and (2r) are created to read:

NR 20.015(2d) "Attached"; for the purpose of s. 29.148(4), Stats., means affixed to the sturgeon carcass immediately in front of the tail.

(2r) "Current validated sturgeon carcass tag", for the purpose of s. 29.148(4), Stats., means an unused tag of the current year validated according to the requirements of s. NR 20.18(2).

SECTION 2. NR 20.03(1)(q)1.a. is amended to read:

<u>Kind of fish &amp; locality</u>	<u>Open season (both dates inclusive)</u>	<u>Daily bag limit</u>	<u>Minimum length (inches)</u>
NR 20.03(1)(q)1.a. In all waters except Lakes Poygan, Winnecome, Butte des Morts, Winnebago and connecting waters; in the Embarrass river from the Pella dam, Shawano county downstream to its confluence with the Wolf river in Outagamie county; <del>and the Nemadji river, Allouez Bay, Little Pokegama Bay, Pokegama Bay and Kimballs Bay, Douglas county;</del> <u>in the Shioc river from the Outagamie-Shawano county line downstream to its confluence with the Wolf River, in the Little Wolf river from the Manawa dam, Waupaca county downstream to its confluence with the Wolf river in Waupaca county; the Wolf river from the dam at Shawano downstream to Lake Poygan; and the Fox river downstream from milepost No. 63, commonly known as Johnson creek, in Green Lake county to Lake Butte des Morts; and the Nemadji river, Allouez bay, Little Pokegama bay, Pokegama bay and Kimballs bay, Douglas county.</u>	First Saturday in September to October 15	1 per season	50

SECTION 3. NR 20.03(1)(q)2.c. and (2)(a) and (b) are repealed.

SECTION 4. NR 20.03(2)(c) is renumbered 20.18(3) and amended to read:

NR 20.18(3)(title) TRANSPORTATION. ~~It shall be unlawful for any No~~  
person ~~to~~ may transport any sturgeon in or on any motor-driven vehicle from the time such sturgeon is taken to the time it is lawfully registered pursuant to ~~par. (a)~~ sub. (4) unless the sturgeon is carried openly exposed and in such

manner so that the sturgeon carcass tag attached to the sturgeon cannot be handled or manipulated by any occupant of the vehicle.

SECTION 5. NR 20.03(3) to (5) are renumbered NR 20.03(2) to (4), respectively.

SECTION 6. NR 20.06(1)(b)8. and 20. are created to read:

NR 20.06(1)(b)8. Calument County - Lake Winnebago.

20. Fond du Lac County - Lake Winnebago.

SECTION 7. NR 20.18(title), (1), (2) and (4) are created to read:

NR 20.18 STURGEON SPEARING. (1) POSSESSION OF EQUIPMENT. No person may have in possession or under control any spear or similar device in any building, tent, shanty or similar enclosure on the ice or waters of Lakes Buttes des Morts, Winneconne and Poygan, except during the specified spearing season, or on the ice or waters and tributaries of the Wolf river from the lower dam at Shawano downstream to Lake Poygan, the Embarrass river from Pella dam downstream to the Wolf river, in the Schioc river from the Outagamie-Shawano county line downstream to its confluence with the Wolf river, the Little Wolf river from Manawa Dam downstream to the Wolf river, the Fox river from milepost No. 63, commonly known as Johnson creek, in Green Lake county to the Princeton dam downstream to Lake Butte des Morts during the open sturgeon spearing season.

(2) STURGEON TAG. (a) Tags. A sturgeon carcass tag shall be issued with each sturgeon spearing license and shall remain intact until the spearer spears a sturgeon. While sturgeon spearing, no person may possess a validated sturgeon carcass tag unless it is attached to a legally killed sturgeon.

(b) Validation. Any person who spears a sturgeon shall immediately validate the sturgeon carcass tag by slitting the marks designating the month, day, length of fish, time and location of kill. Failure to completely validate the sturgeon carcass tag renders the possession of the sturgeon illegal and the sturgeon carcass tag invalid.

(4) RECORDING STURGEON. (a) Registration. Each person who has speared a sturgeon during the open season for spearing sturgeon shall exhibit the sturgeon, with the person's sturgeon carcass tag attached as required by s. 29.148, Stats., to a warden or other authorized department personnel at an official sturgeon registration station. Sturgeon shall be intact and registered at a station on Lake Winnebago if speared in Lake Winnebago. Sturgeon shall be intact and registered at a station on Lake Butte des Morts, Winneconne or Poygan if speared in Lake Butte des Morts, Winneconne or Poygan. Sturgeon shall be exhibited at a sturgeon registration station not later than 7:00 p.m. on the day speared. The registration tag shall remain attached and locked to the sturgeon until the carcass is prepared for final consumption.

(b) Registration tagging. Upon verification of license information, the station operator shall:

1. Complete and retain the registration portion of the sturgeon's license.
2. Lock a registration tag to the carcass immediately in front of the tail.
3. Remove the validation portion of the sturgeon carcass tag leaving the remainder of the sturgeon carcass tag attached to the sturgeon.

The foregoing rules were approved and adopted by the State of Wisconsin Natural Resources Board on August 20, 1992

The rules shall take effect on 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 November 9, 1992

STATE OF WISCONSIN  
DEPARTMENT OF NATURAL RESOURCES

By Carroll J. Besadny  
C.D. Besadny, Secretary

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November 10, 1992

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

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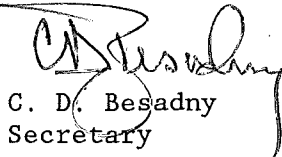
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Dear Mr. Poulson:

Enclosed are two copies, including one certified copy, of State of Wisconsin Natural Resources Board Order No. LE-18-92. These rules were reviewed by the Assembly Committee on Tourism and Recreation 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.