

CR 92-75



George E. Meyer
Secretary

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

101 South Webster Street
Box 7921
Madison, Wisconsin 53707
TELEPHONE 608-266-2621
TELEFAX 608-267-3579
TDD 608-267-6897

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. WM-13-92 was duly approved and adopted by this Department on April 23, 1992 and February 25, 1993. 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 March, 1993.


Bruce B. Braun, Deputy Secretary

(SEAL)

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

IN THE MATTER of amending ss. NR 10.001(1), 10.103(2) and 10.40(3)(e); repealing and recreating ss. NR 10.01(4)(dm) and 11.12; and creating ss. NR 10.001(3t) and 45.09(6) of the Wisconsin Administrative Code pertaining to hunting, trapping and firearm possession regulations.

WM-13-92

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. Reduce the minimum number of hunters necessary for disabled deer hunts from 5 disabled hunters to 3.
 2. Elimination of a 900 acre no-entry refuge in Necedah township of Juneau County.
 3. Establish a fisher trapping season of November 1 through December 31 and a bag limit equal to the number of permits issued to each trapper.
 4. Correct legal definition of "antlerless deer" to any deer without antlers or with both antlers less than 3 inches in length.
 5. Modifies the deer carcass tag validation requirement.
 6. Amends the department authority to establish public lands closed areas in order to allow gun deer hunting.
 7. Establishes 2 hiking trail hunting closed areas in the Kettle Moraine state forest.
 8. Establishes a definition of bonus antlerless permits.
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SECTION 1. NR 10.001(1) is amended to read:

NR 10.001(1) "Antlerless deer" means any deer without antlers or with ~~an antler~~ both antlers less than 3 inches in length.

SECTION 2. NR 10.001(3t) is created to read:

NR 10.001(3t) "Bonus deer hunting permit" for purposes of s. 29.1075, Stats, means any additional carcass tags issued under s. NR 10.11, any antlerless deer permits issued under s. NR 10.104(3)(a) for gun deer season zone B as described in s. NR 10.01(3)(e), and any antlerless permits issued under ss. NR 10.104(3)(b) and (c).

SECTION 3. NR 10.01(4)(dm) is repealed and recreated to read:

NR 10.01(4)(dm)

- | | | |
|--|------------------|---|
| 1. Management zone A - Deer management units 1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 11, 12 and 17 as described in s. NR 10.28. | Nov. 1 - Dec. 31 | One per permit issued under s. NR 10.145. |
| 2. Management zone B - Deer management units 6, 7, 13, 14, 18, 19, 20, 25, 28, 29A and 30 as described in s. NR 10.28. | Nov. 1 - Dec. 31 | One per permit issued under s. NR 10.145. |
| 3. Management zone C - Deer management units 29B, 31, 32, 34, 35, 36, 37 and 52 as described in s. NR 10.28. | Nov. 1 - Dec. 31 | One per permit issued under s. NR 10.145 |
| 4. Management zone D - Deer management units 38, 39, 40, 42, 43, 45, 49A, 49B and 50. | Nov. 1 - Dec. 31 | One per permit issued under s. NR 10.145 |
| 5. Remainder of the state. | None. | None. |

SECTION 4. NR 10.103(2) and 10.40(3)(e) are amended to read:

NR 10.103(2) VALIDATION. Any person who kills a deer shall immediately separate the issued carcass tag from the back tag and validate the carcass tag by slitting the ~~mark designating the month, day, time of kill and type of deer~~ marks on the carcass tag as designated by the department. Failure to completely validate the carcass tag renders possession of the deer illegal and the carcass tag invalid.

(e) Hunter participation limits. The department may not authorize a special gun deer hunt if the number of participating hunters is less than ~~5~~ 3 or if the hunter density will exceed 2 per 40 acres of land described on the application.

SECTION 5. NR 11.13 is repealed and recreated to read:

NR 11.13 PUBLIC LANDS CLOSED AREAS. The department may establish closed season areas by posting signs within the exterior limits of public hunting grounds, state wildlife areas and other state-owned or leased lands administered for wildlife management purposes. No person may hunt or trap any species of wild animals except as authorized by posted department signs posted on the lands.

SECTION 6. NR 45.09(6) is created to read:

NR 45.09(6) SEASONAL FIREARM PROHIBITION. The department may establish by posted notice firearm prohibition areas on and in the vicinity of the Zillmer and Scuppernong trails within the Kettle Moraine state forest except during the state deer gun and spring turkey hunting seasons. No person may possess any loaded or uncased firearm or air gun within these areas contrary to posted notice.

The foregoing rules were approved and adopted by the State of Wisconsin Natural Resources Board on April 23, 1992 and February 25, 1993.

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 March 19, 1993

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

By George E. Meyer
George E. Meyer, Secretary

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March 19, 1993

Mr. Gary L. Poulson
Assistant Revisor of Statutes
131 West Wilson Street - Suite 800
Madison, WI

Dear Mr. Poulson:

Enclosed are two copies, including one certified copy, of State of Wisconsin Natural Resources Board Order No. WM-13-92. These rules were reviewed by the Assembly Committee on Tourism and Recreation and the Senate Committee on Urban Affairs, Financial Institutions and Environmental Resources 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,

George E. Meyer
Secretary

Enc.