

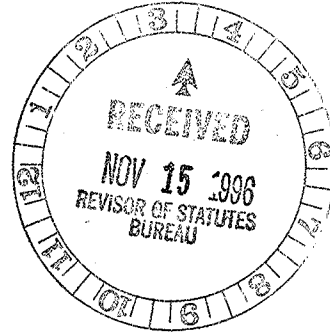
State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor
George E. Meyer, Secretary

Box 7921
101 South Webster Street
Madison, Wisconsin 53707-7921
TELEPHONE 608-266-2621
FAX 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, George E. Meyer, 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-37-96 was duly approved and adopted by this Department on September 25, 1996. 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 hereunto set my hand and affixed the official seal of the Department at the Natural Resources Building in the City of Madison, this 12th day of November, 1996

George E. Meyer
George E. Meyer, Secretary

(SEAL)



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

The Wisconsin Natural Resources Board adopts an order to amend NR 20.03(1)(q)2.b., NR 20.13(3)(a), NR 20.18(3) and (4)(a); to repeal and recreate NR 20.13(3)(b); and to create NR 20.036 relating to sturgeon spearing

FM-37-96

Analysis prepared by the Department of Natural Resources

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

Statutes interpreted: ss. 29.174(1), (2) and 29.148(3), Stats.

This order reduces the length of the sturgeon spearing season on lake Winnebago from approximately 20 days to 16 days; reduces the minimum length limit for sturgeon from 45" to 36"; prohibits the covering of ice holes larger than 12" in diameter or square with ice shanties on Lakes Winneconne, Butte des Morts and Poygan during other than the period from 48 hours before and continuing through the open season for sturgeon spearing; requires that the person who spears a sturgeon accompany the carcass during transport until the carcass is registered; establishes boundaries around waters open to sturgeon spearing, beyond which unregistered sturgeon may not be possessed; and reduces the hours of sturgeon registration stations by one hour, to close at 6:00 p.m.

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

Kind of Fish and locality	Open season (both dates inclusive)	Daily bag limit	Minimum length (inches)
2. Spearing Season			
b. Lake Winnebago	Second Saturday in February to March 1 and continuing for 16 consecutive days	The bag limit on speared sturgeon is one per season regardless of the water in which speared	45 45 36

SECTION 2. NR 20.13(3)(a) is amended to read:

NR 20.13(3) SIZE OF HOLES FOR ICE FISHING. (a) ~~It shall be unlawful for any person to~~ No person may cut, use or maintain a hole larger than 12 inches in diameter or square for the taking of fish in any manner through the ice, ~~except for spearing of fish in Lake Superior and except for dip netting, the taking of minnows by minnow traps, and for skin diving purposes.~~ except for the following purposes:

1. The spearing of sturgeon on waters specified in s. NR 20.03(1)(q)2.
2. The spearing of fish in Lake Superior.
3. The taking of fish with dip nets.
4. The taking of minnows with minnow traps.
5. Skin or scuba diving.

SECTION 3. NR 20.13(3)(b) is repealed and recreated to read:

NR 20.13(3)(b) Holes cut, used or maintained pursuant to par. (a) on waters specified in s. NR 20.03(1)(q)2. may not be covered by a shelter,

shanty or similar device, except during the period from 48 hours before and continuing through the open season for sturgeon spearing.

SECTION 4. NR 20.18(3) is amended to read:

NR 20.18(3) TRANSPORTATION. (a) No person 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 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.

(b) Any person who spears and tags a sturgeon shall accompany the sturgeon carcass during transport until the sturgeon has been registered pursuant to sub. (4).

(c) No person may possess a sturgeon speared under s. NR 20.03(1)(a) 2.a. outside the following area unless the sturgeon has been registered pursuant to sub. (4): from the intersection of highways 110 and 21 in Oshkosh west on highway 21 to highway 116; north on highway 116 to county highway B; west on county highway B to county highway D; west on county highway D to highway 49; north on highway 49 to county highway H; east on county highway H to highway 10; east on highway 10 to highway 110; south on highway 110 to county highway M; south on county highway M to highway 116; east on highway 116 to highway 110; south on highway 110 to highway 21.

(d) No person may possess a sturgeon speared under s. NR 20.03(1)(a) 2.b. outside the following area unless the sturgeon has been registered pursuant to sub. (4): from the intersection of highways 10 and 114 in Menasha, east on highway 114 to highway 55; south on highway 55 to U.S. highway 151; south on U.S. highway 151 to Scott street in Fond du Lac; west on Scott street to highway 45; north on highway 45 to Main street in Oshkosh; north on Main street to Wauqoo avenue; east on Wauqoo avenue to Bowen street; north on Bowen street to North Shore drive; north on North Shore drive to county highway A; north on county highway A to highway 114 in Neenah; east on highway 114 to the intersection of highways 10 and 114 in Menasha.

SECTION 5. NR 20.18(4) (a) is amended to read:

NR 20.18(4) (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~~ 6:00 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.

The foregoing rules were approved and adopted by the State of Wisconsin Natural Resources Board on September 25, 1996.

The rules contained herein shall take effect on February 1, 1997 as provided in s. 227.22(2)(b), Stats.

Dated at Madison, Wisconsin,

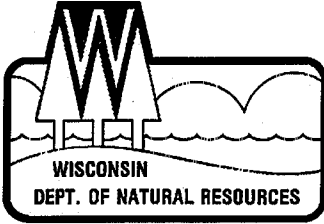
November 12, 1996

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

By

George E. Meyer
George E. Meyer, Secretary

(Seal)

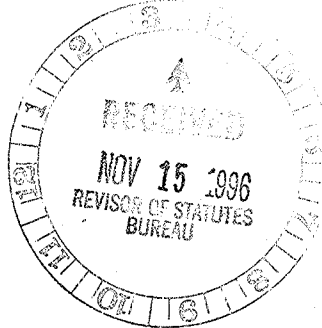


State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor
George E. Meyer, Secretary

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

November 12, 1996



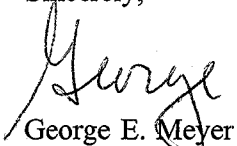
Mr. Gary L. Poulson
Assistant Revisor of Statutes
131 West Wilson Street - Suite 800
Madison, WI

Dear Mr. Poulson:

Enclosed are two copies, including one certified copy, of State of Wisconsin Natural Resources Board Order No. FM-37-96. These rules were reviewed by the Assembly Committee on Natural Resources and the Senate Committee on Environmental Resources and Urban Affairs 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.