



NR 19

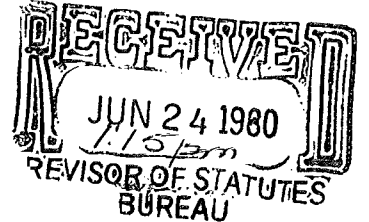
State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Anthony S. Earl  
Secretary

BOX 7921  
MADISON, WISCONSIN 53707

IN REPLY REFER TO: \_\_\_\_\_

STATE OF WISCONSIN )  
 )  
DEPARTMENT OF NATURAL RESOURCES ) SS



TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS;

I, Anthony S. Earl, 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. G-5-80 was duly approved and adopted by this Department on April 23, 1980. 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 General Executive Facility #2 in the City of Madison, this 23<sup>RD</sup> day of June, 1980.

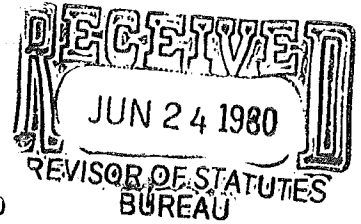
(SEAL)

*Anthony S. Earl*  
\_\_\_\_\_  
Anthony S. Earl, Secretary

*Rec'd off 1/1/80*

ORDER OF THE STATE OF WISCONSIN NATURAL RESOURCES BOARD

AMENDING AND CREATING RULES



G-5-80

..... :
IN THE MATTER of amending section :
NR 19.001(7) and creating sections :
NR 19.001(5m) and NR 19.25 of the :
Wisconsin Administrative Code pertaining :
to the protection of game and nongame species :
..... :

Analysis Prepared by Department of Natural Resources

Present rules relate contact and disturbance prohibitions and restrictions to fishing and hunting. This rule is designed to provide protection to game and nongame species from activities which would not fall within the definition of "hunting" or "fishing", such as merely harassment or disturbance with no design to take or capture the target animal.

The rule achieves protection for designated animal species through defining "protected" and "unprotected" wild animals. It then expressly prohibits a person from harassing, disturbing, pursuing or shooting at "protected" animals as well as preventing their taking, catching or killing which have been terms identified strictly with hunting and fishing.

Pursuant to the authority vested in the State of Wisconsin Natural Resources Board by sections 23.09, 23.11, 29.085, 29.174, 29.175, 29.415, 227.014 and 227.02(1)(e), Wisconsin Statutes, the State of Wisconsin Natural Resources Board hereby amends and creates rules interpreting sections 23.09, 29.175 and 29.415, Wisconsin Statutes, as follows:

SECTION 1 - Section NR 19.001 (5m) is created to read:

(5m) "Protected wild animals" means those animals for which a closed season, bag limit, size limit or possession limit has been provided by statute or administrative rule, and includes:

(a) Nongame species unless specifically designated as unprotected by the department;

(b) Game fish, game animals, game birds and fur bearing animals during closed seasons;

(c) Endangered and threatened species listed in chapter NR 27, Wis. Adm. Code.

SECTION 2 - Section NR 19.001 (7) is amended to read:

(7) "Unprotected wild animals" means those animals ~~which are listed provided for in section NR 10.04, Wis. Adm. Code, and which are not listed in sections NR 10.01 or NR 10.02, Wis. Adm. Code.~~ for which no closed season, bag limit, size limit or possession limit has been provided by statute or administrative rule.

SECTION 3 - Section NR 19.25 is created to read:

NR 19.25 Wild animal protection. Unless engaged in dog training as defined in section NR 17.001(1)(h), Wis. Adm. Code, or other activity specifically authorized by the department, a closed season is established and no person may harass, disturb, pursue, shoot, trap, catch, take or kill protected wild animals by any means.

The foregoing rules were approved and adopted by the State of Wisconsin Natural Resources Board on April 23, 1980.

The rules contained herein shall take effect upon publication as provided in section 227.026 (1) intro., Wisconsin Statutes.

Dated at Madison, Wisconsin 23 June 1980

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

By Anthony S. Earl  
Anthony S. Earl, Secretary

(SEAL)



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Anthony S. Earl  
Secretary

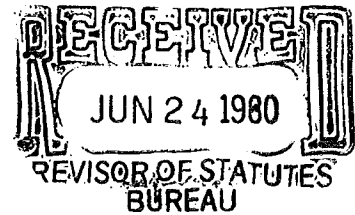
BOX 7921  
MADISON, WISCONSIN 53707

June 23, 1980

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IN REPLY REFER TO: \_\_\_\_\_

Mr. Orlan L. Prestegard  
Revisor of Statutes  
411 West  
C A P I T O L



Dear Mr. Prestegard:

Enclosed are two copies, including one certified copy, of State of Wisconsin Natural Resources Board Order No. G-5-80. These rules were reviewed by the Assembly Environmental Resources Committee and the Senate Natural Resources and Tourism Committee pursuant to section 227.018, Wisconsin Statutes. There were no objections.

You will note that this order takes effect upon publication. Kindly publish it in the Administrative Code accordingly.

Sincerely,

Anthony S. Earl  
Secretary

Enc.