

CR 83-208

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny
Secretary

BOX 7921
MADISON, WISCONSIN 53707

STATE OF WISCONSIN)
DEPARTMENT OF NATURAL RESOURCES) SS

RECEIVED
MAY 10 1984
11:30 AM
Revisor of Statutes
Bureau

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Carroll D. Besadny, 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. F-2-84 was duly approved and adopted by the Lake Michigan Commercial Fishing Board on January 12, 1984 and this Department on February 22, 1984. 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 7th day of May, 1984.

Carroll D. Besadny
Carroll D. Besadny, Secretary

(SEAL)

7-1-84

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

.....
IN THE MATTER of amending s. NR 25.07
(2)(b)1.b. and 2.c.; and creating
s. NR 25.07(2)(b)1.c. and d. of the
Wisconsin Administrative Code pertaining
to the allocation of the commercial
yellow perch harvest in Green Bay.
.....

F-2-84

Analysis Prepared by the Department of Natural Resources

The amendment of s. NR 25.07(2)(b)1.b., Wis. Adm. Code, provides a lead-in to created s. NR 25.07(2)(b)1.c., Wis. Adm. Code.

The amending of s. NR 25.07(2)(b)2.c., Wis. Adm. Code, clarifies the quota level at which licensed commercial fishers other than those receiving permits and allotted quotas under the criteria established in s. NR 25.07(2)(b)1. and 2., Wis. Adm. Code, will be able to apply for and receive Green Bay yellow perch harvest permits and quotas.

The creation of s. NR 25.07(2)(b)1.c., Wis. Adm. Code, establishes an eligibility criteria for applicants for Green Bay yellow perch fishing permits that would require an otherwise eligible licensee to have applied for and received a Green Bay yellow perch fishing permit each license year, to receive one for the subsequent license year. There is a provision for review of unavoidable circumstances which prevent applicants from meeting this criteria. This review will be by the Lake Michigan Commercial Fishing Board, which will approve or deny the pending permit applications.

The creation of s. NR 25.07(2)(b)1.d., Wis. Adm. Code, provides that if a Green Bay yellow perch fishing permit application is denied under the criteria of this subdivision, the licensee would not be eligible to receive such a permit until the yellow perch harvest quota established in s. NR 25.06(2)(b)1. exceeds 521,285 pounds.

Pursuant to the authority vested in the Lake Michigan Commercial Fishing Board by s. 29.33(7), Stats., the State of Wisconsin Lake Michigan Commercial Fishing Board hereby amends and creates rules interpreting s. 29.33, Stats., as follows:

SECTION 1. NR 25.07(2)(b)1.b. is amended to read:

NR 25.07(2)(b)1.b. Who reported a commercial harvest of yellow perch legally taken while operating under their commercial fishing license issued under s. 29.33, Stats., from the Wisconsin waters of Green Bay between January 1, 1979 and December 31, 1982, and

SECTION 2. NR 25.07(2)(b)1.c. and d. are created to read:

NR 25.07(2)(b)1.c. Who applied for and received a Green Bay yellow perch fishing permit for the license year preceding the license year for which the permit application is presently being made, unless unavoidable circumstances prevented application for or receipt of that previous permit. Those circumstances shall be reviewed by the Lake Michigan commercial fishing board which in these cases shall approve or deny the pending permit application.

d. Any licensee who fails to apply for and receive a permit under this paragraph is not eligible for future Green Bay yellow perch fishing permits under this paragraph until the provisions of subd. 2.c. are applicable.

SECTION 3. NR 25.07(2)(b)2.c. is amended to read:

NR 25.07(2)(b)2.c. Any future ~~increases-over~~ increase of the 1983-84 total allowable annual commercial harvest as establish by s. NR 25.06(2)(b)1. that ~~exceed-the-average-annual-total-reported-commercial-harvest-of-yellow-perch~~

~~from the Wisconsin waters of Green Bay during the period from January 1, 1979~~
~~through December 31, 1982,~~ exceeds 521,285 pounds will be divided equally
among all applicants licensed commercial fishers who apply for Green Bay
yellow perch fishing permits, regardless of past yellow perch harvest
records.

The foregoing rules were approved and adopted by the State of Wisconsin
Lake Michigan Commercial Fishing Board on January 12, 1984.

The foregoing rules were approved by the State of Wisconsin Natural
Resources Board on February 22, 1984.

The rules contained herein shall take effect on August 1, 1984.

Dated at Madison, Wisconsin

May 7, 1984

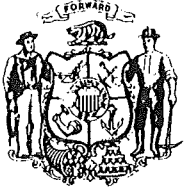
STATE OF WISCONSIN LAKE MICHIGAN COMMERCIAL
FISHING BOARD and STATE OF WISCONSIN DEPARTMENT
OF NATURAL RESOURCES

By

Carroll D. Besadny
Carroll D. Besadny, Secretary
Department of Natural Resources

(SEAL)

22460



State of Wisconsin

DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny
Secretary

BOX 7921
MADISON, WISCONSIN 53707

May 7, 1984

IN REPLY REFER TO: 1020

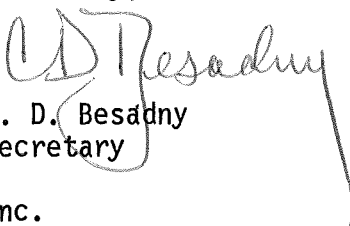
Mr. Orlan L. Prestegard
Revisor of Statutes
411 West
C A P I T O L

Dear Mr. Prestegard:

Enclosed are two copies, including one certified copy, of State of Wisconsin Natural Resources Board Order No. F-2-84. These rules were reviewed by the Assembly Committee on Tourism and Recreation and the Senate Committee on Energy and Environmental Resources pursuant to s. 227.018, Stats. Summaries of the final regulatory flexibility analysis and comments of the legislative review committees is 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.