

CR 90-63



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny, Secretary
Box 7921
Madison, Wisconsin 53707
TELEFAX NO. 608-267-3579
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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. WM-1-90 was duly approved and adopted by this Department on June 28, 1990. 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 the City of Madison, this 11th day of September, 1990.

Bruce B. Braun
Bruce B. Braun, Deputy Secretary

(SEAL)

part 10-1-90
part 11-1-90

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

.....
IN THE MATTER of repealing ss. NR 10.01(3)(e)6.,
10.101(2) and 10.07(1)(h); renumbering ss. NR
10.01(3)(e)7. to 6., 10.101(3) and (4) to (2)
and (3); amending ss. NR 10.01(3)(e)2.a. and e.,
10.08(2), 10.104(7)(d) and 10.28(map); repeal
and recreating ss. NR 10.01(2)(a), (c)2,
10.07(1)(g). and (h), and 10.09(1)(a)3.; and
creating ss. NR 10.33, 10.34 and 12.05(4) of the
Wisconsin Administrative Code pertaining to
1990-91 hunting regulations
.....

(90-63)

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Analysis Prepared by the Department of Natural Resources

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

Statutes interpreted: s. 29.174(2), Stats.

The proposed rules:

1. Brings State rules into conformity with federal regulations that prohibit "attempting to take in excess of the daily bag limit".
2. Establish a new ruffed grouse management zone for eastern Wisconsin with a shortened 54 day season and 2 birds/day bag limit.
3. Modify baiting regulations to:
 - A. replace 2-foot square hole requirement with a 10-gallon limit on bait.
 - B. allow the use of all bait that doesn't include metal, paper, plastic, glass, honey, bones, fish, meat, solid animal fat or parts of animal carcasses.
 - C. prohibit the hunting over bait during the archery season unless the hunter possesses a valid, unused bear harvest permit or archery deer tag.
4. Eliminate the requirement for a department issued bear dog permit.
5. Limit the shooting of depredating birds by hunters to normal hunting hours.
6. Require persons hunting turkey to use shot sizes no larger than number 4 lead or number 2 steel.
7. Establish management and nonmanagement counties for pheasants and eliminates hen hunting on 6 wildlife areas or public hunting grounds within the management counties and adds hen hunting on 3 wildlife areas in nonmanagement counties.

8. Reestablishes the traditional deer season for deer management units 74A and 74B that is composed of 2-days of either-sex hunting followed by 7 days of buck-only hunting.
9. Subdivide deer management units 49 and 51 each into 2 new units.

SECTION 1. NR 10.01(2)(a) and (c)2. are repealed and recreated to read:

Kind of animal	locality	Open season (all dates inclusive)	Limit
(a) Ruffed grouse	1. Zone A as established under s. NR 10.33.	Beginning on the Saturday nearest September 15 and continuing through December 31.	Daily bag 5; possession 10
	2. Zone B as established under s. NR 10.33	Beginning on the Saturday nearest September 15 and continuing through January 31.	Daily bag 5; possession 10
	3. Zone C as established under s. NR 10.33	Concurrent with the open cock pheasant season established under s. NR 10.01(2)(c)1.	Daily bag 2; possession 4
2. Cocks and hens - Within the following named properties as posted with department signs:	a. Avoca (Iowa county)	Beginning on the Saturday nearest October 17 at 12:00 noon and continuing for 14 consecutive days	Daily bag 1; possession 2
	b. Blackhawk (Iowa county)		
	c. Scuppernong (Waukesha county)		
	d. Little Scarboro and Kewaunee (Kewaunee county)	Beginning on the 15th day following the Saturday nearest October 17 and continuing for 40 consecutive days	Daily bag 2; possession 4
	e. Pine River (Richland county)		
	f. Vernon (Waukesha county)		
	g. Blue River unit of the Lower Wisconsin riverway (Grant & Iowa counties)		

SECTION 2. NR 10.01(3)(e)2.a. and e. are amended to read:

Kind of animal	Locality	Open season (all dates inclusive)	Limit
NR 10.01(3)(e)2. Zone "B".			
Deer management units 59D, 61, 61B, and 61C, 74A and 74B.			
a.	The Buffalo, La Crosse and Trempealeau portions of deer management unit 61, and the Jackson, La Crosse and Monroe county portions of unit 59D, and the <u>La Crosse county portion of unit 74A.</u>	Shotgun season beginning on the Saturday preceding the Thanksgiving holiday and continuing for 2 consecutive days.	One deer per season, either sex.
		Firearm season beginning on the day immediately following the season described above and continuing for 7 consecutive days.	One buck deer per season.
e.	The Vernon county portions of deer management units 59D and 74A, and the <u>Vernon and Crawford county portions of unit 74B.</u>	Firearm season beginning on the Saturday preceding the Thanksgiving holiday and continuing for 2 consecutive days.	One deer per season, either sex.
		Firearm season beginning on the day immediately following the season described above and continuing for 7 consecutive days.	One buck deer per season.

SECTION 3. NR 10.01(3)(e)6. is repealed.

SECTION 4. NR 10.01(3)(e)7. is renumbered 6.

SECTION 5. NR 10.07(1)(g) is repealed and recreated to read:

NR 10.07(1)(g) Baiting. 1. Place, use or hunt over bait contained within or containing metal, paper, plastic, glass, wood other than hollow

stumps or other nondegradable materials.

2. Except as established in s. NR 10.12(1)(h), use any baiting material, liquid or scent for attracting wild animals containing honey, bones, fish, meat, solid animal fat or parts of animal carcasses.

3. Place or hunt over baiting material, liquid or scent within 50 yards of any trail, road or campsite used by the public.

4. Hunt over baiting material, liquid or scent during the archery season without possessing a valid, unused bear harvest permit or archery deer tag.

5. Use or hunt over a baited area containing more than 10 gallons of bait material or liquid scent.

6. This paragraph does not prohibit hunting over bait materials deposited by natural vegetation or found solely as a result of normal agricultural practices.

SECTION 6. NR 10.07(1)(h) is repealed.

SECTION 7. NR 10.08(2) is amended to read:

NR 10.08(2) DAILY BAG. No person may take, or attempt to take, more than one daily bag limit in any one day.

SECTION 8. NR 10.09(1)(a)3. is repealed and recreated to read:

NR 10.09(1)(a)3. Game bird hunting. a. General. Hunt any game bird with a rifle or shotgun loaded with single ball or slug or shot larger than no. BB.

b. Turkey. Use or possess shells containing shot larger than no. 4 lead or no. 2 steel while hunting wild turkeys.

SECTION 9. NR 10.101(2) is repealed.

SECTION 10. NR 10.101(3) and (4) are renumbered (2) and (3).

SECTION 11. NR 10.104(7)(d) is amended to read:

NR 10.104(7)(d) Overwinter goals. Overwinter population goals expressed in terms of deer per square mile of deer range by deer management unit are as follows:

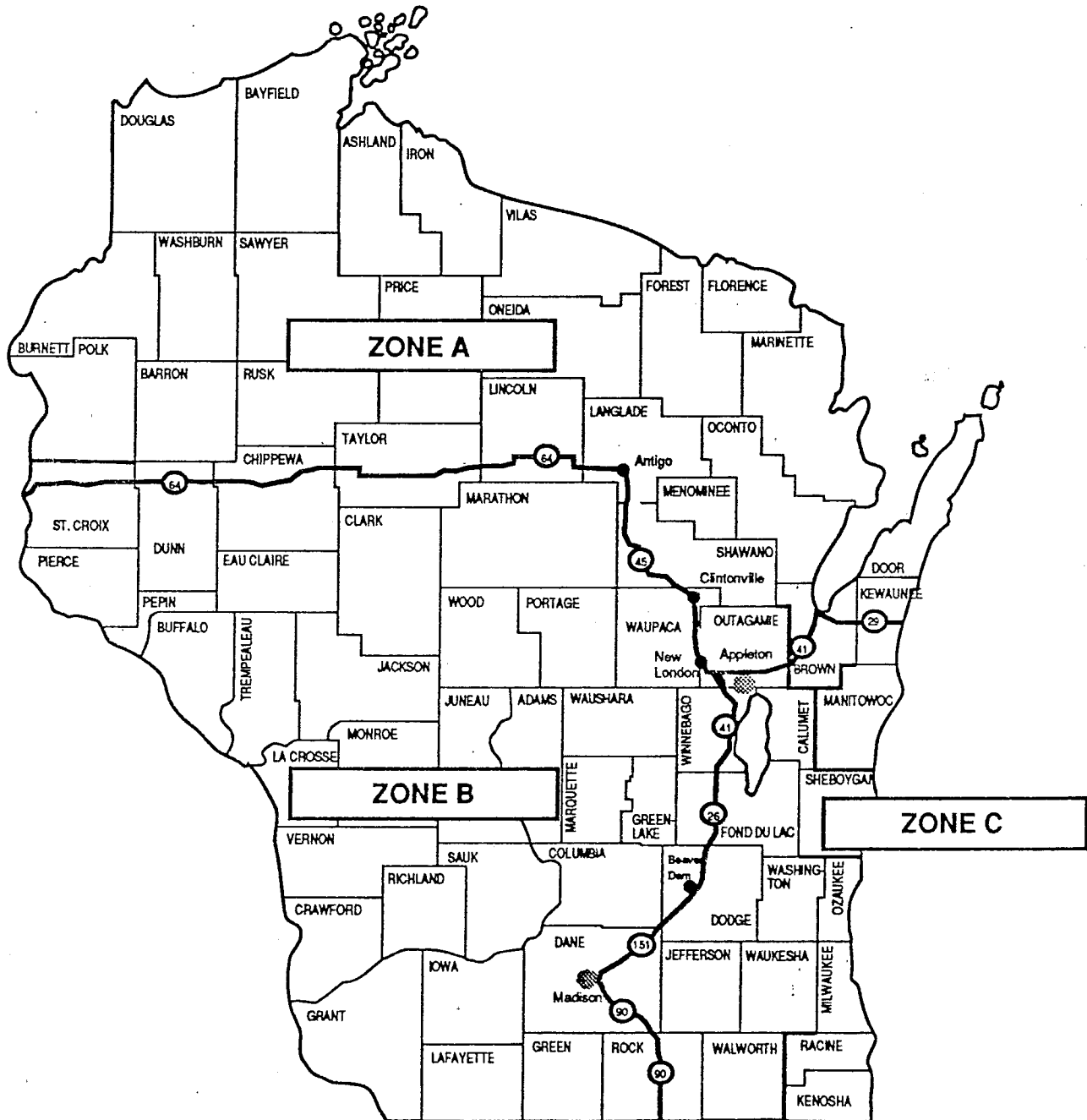
Management Unit	Deer Goal	Management Unit	Deer Goal
1	15	41	20
2	20	42	20
3	10	43	15
4	15	44	15
5	20	45	20
6	10	46	20
7	10	47	20
8	20	48	20
9	20	49	25
		<u>49A</u>	<u>25</u>
		<u>49B</u>	<u>25</u>
10	30	50	20
11	20	51	20
		<u>51A</u>	<u>20</u>
		<u>51B</u>	<u>20</u>
12	20	52	20
13	15	53	30
14	15	54A	30
15	25	54B	25
16	25	54C	25
17	15	55	25
18	20	56	30
19	20	57	15
20	20	57A	30
21	25	57B	25
22	20	57C	30
22A	20	58	25
23	20	59A	15
24	20	59B	15
25	25	59C	25
26	20	59D	15
27	20	60	20
28	10	60A	20
29A	10	61	20
29B	10	62A	30
30	15	62B	30
31	20	63A	30

32	20
33	20
34	10
35	20
36	25
37	25
38	20
39	20
40	20
69	20
70	25
70A	25
70B	30
70E	35
70G	30
71	20
72	20
73	20
73B	20
73C	25
74A	15

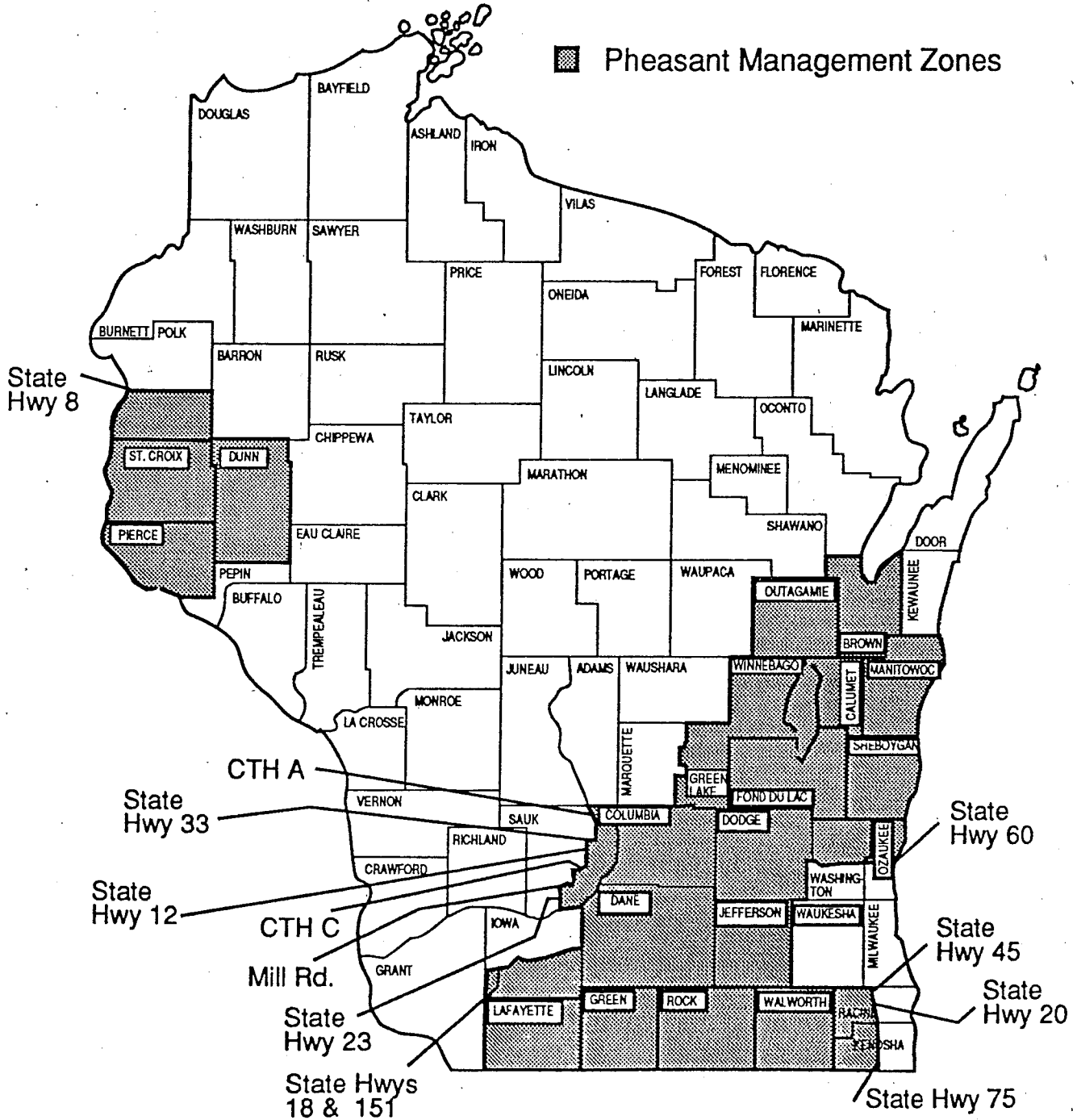
63B	25
64	20
65A	30
65B	30
66	30
67	30
67A	35
67B	35
68	30
74B	15
75	20
75A	15
76	20
76A	20
77A	20
77B	10
77C	15
77C	15
78	25
80	15
81	15

SECTION 13. NR 10.33 and 10.34 are created to read:

NR 10.33 RUFFED GROUSE MANAGEMENT ZONES.



NR 10.34 PHEASANT MANAGEMENT ZONES.



SECTION 14. NR 12.05(4) is created to read:

NR 12.05(4) SHOOTING HOURS. The hours for shooting depredating birds during the open season for migratory birds as specified under s. NR 10.01(1) shall be the same as those established for migratory game bird hunting under s. NR 10.06(4).

The foregoing rules were approved and adopted by the State of Wisconsin Natural Resources Board on June 28, 1990.

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 September 11, 1990.

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

By Carroll D. Besady
Carroll D. Besady, Secretary

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State of Wisconsin

DEPARTMENT OF NATURAL RESOURCES

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September 11, 1990

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

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Dear Mr. Poulson:

Enclosed are two copies, including one certified copy, of State of Wisconsin Natural Resources Board Order No. WM-1-90. These rules were reviewed by the Assembly Committee on Tourism, Recreation and Government Operations and the Senate Committee on Transportation, Conservation and Mining 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,

A handwritten signature in cursive script, appearing to read "C. D. Besadny".

C. D. Besadny
Secretary

Enc.