

Report to
Legislative Council Rules Clearinghouse
NR 8, 10, 12 and 17, Wis. Adm. Code
Natural Resources Board Order WM-02-10

Wisconsin Statutory Authority

ss. 29.011, 29.014, 29.024, 29.03, 29.053(3), 29.192, 29.193, 29.885, 169.21, 169.39 and 227.11, Stats.

Federal Authority

N/A

Court Decisions Directly Relevant

None.

Analysis of the Rule – Rule Effect – Reason for the Rule

The Department of Natural Resources annually prepares a package of administrative rule that updates code language and cross-references and updates regulations relating to hunting and trapping and wildlife rehabilitation. The proposals contained in this rule primarily originate from the recommendations of department staff. The proposed rule changes will:

1. Allow customers to request free hard copies of turkey, pheasant, trout, waterfowl or salmon stamps through the phone, a designated county clerk's office, or any department office that provides counter service.
2. Update agency contact information and requirements for administration of the Wildlife Violator Compact Program.
3. Clarify that a person who may only hunt with a mentor, and the mentor with whom they are hunting, can group hunt for deer even though they are only allowed to possess or control one firearm jointly. The season must be open for both hunters, they must be hunting within arms reach of one another, and both must possess the proper licenses and permits. This is consistent with s. 29.324, Stats., related to group hunting and simplifies the explanation of how this law applies during a mentored hunt.
4. Eliminate extraneous deer hunting season language and add a cross reference to update language following the 2006 sunset of a two-year experiment with seasons that did not include October antlerless only deer hunts.
5. Eliminate the description of where hunting is allowed at Big Bay state park because it is unnecessary and the only state park for which such language is established in code.
6. Update a cross reference related to the hours when hunting is allowed.
7. Clarify that in addition to .410 shotguns, it is also illegal to hunt deer, bear or elk with handguns which fire .410 shotgun slugs.
8. Update cross references related to deer registration and deer carcass tags in the CWD zone.
9. Clarify that enforcement action can be taken against a person who fails to report bobcat harvest as required.
10. Repeal a redundant, unnecessary prohibition on hunting from a roadway specifically for wild turkeys.
11. Clarify that when the assistant to a disabled hunter uses a firearm to aid in retrieval of a deer or turkey that has been shot by the disabled hunter, the assistant needs to possess a deer hunting license or any license that authorizes hunting when retrieving a turkey.

12. Clarify that disabled hunters participating in special hunts may tag a deer of either sex with their gun buck carcass tag and additional antlerless deer if they possess valid tags for that unit.

13. Move a provision to a more proper location in order to simplify code language about the removal of nuisance animals.

14. Clarify that a federal permit for the removal of certain nuisance animals can serve as the state permit in order to reduce paperwork. The state could still review permits.

15. Clarify that deer may be shot under the authority of nuisance permits on the day before the opening of nine day gun season in the CWD Management Zone where other firearm hunting is also allowed on that day. Outside the CWD Management Zone, hunting with firearms for species other than waterfowl would continue to be prohibited.

16. Clarify that hunters under the authority of damage and nuisance program permits can retain more than one deer when authorized by the department.

17. Clarify that pen standards apply to captive coyote, fox and rabbit when being transported or for the purpose of health care or treatment and special handling needs. These standards already apply for animals possessed under the authority of Ch. NR 16 related to captive wildlife and to bear, bobcat and raccoon possessed under the authority of Ch. NR 17, dog trials and training.

Agency Procedures for Promulgation

Public hearings, followed by Natural Resources Board adoption, followed by legislative review.

Description of any Forms (attach copies if available)

None

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