

Report to  
Legislative Council Rules Clearinghouse  
NR 10, Wis. Adm. Code  
Natural Resources Board Order No. WM-04-19

Wisconsin Statutory Authority

The chapter on wild animals and plants, in s. 29.014, “rule making for this chapter”, establishes that the department shall maintain open and closed seasons for fish and game and any limits, rest days, and conditions for taking fish and game.

Federal Authority

Federal regulations allow states to manage the wildlife resources located within their boundaries provided they do not conflict with regulations established in the Federal Register. None of these rule changes violate or conflict with the provisions established in the Federal Code of Regulations.

Comparison of Adjacent States

Minnesota, Iowa, Illinois and Michigan all allow night hunting of raccoons during their firearm deer seasons. Michigan and Iowa both allow the night hunting of coyote and fox during their firearm deer seasons.

Court Decisions Directly Relevant

None.

Analysis of the Rule - Rule Effect - Reason for the Rule

Raccoons, foxes and coyotes are often hunted at night, frequently with the aid of hounds or calls. Historically, night hunting of raccoons, foxes and coyotes was prohibited during the nine-day deer firearm season. In some parts of the state. The peak of raccoon hunting often occurs during the nine-day gun deer season. After the discovery of Chronic Wasting Disease in the southern farmland zone, firearm deer seasons were extended and the prohibitions for night hunting raccoons, foxes and coyotes were removed. Night hunting of raccoon, foxes, and coyotes is allowed during all other gun deer seasons including CWD zone seasons, October and December antlerless deer hunts, the youth deer hunt, and the muzzleloader season. Following the rule changes, no new law enforcement concerns were raised, and it never arose as a concern by deer hunters or other members of the public.

Agency Procedures for Promulgation

The agency will hold hearings in October and request adoption by the Natural Resources Board. The agency will then obtain the governor’s signature and then

submit the rules to the legislature for review.

Description of any Forms (attach copies if available)

None

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