

ORDER OF THE STATE OF WISCONSIN NATURAL RESOURCES BOARD
REPEALING AND RECREATING RULES

The State of Wisconsin Natural Resources Board proposes an order to repeal and recreate ch. NR 17 relating to dog training, dog trials and dog clubs.

WM-06-03

Summary Prepared by Department of Natural Resources

Statutory Authority: ss. 169.19(6), 169.20(4), 169.21(3), 169.36(7), 169.39(2) and (3) and 227.11(2)(a), Stats.

Statutes Interpreted: ss. 169.19(2) and (3), 169.20(1),(2) and (3), 169.21(1) and (2), and 169.36(4), Stats.

2001 Wisconsin Act 56 removed Wisconsin's captive wildlife laws from ch. 29, Stats., and created ch. 169, Stats. As of January 1, 2003, dog trainers and dog trials and those who possess live captive wildlife under the authority of a dog club, dog training or dog trialing license will be subject to regulation under ch. 169, Stats. This will include new license requirements and requirements of operation. This rule implements those license requirements and requirements of operation which include the following: Requirement to possess and display license to department agent upon request, except that dog clubs can maintain license at the club house. Training and trialing is only allowed on lands specified on the license and license holder must possess a receipt showing the captive animals were legally obtained. Humane care and treatment requirements are established for training or trialing activities and when animals are held in their primary enclosures. This rule maintains requirements for identification of animals that are released, but only requires marking birds other than chukar partridge, red-legged partridge, and mallards that are released to be killed. Conditions are established for training or trialing on free-roaming wild animals, when leashes are required and prohibits the killing of free-roaming animals unless otherwise authorized. This rule also allows for training and trialing on free-roaming raccoons and rabbits in the Northern Restricted Zone during May and June when training or trials on other wild animals, including bears is prohibited. If dogs are found to be running wild free-roaming bears, the license may be revoked. Class 1 and 2 dog training and trialing ground classifications, application requirements and deadlines are established. The information required on receipts or invoices for captive wild animals possessed for dog training and trialing is also identified.

Chapter NR 17
Dog training, trialing and dog clubs

SECTION 1: CHAPTER NR 17 IS REPEALED AND RECREATED TO READ:

NR 17.001 Definitions.

- (1) "Department" means the state of Wisconsin department of natural resources.
- (2) "Department lands" means lands under the management and control of the department.
- (3) "Dog training" means actively developing a dog's ability to retrieve, point, flush, or track game for the purpose of hunting, dog trial competition or hunt testing.
- (4) "Dog club" means an organization that owns or leases land for the purpose of training bird dogs or hound dogs to retrieve, point, flush or track game.
- (5) "Dog trial" means any organized competitive field event involving sporting dog breeds which is sanctioned, licensed or recognized by a local, state, regional or national dog organization.
- (6) "Hunt" or "hunting" includes shooting, shooting at, pursuing, taking, capturing or killing or attempting to capture or kill any wild animal.
- (7) "Northern restricted zone" means that portion of the state north of the highway described in s. NR 10.07(1)(i).
- (8) "Primary enclosure" means the pen or cage any captive wild animals are kept in when not being used for training.

(9) "Roll cage" means a rolling cage built to confine a captive wild animal for dog training purposes.

NR 17.01 Bird dog training license. (1) AUTHORITY. A bird dog training license authorizes the licensee to possess and use for dog training purposes only, captive bred quail of the subfamily *odontophorinae*, gray partridge, chukar partridge, red-legged partridge, mallard duck, and pheasants of the species *phasianus colchicus* or *syrmaticus reevesii*. The license does not authorize commercial shoots or organized hunts involving any of these species or the selling, breeding or propagation of bobwhite quail or mallard ducks.

Note: The selling, breeding or propagation of captive pheasants of the species *phasianus colchicus* or *syrmaticus reevesii*, gray partridge, chukar partridge, red-legged partridge and quail of the subfamily *odontophorinae* that are not bobwhite quail is allowed pursuant to ss. 169.08(2), 169.10(1)(b) and (2)(a)2. Stats. Commercial shoots may only take place as authorized by a bird hunting preserve license.

(2) CONDITIONS. The licensee shall be subject to all of the following conditions:

(a) *Display of license.* Be in possession of a bird dog training license while engaged in dog training activities and make the license available to any authorized department agent upon request.

(b) *Location.* Train only on the properties identified on the license. The properties shall be identified by township, range, section and name of the property owner or by specific department property name.

(c) *Private property owner identification.* On properties other than department lands the application shall include the name, address and phone number of the owner of the property where dogs are being trained.

(d) *Proof of legal possession.* Be in possession of a receipt or invoice meeting the requirements of s. NR 17.11 indicating the captive wild birds were purchased or obtained from a legal source. The licensee shall make the receipt or invoice available to any authorized department agent upon request.

(e) *Care and treatment.* Captive wild birds possessed for dog training purposes shall be treated in a humane manner and confined under sanitary conditions with proper and adequate space, shade, food and fresh water. If birds are severely injured, they shall be humanely killed. Primary and transportation enclosures for the captive wild birds shall meet the requirements in ss. NR 16.30 and 16.38.

(f) *Captive wild bird identification.* All captive wild birds specified in s. 169.19(2)(b) 1. to 6., Stats., except mallards identified as required under 50 CFR 21.13(b), chukar partridge, and red-legged partridge, released and killed under the authority of a dog training license shall, prior to release, be marked around the leg with a band supplied by the department.

(g) *Bird bands.* The licensee may not have on their person while engaged in dog training any unused department dog training bird bands. Birds that are not banded or identified as required in par. (f) may not be killed during training exercises.

(3) EXCEPTIONS. Bird dog training licenses are not required on licensed bird hunting preserves or licensed dog club training properties.

NR 17.02 Hound dog training license. (1) AUTHORITY. A hound dog training license authorizes the licensee to possess and use captive raccoons or rabbits for dog training purposes, and use captive black bear possessed under the authority of a captive wild animal farm license for dog training purposes. The license does not authorize commercial or organized shoots, selling, breeding or propagating of animals or training of dogs with the use of captive bear on department lands.

Note: Unintentional reproduction of rabbits in pens is not a violation of this section.

(2) CONDITIONS. The licensee shall be subject to all of the following conditions:

(a) *Display of license.* Be in possession of a hound dog training license while engaged in dog training activities and make the license available to any authorized department agent upon request.

(b) *Location.* Train only on the properties identified on the license. The properties shall be identified by township, range, section and name of the property owner or by specific department property name.

(c) *Private property owner identification.* On properties other than department lands the application shall include the name, address and phone number of the owner of the property where dogs are being trained.

(d) *Proof of legal possession.* Any person using captive wild animals for dog training shall possess a receipt or invoice meeting the requirements of s. NR 17.11 and indicating the captive animals were purchased or obtained from a licensed captive wild animal farm, wild fur farm or other legal source. The licensee shall make the receipt or invoice available to any authorized department agent upon request.

(3) CARE AND HOUSING. (a) *Raccoon and rabbit.* Captive raccoons and rabbits possessed for dog training purposes shall be treated in a humane manner and confined under sanitary conditions with proper and adequate space, shade and fresh water. If raccoons or rabbits are severely injured, they shall be humanely killed. Primary and transportation enclosures for captive raccoons and rabbits shall meet the requirements in ss. NR 16.30 and 16.38. Cages used for captive raccoons during training exercises shall meet the following requirements:

1. The cage is strong enough to contain the raccoon securely and comfortably and to withstand the normal rigors of training.

2. The interior of the cage has no sharp points or edges and no protrusions that could injure the raccoon contained in it.

3. The cage shall be constructed and maintained so as to provide sufficient space to allow the raccoon to make normal postural adjustments with adequate freedom of movement to sit, stand on all 4 legs and lie in a normal manner.

4. When the cage is elevated in a tree or on a pole for training purposes, the cage shall be raised a minimum of 10 feet off the ground.

(b) *Raccoon identification.* Captive raccoons used for dog training shall be tattooed, ear tagged or held by restraint or placement in a cage.

(c) *Captive bear.* Captive bear may be used for dog training purposes provided:

1. The bear is possessed under authority of a captive wild animal farm license.

2. The bear is kept in a cage at all times. The cage shall be constructed so that:

a. The cage is strong enough to contain the bear securely and comfortably and to withstand the normal rigors of training.

b. The interior of the cage has no sharp points or edges and no protrusions that could injure the bear contained in it.

c. The bear is at all times securely contained within a cage with mesh size no greater than 2 square inches in a way that it is not likely to result in injury to itself, to handlers, or to persons or animals nearby.

d. The cage shall be constructed and maintained so as to provide sufficient space to allow the bear to make normal postural adjustments with adequate freedom of movement to sit, stand on all 4 legs, turn around and lie in a normal manner.

e. Permanent devices such as handles or handholds shall be provided on the exterior that enables the cage to be lifted and ensures that anyone handling the cage will not come into physical contact with the bear contained inside.

f. When the cage is elevated in a tree or on a pole for training purposes, the cage shall be raised a minimum of 10 feet off the ground.

3. All individuals except the owner, the owner's designee or the dog handler shall be kept at least 4 feet from the cage by a barrier.

4. Dogs shall be kept a minimum of one foot from the cage at all times by restraint or barrier fence except where the cage is covered by solid material.

5. The cage shall be adequately shaded at all times.

6. The bear shall have access to fresh water.

7. Roll cages may not be used for dog training with bear.

NR 17.03 Dog club training license. (1) AUTHORITY. A dog club training license authorizes the club members to possess and use captive wild pheasants of the species *phasianus colchicus* or *syrmaticus reevesii*, quail of the subfamily *odontophorinae*, gray partridge, chukar partridge, red-legged partridge, and mallard ducks that are bred in captivity for bird dog training. A dog club training license authorizes the club members to possess and use captive wild raccoons and rabbits for hound dog training. The license does not authorize the use of captive bear, commercial shoots, animal selling, breeding or propagation.

Note: Unintentional reproduction of rabbits in pens is not a violation of this section.

(2) CONDITIONS. When training under the authority of the dog club training license, the licensee and its members shall be subject to all of the following conditions:

(a) *Display of license.* Be in possession of a dog club training license at the clubhouse or training grounds where the training activity is occurring. If a club member is engaged in training activities but not within one-quarter mile of the clubhouse, the member shall be in possession of a copy of the club training license. Club members shall make the license available to any authorized department agent upon request.

(b) *Location.* Train only on the properties identified on the license. The properties shall be identified by township, range, section and name of the property owner.

(c) *Proof of legal possession.* Any licensee or its members using captive wild birds or wild animals for dog training shall possess a receipt or invoice meeting the requirements of s. NR 17.11 indicating the captive birds or animals were purchased or obtained from a legal source. Club members shall make the receipt or invoice available to any authorized department agent upon request.

(d) *Care and treatment.* Captive wild birds, raccoons and rabbits possessed for dog training purposes shall be treated in a humane manner and confined under sanitary conditions with proper and adequate space, shade, food and fresh water. If birds or animals are severely injured, they shall be humanely killed. Primary and transportation enclosures for the captive wild animals shall meet the requirements in ss. NR 16.30 and 16.38. Cages used for captive raccoons during training exercises shall meet the following requirements:

1 The cage is strong enough to contain the raccoon securely and comfortably and to withstand the normal rigors of training.

2. The interior of the cage has no sharp points or edges and no protrusions that could injure the raccoon contained in it.

3. The cage shall be constructed and maintained so as to provide sufficient space to allow the raccoon to make normal postural adjustments with adequate freedom of movement to sit, stand on all 4 legs, turn around and lie in a normal manner.

4. When the cage is elevated in a tree or on a pole for training purposes, the cage shall be raised a minimum of 10 feet off the ground.

(e) *Captive wild bird identification.* All captive wild birds specified in s. 169.19(2)(b) 1. to 6., Stats., except mallards identified as required under 50 CFR 21.13 (b), chukar partridge, and red-legged partridge released and killed under the authority of a dog training license shall, prior to release, be marked around the leg with a band supplied by the department.

(f) *Bird bands.* No person may have on their person while engaged in dog training any unused department dog training bird bands. Birds that are not banded or identified as required in par. (e) may not be killed during training exercises.

(g) *Licensed captive raccoons.* Captive raccoons used for dog training shall be tattooed, ear tagged or held by restraint or placement in a cage.

NR 17.04 Dog training on free roaming wild animals and additional restrictions on dogs. (1)

AUTHORITY. Except as described in subs. (2) and (3), any person may train dogs on free-roaming wild animals without a dog training license.

(2) PROHIBITIONS. (a) *Department lands.* On department lands open to public hunting that are not designated open to dog training under s. NR 17.05, dogs shall be controlled by a person using a leash which is no more than 8 feet in length from April 15 through July 31 except as described in sub. (3).

(b) *Northern restricted zone.* Dog training on any captive or free roaming wild animal is prohibited May 1 to June 30 on all lands within the northern restricted zone except as described in sub. (3)(a).

(c) *Bear dog training.* A person may not use dogs to pursue wild bear except as provided in sub. (3)(c).

(d) *Killing wild animals.* No person engaged in training dogs may kill or cause to be killed any free roaming wild animal including unprotected wild animals as defined in s. NR 19.001(17) without department approval.

(3) EXCEPTIONS. (a) *Northern restricted zone hound dog training on raccoon and rabbits.* In 2004, 2005 and 2006, a person may train dogs on captive or free-roaming raccoons and rabbits in the northern restricted zone May 1 to June 30 provided all the following apply:

1. The licensee applies for and receives a hound dog training license.

2. The licensee shall list no more than 3 townships in the same or adjoining counties.

3. The department approves the property locations listed.

4. No more than 2 dogs in a single pack may be used to pursue raccoon or rabbit regardless of the number of persons assisting or accompanying the hound dog training license holder and regardless of the dog ownership.

5. The licensee complies with any restrictions placed on a license to prevent the intentional or unintentional pursuit of wild bear.

(b) *Hound dog training on free-roaming raccoons and rabbit.* Except where prohibited by s. NR 45.06, from July 1 to the following April 14th, hound dogs may be trained on free-roaming raccoons and rabbits on department lands without a leash.

(c) *Bear dog training.* Except where prohibited by s. NR 45.06, an individual may use dogs to pursue wild bear without a leash from July 1 to August 31 provided the individual possesses a class A or B bear license issued under s. 29.184, Stats., or is exempt under s. 29.184(5), Stats., and:

1. Each dog is uniquely tattooed or wears a collar with the owner's name and address attached.
2. No more than 6 dogs in a single pack may be used to pursue bear regardless of the number of persons assisting the bear hunting licensee and regardless of the dog ownership.

Note: A hound dog training license is not required to train on free roaming bear during the July 1 to August 31 bear dog training period. A class A or B bear hunting license is required to train during this period. Bear may be hunted with the aid of dogs during the seasons described in s. NR 10.01(3)(g).

(4) REVOCATIONS. Pursuant to s. 169.45(7), Stats., the department may revoke a dog training license issued under s. 169.20, Stats., when dogs are found to be running bear in the northern restricted zone at times other than the July 1 to August 31 bear dog training period established under s. NR 10.101(2)(b).

NR 17.05 Classes of dog training grounds. (1) CLASS 1 DOG TRAINING GROUNDS. Class 1 dog training grounds are those posted, marked or designated department lands where dog training is authorized year-round. Dog trainers may use equine animals where approved by the department or by posted notice. Class 1 dog training grounds include the following:

- (a) Richard Bong state recreation area – special use zone.
- (b) George W. Mead wildlife area.
- (c) Lower Wisconsin River wildlife area – Mazomanie unit.
- (d) Kettle Moraine state forest – northern and Ottawa units.
- (e) Pine Island wildlife area.

(2) CLASS 2 DOG TRAINING GROUNDS. Class 2 dog training grounds are those department lands not established in sub. (1), but are designated on the license and approved by the department. The department may deny or restrict dog training on department lands if dog training is determined to be inconsistent with the master plan, property plan, wildlife management objectives, or federal requirements.

NR 17.06 Bird dog trial license. (1) AUTHORITY. A bird dog trialing license authorizes the licensee and participants in an organized competitive field event that involves sporting dog breeds and that is sanctioned, licensed or recognized by a local, state, regional or national dog organization to possess and use for dog trialing only, captive wild pheasants of the species *phasianus colchicus* or *syrmaticus reevesii*, quail of the subfamily *odontophorinae*, gray partridge, chukar partridge, red-legged partridge and mallard ducks that are bred in captivity. The license does not authorize commercial shoots involving any of the above species or the selling, breeding or propagation of bobwhite quail or mallard ducks.

Note: The selling, breeding or propagation of captive pheasants of the species *phasianus colchicus* or *syrmaticus reevesii*, gray partridge, chukar partridge, red-legged partridge and quail of the subfamily *odontophorinae* that are not bobwhite quail is allowed pursuant to ss. 169.08(2), 169.10(1)(b) and (2)(a)2., Stats. Commercial shoots may only take place as authorized by a bird hunting preserve license.

(2) CONDITIONS. The licensee and participants authorized by the bird dog trial license shall be subject to the following conditions:

(a) *Display of license.* A bird dog trial license shall be in the possession of the grounds marshal during dog trialing activities and made available to any authorized department agent upon request.

(b) *Location.* The licensee and participants may trial only on the properties identified on the license. The properties shall be identified by township, range, section and name of the property owner or by specific department property name.

(c) *Property owner identification.* The application shall include the name, address and phone number of the owners of the property where dogs are being trialed.

(d) *Proof of legal possession.* The licensee and participants using captive wild birds for dog trialing shall possess a receipt or invoice meeting the requirements of s. NR 17.11 indicating the captive wild birds were purchased or obtained from a legal source. The licensee shall make the receipt or invoice available to any authorized department agent upon request.

(e) *Care and treatment.* Captive wild birds possessed for dog trial purposes shall be treated in a humane manner and confined under sanitary conditions with proper and adequate space, shade, food and fresh water. If birds are severely injured, they shall be humanely killed. Primary and transportation enclosures for captive wild birds shall meet the requirements in ss. NR 16.30 and 16.38.

(f) *Captive wild bird identification.* Captive wild birds released and killed under the authority of a dog trial license do not have to be marked prior to release. Mallards shall be marked as required by 50 CFR 21.13(b).

(3) EXCEPTIONS. Bird dog trial licenses are not required on licensed bird hunting preserves.

NR 17.07 Hound dog trial license. (1) AUTHORITY. A hound dog trialing license authorizes the licensee and participants in an organized competitive field event that involves sporting dog breeds and that is sanctioned, licensed or recognized by a local, state, regional or national dog organization to possess and use captive raccoons or rabbits for dog trialing purposes and use captive bear possessed under the authority of a captive wild animal farm license issued under s. 169.15, Stats., for dog trialing purposes. The license does not authorize commercial shoots or selling, breeding or propagating of animals or trialing of captive bear on department lands.

(2) CONDITIONS. The licensee and participants authorized by the hound dog trial license shall be subject to the following conditions:

(a) *Display of license.* The licensee and participants shall be in possession of the master of hounds during the trial event. The license shall be made available to any authorized department agent upon request.

(b) *Location.* The licensee and participants may trial only on the properties identified on the license. The properties shall be identified by township, range, section and name of the property owner or by specific department property name.

(c) *Property owner identification.* The application shall include the name, address and phone number of the owners of the property where dogs are being trialed.

(d) *Proof of legal possession.* Any person using captive wild animals for dog trialing shall possess a receipt or invoice meeting the requirements of s. NR 17.11 and indicating the captive animals were purchased or obtained from a licensed captive wild animal farm, wild fur farm or other legal source. The licensee shall make the receipt or invoice available to any authorized department agent upon request.

(3) CARE AND HOUSING. (a) Raccoon and rabbit. Captive raccoons and rabbits possessed for dog trialing purposes shall be treated in a humane manner and confined under sanitary conditions with proper and adequate space, shade, food and fresh water. If raccoons or rabbits are severely injured, they shall be humanely killed. Primary and transportation enclosures for captive raccoons and rabbits shall meet the requirements in ss. NR 16.30 and 16.38. Cages used for captive raccoons during trialing exercises shall meet the following requirements:

1. The cage is strong enough to contain the raccoon securely and comfortably and to withstand the normal rigors of trialing.

2. The interior of the cage has no sharp points or edges and no protrusions that could injure the raccoon contained in it.

3. The cage shall be constructed and maintained so as to provide sufficient space to allow the raccoon to make normal postural adjustments with adequate freedom of movement to sit, stand on all 4 legs and lie in a normal manner.

4. When the cage is elevated in a tree or on a pole for trialing purposes, the cage shall be raised a minimum of 10 feet off the ground.

(b) *Raccoon identification.* Captive raccoons used for dog trialing shall be tattooed, ear tagged or held by restraint or placement in a cage.

(c) *Captive bear.* Captive bear may be used for dog trialing purposes provided:

1. The bear is possessed under authority of a captive wild animal farm license.

2. Bear shall be kept in a cage at all times. Cages shall be constructed so that:
 - a. The cage is strong enough to contain the bear securely and comfortably and to withstand the normal rigors of trialing.
 - b. The interior of the cage has no sharp points or edges and no protrusions that could injure the bear contained in it.
 - c. The bear is at all times securely contained within a cage with mesh size no greater than 2 square inches in a way that it is not likely to result in injury to itself, to handlers, or to persons or animals nearby.
 - d. The cage shall be constructed and maintained so as to provide sufficient space to allow the bear to make normal postural adjustments with adequate freedom of movement to sit, stand on all 4 legs, turn around and lie in a normal manner.
 - e. Permanent devices such as handles or handholds shall be provided on the exterior that enables the cage to be lifted and ensures that anyone handling the cage will not come into physical contact with the bear contained inside.
 - f. When the cage is elevated in a tree or on a pole for trial purposes, the cage shall be raised a minimum of 10 feet off the ground.
3. All individuals except the owner, the owner's designee or the dog handler shall be kept at least 4 feet from the cage by a barrier.
4. Dogs shall be kept a minimum of one foot from the cage at all times by restraint or barrier fence except where the cage is covered by solid material.
5. The cage shall be adequately shaded at all times.
6. The bear shall have access to fresh water.
7. Roll cages may not be used for dog trialing with bear.

NR 17.08 Dog trialing on free roaming wild animals and additional restrictions on dogs. (1)

AUTHORITY. Except as described in subs. (2) and (3), any person may trial dogs on free-roaming wild animals without a dog trialing license.

(2) PROHIBITIONS. (a) *Department lands*. On department lands open to public hunting that are not designated open to dog trialing under s. NR 17.10, dogs shall be controlled by a person using a leash which is no more than 8 feet in length from April 15 through July 31 except as described in sub. (3).

(b) *Northern restricted zone*. Dog trialing on any captive or free roaming wild animal is prohibited May 1 to June 30 on all lands north of the highway described in s. NR 10.07(1)(i) except as described in sub. (3)(a).

(c) *Bear dog trialing*. A person may not use dogs to pursue wild bear except as provided in sub. (3)(c).

(d) *Killing wild animals*. No person engaged in trialing dogs may kill or cause to be killed any free roaming wild animal including unprotected wild animals unless otherwise authorized.

(3) EXCEPTIONS. (a) *Northern restricted zone hound dog trialing on raccoon and rabbits*. In 2004, 2005 and 2006, an individual may trial dogs on captive or free-roaming raccoons and rabbits May 1 to June 30 provided all the following apply:

1. The individual applies for and receives a hound dog trial license.
2. The location of the master of hounds and the name of any approved state properties where the dog trials are to be held shall be listed on the hound dog trial license.

Note: Private lands need not be listed on the trial license.

3. The applicant complies with any restrictions placed on a license to prevent the intentional or unintentional pursuit of wild bear.

(b) *Hound dog trialing on free-roaming raccoons and rabbit*. Except where prohibited by s. NR 45.06, from July 1 through the following April 14, hound dogs may be trialed on free-roaming raccoons and rabbits on department lands without a leash.

(c) *Bear dog trialing*. Except where prohibited by s. NR 45.06, an individual may use dogs to pursue wild bear without a leash from July 1 to August 31 provided the individual possess a class A or B bear license issued under s. 29.184, Stats., or is exempt under s. 29.184(5), Stats., and:

1. Each dog is uniquely tattooed or wears a collar with the owner's name and address attached.
2. No more than 6 dogs in a single pack may be used to pursue bear regardless of the number of persons assisting the bear hunting licensee and regardless of the dog ownership.

Note: A hound dog trial license is not required to trial on free roaming bear during the July 1 to August 31 bear dog training period. A class A or B bear hunting license is required to participate in a trial during this period. Bear may be hunted with the aid of dogs during the seasons described in s. NR 10.01(3)(g).

(4) REVOCATIONS. Pursuant to s. 169.45(7), Stats., the department may revoke a dog trialing license issued under s. 169.21, Stats., when dogs owned or under control of the licensee are found to be running bear in the northern restricted zone at times other than the July 1 to August 31 bear dog training period established under s. NR 10.101(2)(b).

NR 17.09 Dog trials on department lands. (1) APPLICATIONS. Applications shall be made before March 1 for trials held on or prior to July 31 and before July 1 for trials held after July 31 to coordinate scheduling with other events. Thereafter, applications for open dates shall be considered by the department on a first-come, first-served basis and shall be submitted at least 10 days prior to the date of the trial.

(2) DEPARTMENT STOCK. Captive wild pheasants provided by the department may only be used on department lands and may not be shot at dog trials unless authorized by the department. Live game birds provided by the department shall be released on the trial grounds at the end of the event. All animals, which are no longer alive, shall be consumed or promptly disposed.

(3) GROUNDS CONDITION. The department may cancel or reschedule dog trial events and restrict or prohibit dog trial equine or vehicle use if excessive damage occurs or is likely to occur to soils or vegetation on department lands. License fees shall be refunded if a trial is canceled by the department and an alternative site or date cannot be established.

(4) LITTER. The licensee, at the completion of the field trial, shall remove all waste material including field trial markers.

(5) GROUNDS MARSHAL. A grounds marshal or master of hounds responsible for the dog trial coordination, supervision, clean up and regulation compliance shall be designated by the licensee for each field trial.

(6) EQUINES. Equines may be used only as authorized by the trial license.

NR 17.10 Classes of field trial grounds. (1) CLASS 1 FIELD TRIAL GROUNDS. Class 1 field trial grounds are those posted, marked or designated department lands where dog trials are authorized year-round, except hunting shall have priority. Class 1 field trial grounds include the following:

- (a) Richard Bong state recreation area – the west unit of the special use zone.
- (b) George W. Mead wildlife area.
- (c) Lower Wisconsin River wildlife area – Mazomanie unit.
- (d) Kettle Moraine state forest –Ottawa unit.
- (e) Pine Island wildlife area.

(2) CLASS 2 FIELD TRIAL GROUNDS. Class 2 field trial grounds are those department lands not established in sub. (1), and designated on the field trial license and approved by the department. The department may deny or restrict dog training on department lands if dog training is determined to be inconsistent with the master plan, property plan, wildlife management objectives, or federal requirements.

NR 17.11 Record-keeping requirements. Receipts and invoices required under this chapter and s. 169.36(4), Stats., shall include all of the following:

(1) NAME AND ADDRESS. The complete name and address of the person from whom the wild animals were purchased or acquired or of the person to whom any wild animals were transferred.

(2) LICENSE NUMBER. The number of any license issued under the authority of ch. 169, Stats., held by the seller if applicable.

(3) DATE. The date of the transaction.

(4) SPECIES INFORMATION. The number, sex and species of the wild animals purchased, acquired or transferred.

SECTION 2. EFFECTIVE DATE. This rule shall take effect the first day of the month following publication in the Wisconsin administrative register as provided in s. 227.22(2)(intro.), Stats.

SECTION 3. BOARD ADOPTION. This rule was approved and adopted by the State of Wisconsin Natural Resources Board on June 25, 2003.

Dated at Madison, Wisconsin _____.

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

By _____
Scott Hassett, Secretary

(SEAL)