

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

The Wisconsin Natural Resources Board proposes an order to repeal NR 10.25(4)(e) and 19.01(2)(b) through (h); to renumber 10.001(15)(b) and (c), 10.09(1)(c)1.d. and 19.01(2)(i), (j) and (k); to amend 1.18(8), 10.001(20), 10.09(1)(a)3.a., (1)(c)1.d. and note, 2. and 3., 10.02(3) and (10), 10.104(7)(a) and (9), 10.111(7), 10.12(2)(b)1. and 2., 10.13(1)(b)8.b., 15.a. and d., 10.145(intro.), (3)(b), (4)(b), (5)(a)1. and (c), and (6)(d), 10.24(8)(a), 10.25(1)(c)2., 10.26(1)(b)2., 10.40(4)(b)1., 12.10(3)(title), (intro.) and (e), 12.16(8)(b), 12.31(4e), 16.12(3)(b)8., 9. and 11., 16.13(1), 16.30(4)(a)2.f., (b)2.a. and c., 16.50(3)(b) (intro.), 17.07(2)(a), 19.01(2)(j) and (k), 19.13(3), 19.25 and 27.05(2)(d); to repeal and recreate 10.25(2)(b); and to create 10.001(15)(b) and (23e), 10.08(5) note, 10.104(9) note and (14), 10.111(7), 12.15(11)(d) and 12.37(1)(d) pertaining to permitting and applications, hunting, trapping, captive wildlife, agricultural damage and nuisance wildlife.

WM-02-05

Analysis Prepared by the Department of Natural Resources

Statutory Authority and Explanation: Statutes that authorize the promulgation of this rule order include sections 29.014, 29.024(5), 29.885(2), 29.889(2), 169.02, 169.15(5), 169.19(6), 169.20(4), 169.25(6) and 227.11, Stats. These sections grant rule making authority to the department to establish and maintain open and closed seasons for hunting and that all rules promulgated under this authority are subject to review under ch. 227, Stats.

Statutes Interpreted and Explanation: In promulgating this rule sections, 29.014, 29.024(5), 29.885(2), 29.889(2), 169.02, 169.15(5), 169.19(6), 169.20(4), 169.25(6), Stats. have been interpreted as providing the department with the authority to make these housekeeping clarifications.

Related Statute or Rule: Annually the Bureau of Wildlife Management submits corrections and clarifications to chs. NR 10, 12, 16, 17, 19 and 27. This changes are necessary to assure that the administrative code is consistent with new statutes and administrative rules promulgated in the previous year, and to correct inconsistencies that may arise as a result of new technologies, new licenses, agricultural damage, permitting, hunter interests or hunting and trapping methods. Additionally, some changes are necessary to organize the existing administrative code sections to allow for ease of reference and reading.

Plain Language Rule Analysis: These rule changes are minor and non-controversial in nature. Annually the department updates administrative code language to correct inconsistencies and outdated language and provide clarification where appropriate. This year, the department has proposed the following changes related to hunting, trapping, captive wildlife, licensing and agricultural damage caused by nuisance wildlife:

- Updates the administrative code to reference the scientific research license, as it pertains to possession and acquisition of wild animals for research purposes, which was created under the captive wildlife legislation.
- Clarifies doves as being included in the department's definition of migratory game birds.
- Clarifies that cylinder loading black powder handguns may be used for hunting if they meet the same requirements of a muzzle-loading handguns.
- Clarifies that the concealment by natural vegetation requirement for non-open water waterfowl hunting also applies to a waterfowl blind.
- Creates a definition for rifle.
- Clarifies that hen pheasants taken or held under ch. 29 or 169, Stats. authority are not considered protected.
- Codifies the department position that pigeons are considered domestic animals and therefore are not subject to NR 10 hunting regulations or ch. 29, Stats. licenses.
- Clarifies various weapon regulations and specifically clarifies that air guns may not be used for deer or bear hunting.
- Updates references to the submission of special permit applications necessary due to modified hours of operation for DNR service centers.
- Codifies the issuance of special permits for those who tag a deer with an incorrect tag.
- Clarifies that a structure, for the purposes of dry land body gripping type traps is a single unit or structure.
- Updates rule language pertaining to use of cable restraints following analysis of regulations from the first cable restraint season in January and February 2004.
- Corrects typos and grammar and updates references in sections of chs. NR 10, 12, 16, 19 and 27 pertaining to hunting.
- Clarifies rules pertaining to turkey tagging and tag validation.
- Clarifies that all participants assisting in removal of damage or nuisance wildlife shall comply with all hunting and trapping rules, unless specifically exempted by permit, rules or statute.
- Clarifies the type of license required for those assisting with turkey damage shooting permits.
- Clarifies that wildlife damage claims shall be paid only to the owner of the property or crop eligible for damage claims.

Federal Regulatory Analysis: Provided state rules and statutes do not relieve individuals from the restrictions, requirements and conditions of Federal statutes and regulations, regulation of hunting and trapping of native species has been delegated to state fish and wildlife agencies. Additionally, none of the proposed rules exceed the authorities granted the states in 50 CFR 10.

State Regulatory Analysis: These housekeeping rule changes are minor and non-controversial in nature and therefore, do not represent policy or significant rule changes that may differ from surrounding states. All surrounding states have regulations and rules in place for the management of wild upland, migratory and trapping species, however these proposed rule changes to the Wisconsin Administrative code are not relevant to or comparable to any known similar housekeeping initiatives in our surrounding states.

Summary of Factual Data and Analytical Methodologies: This rule order is based solely on the need to correct inconsistencies created through the promulgation of other rules and statutes and to serve as a vehicle to provide clarification to existing code.

Anticipated Private Sector Costs: These rules, nor the legislation which grants the department rule making authority, do not have a significant fiscal effect on the private sector. Additionally, no significant costs are associated with compliance to these rules.

Effects on Small Businesses: These rules are applicable to individual sportspersons and impose no compliance or reporting requirements for small businesses, nor are any design or operational standards contained in the rule.

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Section 1. NR 1.18(8) is amended to read:

NR 1.18(8) (title) SCIENTIFIC COLLECTION AND RESEARCH. Except as provided by specific rule or law, all protected wild animals, alive or dead, not listed as endangered or threatened species may be acquired and possessed only by persons possessing ~~the appropriate~~ scientific collectors permit issued under s. 29.614, Stats., or scientific research license issued under s. 169.25, Stats. ~~Such~~ The permits or licenses shall be issued only if the use of the wild animal provides useful scientific knowledge or educational opportunities in the natural sciences consistent with s. NR 19.11.

Section 2. NR 10.001(15)(b) and (c) are renumbered NR 10.001(15)(c) and (d).

Section 3. NR 10.001(15)(b) is created to read:

NR 10.001(15)(b) *Columbidae*. (doves),

Section 4. NR 10.001(20) is amended to read:

NR 10.001(20) "Open water" means any water beyond a natural growth of vegetation rooted to the bottom and extending above the water surface of such height as to offer whole or partial concealment for the hunter and the blind if one is used. Dead stumps and dead trees in water do not constitute a natural growth of vegetation.

Section 5. NR 10.001(23e) is created to read:

NR 10.001(23e) "Rifle" for the purposes of this chapter means a firearm or airgun designed to be fired from the shoulder by the energy of an explosive propellant or by compressed air, used to fire a single projectile for each pull of the trigger through a rifled or smooth barrel. For the purpose of hunting deer, muzzle-loading firearms and shotguns which fire a single projectile are not considered rifles.

Section 6. NR 10.02(3) and (7) are amended to read:

NR 10.02 (3) Albino or white deer which are white except for the hooves, tarsal glands, head ~~and~~ or parts of the head.
(7) Hen pheasants except as expressly provided in this chapter, or in ch. 29 or 169, Stats.

Section 7. NR 10.08(5) note is created to read:

Note: Pigeons are considered domestic animals by the department and therefore are not subject to this chapter or ch. 29, Stats.

Section 8. NR 10.09(1)(a)3.a. is amended to read:

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

Section 9. NR 10.09(1)(c)1.d. is renumbered (1)(c)1.e, and as renumbered, is amended to read:

NR 10.09(1)(c) 1.e. Crossbows may be used by disabled individuals issued a permit under ss. 29.171 (4) and 29.193 (2), Stats., which authorize the use of a crossbow and by resident senior citizens ~~pursuant to s. 29.171(2m), Stats.,~~ to hunt small game, bear, deer, elk and wild turkey with an appropriate license, permit and tag if required.

Note: In addition, pursuant to ss. 29.164 and 29.171, Stats., crossbows may be used by resident senior citizens for hunting turkey under a license issued under s. 29.164, Stats., bear under a license issued under s. 29.184, Stats., elk under a license issued under s. 29.182, Stats., and for small game and deer under the authority of an archery license issued under s. 29.171, Stats.

Section 10. NR 10.09(1)(c)1.d. is created to read:

NR 10.09(1)(c)1.d. Deer or bear may be hunted with cylinder loading black powder muzzle-loading handguns which are not less than .44 caliber, do not use cartridges, and have a minimum barrel length of 7 inches measured from muzzle to breech face that fire a single projectile weighing not less than 138 grains.

Section 11. NR 10.09(1)(c)2. and 3. are amended to read:

NR 10.09(1)(c)2. `Deer or bear hunting.' Hunt any deer or bear with any air rifle, rim-fire rifle, any center-fire rifle less than .22 caliber, any .410 bore or less shotgun or with ammunition loaded with full metal jacket, nonexpanding type bullets.

3. `Possession.' Possess any rim-fire rifle larger than .22 rim-fire caliber or any center-fire rifle .22 caliber or larger in areas wherein there is an open season or hunt specified in s. NR 10.01 (3) for hunting deer with shotgun only unless the rifle is unloaded and enclosed within a carrying case.

Section 12. NR 10.104(7) (a) and (9) are amended to read:

NR 10.104 Deer population management. (7)(a) *Application deadline.* All applications shall be postmarked no later than the deadline dates indicated on the form or received by ~~the department license section no later than 4:30 p.m. a~~ department service center location on those dates to be considered for selection. The department may not establish the annual application deadline to be earlier than July 1.

Note: The department conducts extensive publicity on the application deadlines beginning several months prior to any deadline. Application deadline dates are published in news releases, the department Web site at www.dnr.wi.gov, license outlet handouts, and pertinent regulation pamphlets. ~~The license section address is 101 South Webster, Box 7926, Madison, WI 53707. Department service center office hours may vary by location.~~

(9) PERMIT AUTHORITY. No person may hunt antlerless deer in deer management units described as such in s. NR 10.01 (3) ~~(e)~~ unless he or she possesses a current ~~validated~~ valid antlerless deer hunting permit for the deer management unit in which the person is hunting, or is hunting as authorized in s. 29.324, Stats.

Section 13. NR 10.104(9) note and (14) are created to read:

Note: Section 29.324, Stats., Group deer hunting. (1) In this section:

- (a) "Contact" means visual or voice contact without the aid of any mechanical or electronic amplifying device other than a hearing aid.
- (b) "Group deer hunting party" means 2 or more hunters hunting in a group all using firearms, each of whom holds an individual license to hunt deer.
- (2) Any member of a group deer hunting party may kill a deer for another member of the group deer hunting party if both of the following conditions

exist:

- (a) At the time and place of the kill, the person who kills the deer is in contact with the person for whom the deer is killed.
- (b) The person for whom the deer is killed possesses a current unused deer carcass tag which is authorized for use on the deer killed.
- (3) A person who kills a deer under sub. (2) shall ensure that a member of his or her group deer hunting party without delay attaches a current validated deer carcass tag to the deer in the manner specified under s. 29.347 (2). The person who kills the deer may not leave the deer unattended until after it is tagged.

NR 10.104(14) DEER CARCASS TAG REPLACEMENT PERMITS. The department may provide free replacement permits issued under s. 29.177, Stats., to hunters who legally harvest deer and validate and place the incorrect tag on the deer in any season or hunt established in s. NR 10.01(3), provided the hunter is in possession of the correct tag for the type of deer harvested. Each special permit shall be:

- (a) Issued by a department employee or a designated agent.
- (b) Issued to the hunter harvesting and tagging the deer with an incorrect tag.
- (c) Issued for the type of deer authorized on the permit or license used to harvest and tag the incorrect deer.

Section 14. NR 10.111(7) is amended to read:

NR 10.111(7) APPLICATION PROCEDURE. Applications for elk licenses shall be on forms provided by the department. Applications shall be postmarked no later than April 10 or received by ~~the department customer service and licensing bureau, 101 South Webster, P.O. Box 7924, Madison, WI 53707~~ no later than 4:30 p.m. on April 10 a department service center location no later than April 10.

Section 15. NR 10.111(7) note is created to read:

Note: The department conducts extensive publicity on the application deadlines beginning several months prior to any deadline. Application deadline dates are published in news releases, the department Web site at www.dnr.wi.gov, license outlet handouts, and pertinent regulation pamphlets. Department service center office hours may vary by location.

Section 16. NR 10.125(2)(b)1. and 2. are amended to read:

NR 10.125(2) APPLICATION AND ISSUANCE REQUIREMENTS. (b) *Deadlines*. 1. All applications for the Horicon, ~~and~~ Collins ~~and~~ Exterior zones shall be postmarked no later than the deadline dates indicated on the forms or received by ~~the department license section no later than 4:30 p.m.~~ a department service center location on that date to be considered for selection. The annual application deadlines may not be sooner than July 1.

Note: The department conducts extensive publicity on the application deadlines beginning several months prior to any deadline. Application deadline dates are published in news releases, ~~the department Web site at www.dnr.wi.gov,~~ license outlet handouts, and pertinent regulation pamphlets. ~~The license section address is 101 South Webster, Box 7924, Madison, WI 53707.~~ Department service center hours may vary by location.

2. Exterior zone and early goose hunt subzone ~~permit applications permits~~ may be obtained ~~by mail or in person at department regional offices and service centers during normal office hours~~ at a license vendor or department service center location throughout the open season.

Note: ~~Normal office hours are 8:00 a.m. - 4:30 p.m. Monday through Friday.~~ Department service center office hours may vary by location.

Section 17. NR 10.13(1)(b)8.b. is amended to read:

NR 10.13(1)(b)8.b. Set, place or operate any 7" x 7" body-gripping type traps, 220 conibear type, trap; as a water set unless one-half of the trap is located underwater at all times; as an elevated set unless the trap is placed at least 5 feet above the surface; as a baited and/or scented set in or on the ground unless the trap trigger is within an enclosure that provides openings no greater than 50 square inches for a 7 inch minimum recess; 8 inch height x 10 inch width opening with a 10 inch minimum recess from the enclosure openings; as an unbaited and/or unscented trail set in or on the ground unless the trap is within an enclosure that provides openings no greater than 10 inches in height and 10 inches in width and is recessed a minimum of 15 inches from the enclosure openings; or as a bottom entry enclosure set unless the entire opening of the enclosure is no more than 7 inches above the surface. The measurement to the surface is the distance to the first surface beneath the trap or opening, where the surface is ground, ice, crusted or packed snow or any other hard material. For the purposes of this paragraph, an enclosure means any single unit, device or structure that creates a barrier to the trap allowing entry only through designated openings in the device or structure.

Section 18. NR 10.13(1)(b)15.a. and d. are amended to read:

NR 10.13(1)(b)15.a. Cable length of 7 feet or less of 7 bundles comprised of 7 wires per bundle or 19 bundles comprised of 7 wires per bundle, with a diameter of ~~1/8 inch or 3/32 inch, respectively or larger.~~

d. A cable restraint shall include a breakaway device or stop rated at 285 pounds or less; a reverse-bend washer lock with a minimum outside diameter of 1 1/4 inches; and staked in a manner that does not allow the ~~animal or the~~ restraint device to reach any part of a fence, ~~or~~ rooted woody vegetation greater than 1/2" in diameter or any other immovable object or stake that could cause entanglement.

Section 19. NR 10.145(intro.), (3)(b), (4)(b), (5)(a)1. and (c), and (6)(b) are amended to read:

NR 10.145 **Bobcat, fisher and otter.** No person may hunt or trap, or attempt to hunt or trap, any bobcat, fisher or otter unless ~~having first applied for and received he or she possesses a current and valid permit from the department a permit and~~ any associated pelt tags for the area or unit in which he or she is hunting or trapping.

(3) APPLICATION AND ISSUANCE PROCEDURES. (b) *Deadlines.* All permit applications shall be postmarked no later than the deadline dates indicated on the form or received by ~~the department license section no later than 4:30 p.m. a~~ department service center location on those dates to be considered for selection. The annual application deadlines may not be sooner than July 1.

Note: The department conducts extensive publicity on the application deadlines beginning several months prior to any deadline. Application deadline dates are published in news releases, the department Web site at www.dnr.wi.gov, license outlet handouts, and pertinent regulation pamphlets. ~~The license section address is 101 South Webster, Box 7924, Madison, WI 53707. Department service center hours may vary by location.~~

(4)(b) *Transportation and possession.* No person may transport or possess an unskinned bobcat, fisher, otter carcass, or a raw pelt of these species unless it has been tagged in accordance with par. (a).

(5) (a) 1. 'Bobcat, fisher and otter.' Unless authorized by the department, each person who has killed a bobcat, fisher or otter during the respective open season shall exhibit the pelt, separated from the rest of the carcass, to an authorized department representative no later than 5 days after the month of harvest.

(c) *Department tagging.* The department shall inspect the pelt, and attach and lock a registration tag to the head portion of the pelt of all lawfully taken and possessed bobcat, fisher and otter.

(6)(b) Transfer, give, trade, sell or purchase a raw pelt or unskinned carcass of any bobcat, fisher or otter pelt without a registration tag being attached and locked to the head portion of the pelt by the department in accordance with sub. (5)(c).

Section 20. NR 10.24(8)(a) is amended to read:

NR 10.24(8)(a) *Blind requirement.* Hunting shall be restricted to blinds or locations assigned by the department except for the retrieval of crippled waterfowl. In assigned locations without a department blind, the hunter may assemble a blind using existing natural vegetation at the assigned site or use a portable blind. Individuals are required to hunt within 20 feet of the ~~poles~~ blind. All portable blinds shall be removed at the end of the day.

Section 21. NR 10.25(1)(c)2. is amended to read:

NR 10.25(1)(c)2. All fall and spring hunting season applications shall be postmarked no later than the deadline dates indicated on the form or received by ~~the department license section no later than 4:30 p.m. a department service center location~~ on those dates to be considered for selection. The annual deadlines may not be sooner than July 1.

Note: The department conducts extensive publicity on the application deadlines beginning several months prior to any deadline. Application deadline dates are published in news releases, the department Web site at www.dnr.wi.gov, license outlet handouts, and pertinent regulation pamphlets. ~~The license section address is 101 South Webster, Box 7924, Madison, WI 53707. Department service center hours may vary by location.~~

Section 22. NR 10.25(2)(b) is repealed and recreated to read:

NR 10.25(2)(b) *Transportation and possession*. 1. No person may possess or transport a wild turkey taken in any wild turkey hunting zone established in s. NR 10.29 unless the person has lawfully killed and tagged it as required.
2. No person may remove or allow the removal of the validated carcass tag from the turkey prior to registration.
3. No person may possess a validated turkey carcass tag while hunting that is not attached to a lawfully killed wild turkey.

Section 23. NR 10.25(4)(e) is repealed.

Section 24. NR 10.26(1)(b)2. is amended to read:

NR 10.26(a)(b) 2. All applications shall be postmarked no later than the deadline dates indicated on the application form or received by ~~the department license section no later than 4:30 p.m. a department service center location~~ on those dates to be considered for selection.

Note: The department conducts extensive publicity on the application deadlines beginning several months prior to any deadline. Application deadline dates are published in news releases, the department Web site at www.dnr.wi.gov, hunting license outlet handouts, and pertinent hunting regulation pamphlets. ~~The department license section address is 101 South Webster St., P.O. Box 7924, Madison, WI 53707. Department service center hours may vary by location.~~

Section 25. NR 10.40(4)(b)1. is amended to read:

NR 10.40 (4)(b) *Application requirements*. 1. All applications shall be on department forms and shall be postmarked no later than December 10 or received by ~~the department license section no later than 4:30 p.m. a department service center location~~ on that day.

Note: ~~The License section address is 125 South Webster, Box 7924, Madison, WI 53707. Department service center hours may vary by location.~~

Section 26. NR 12.10(3)(title), (intro) and (e) are amended to read:

NR 12.10(3)(title) RULE COMPLIANCE AND PARTICIPATION BY OTHERS. The landowner, lessee, occupant or other persons assisting in the removal of wild animals causing damage or nuisance, shall comply with all hunting and trapping rules specified under ch. NR 10 or ch. 29, Stats., unless otherwise provided under this chapter, ch. 29, Stats., or by permit. Permittees and participants who fail to comply shall be subject to the penalty applicable to the appropriate ch. NR 10 or ch. 29, Stats., violation. Persons other than the landowner, lessee or occupant, may assist in the removal of wild animals causing damage or nuisance in accordance with this subsection.

(e) *Animal or carcass care and disposition of permit exempt wild animal removals.* Wild animals removed according to authority described in sub. (1) (b) which are live-trapped for relocation shall comply with s. ~~29.853 (2)~~ 169.04(2), Stats., or which are destroyed by shooting or trapping shall comply with s. 23.095, Stats., with fur or fur-bearing animals sold to a licensed fur dealer. Unusable animals or animal by-products shall be disposed of in a sanitary manner.

Section 27. NR 12.15(11)(d) is created to read:

NR 12.15(11)(d) *Turkey damage shooting permits.* Others participating under a turkey damage shooting permit shall possess a license authorizing small game or turkey hunting, during that license year, and a valid shooting permit when engaged in turkey damage shooting permit activities.

Section 28. NR 12.16(8)(b) is amended to read:

NR 12.16(8)(b) Except as provided under par. (c), all participants shall comply with the firearm type restrictions applicable to the permittee's land during the gun-deer season specified under s. NR 10.01 (3) (e) ~~and or~~ (et).

Section 29. NR 12.31(4e) is amended to read:

NR 12.31(4e) "Land suitable for hunting deer and elk" means ~~woodlands, wetlands or other deer or elk cover, cropland within 330 feet of deer or elk cover on all contiguous land, the deer range calculated under s. NR 10.104(4)(a) and where the~~ conduct of hunting is not likely to result in a violation under s. 29.301 (1), 167.30 or 941.20 (1) (d), Stats., except those areas identified by the county or its agent pursuant to s. NR 12.36.

Section 30. NR 12.37(1)(d) is created to read:

NR 12.37(1)(d) Wildlife damage claims shall be paid only to persons owning the eligible types of damaged crops stated in s. 29.889(6)(em), Stats., if caused by any species included under s. 29.889, Stats.

Section 31. NR 16.12(3)(b)8., 9. and 11. are amended to read:

NR 16.12(3)(b)8. Publicly owned museums and American Zoo and Aquarium Association accredited institutions are exempt from possession and size limits.

9. Accredited colleges, universities and other educational or research institutions are exempt from the possession and size limits of this section for the purpose of research and education.

11. A person may possess an unlimited number and size of atypically colored or patterned native amphibians and reptiles, e.g. albinos, striped snakes that are typically blotched.

Section 32. NR 16.13(1) is amended to read:

NR 16.13(1) APPLICABILITY. This section applies to the sale and purchase of native wild reptiles and native wild amphibians in Wisconsin.

Section 33. NR 16.30(4)(a)2.f., (b)2.a. and c. are amended to read:

NR 16.30(4)(a)2.f. Fox and fisher pens shall be a minimum of 120 square feet. No more than 2 animals may be held in a ~~444~~ 120 square foot pen. A minimum of at least 50 additional square feet is required for each additional animal. The pen height shall be a minimum of 6 feet.

(b)2.a. Kestrel, burrowing owl, saw-whet owl and screech owl pens shall be a minimum of 36 square feet with a height of 7 feet for flighted birds and 9 square feet with a height of 3 ~~square~~ feet for nonflighted birds.

c. Eagles, vulture and osprey pens shall be a minimum of 400 square feet with a height of 9 feet for flighted birds and 120 square feet with a height of 9 ~~square~~ feet for nonflighted birds.

Section 34. NR 16.50(3)(b)(intro.) is amended to read:

NR 16.50(3)(b) *Bird hunting preserve license.* (intro.) Each person required to hold a bird hunting preserve license shall keep a daily record of all ~~pheasant and quail~~ birds listed in s. 169.19(2)(b), Stats., stocked or released on the property. Daily records shall include:

Section 35. NR 17.07(2)(a) is amended to read:

NR 17.07(2)(a) *Display of license.* The ~~licensee and participants~~ license 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.

Section 36. NR 19.01(2)(b) to (h) are repealed.

Section 37. NR 19.01(2)(i), (j) and (k) are renumbered (b), (c) and (d), and (2)(c) and (d) are amended to read:

NR 19.01(2)(c) Boat ~~licenses~~ certificates of number and registration under s. 30.52, Stats. 30
(d) Snowmobile ~~licenses~~ registrations under ss. 350.12 and 350.125, Stats. 30

Section 38. NR 19.13(3) is amended to read:

NR 19.13(3) No vehicle-killed deer, or any parts thereof, may be sold or bartered by the individual to any other person at any time, except the head or hide, which may be disposed of pursuant to s. ~~29.347(3)~~ 29.539, Stats. Vehicle-killed deer may be given to another person or to charitable organizations, except that spotted hides or velvet antler possession shall comply with sub. (4).

Section 39. NR 19.25 is amended to read:

NR 19.25 **Wild animal protection.** Unless engaged in dog training or dog trials as authorized by the department in s. NR 17.001 ~~(8)-(3)~~ and (5), or other activity specifically authorized by the department, a closed season is established and no person may harass, disturb, pursue, shoot, trap, catch, take, or kill protected wild animals by any means, except as described under s. NR 12.10 (1) (b) 4.

Section 40. NR 27.05(2)(d) is amended to read:

NR 27.05(2)(d) *Permit conditions.* The permittee may only take, transport, possess, process or sell species on the department list subject to and in accordance with the conditions imposed by the department. ~~Such conditions~~ Conditions shall include but are not limited to the minimum standards for feeding, treatment, sanitation, pens and housing prescribed in ss. NR ~~16.10-16.30~~ 16.30 to 16.38.

Section 41. 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 42. Board adoption. This rule was approved and adopted by the State of Wisconsin Natural Resources Board on June 22, 2005.

Dated at Madison, Wisconsin _____.

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

By _____
Scott Hassett, Secretary

(SEAL)