

WISCONSIN LEGISLATIVE COUNCIL STAFF

RULES CLEARINGHOUSE

Ronald Sklansky
Director
(608) 266-1946

Richard Sweet
Assistant Director
(608) 266-2982



Terry C. Anderson, Director
Legislative Council Staff
(608) 266-1304

One E. Main St., Ste. 401
P.O. Box 2536
Madison, WI 53701-2536
FAX: (608) 266-3830

CLEARINGHOUSE REPORT TO AGENCY

[THIS REPORT HAS BEEN PREPARED PURSUANT TO S. 227.15, STATS. THIS IS A REPORT ON A RULE AS ORIGINALLY PROPOSED BY THE AGENCY; THE REPORT MAY NOT REFLECT THE FINAL CONTENT OF THE RULE IN FINAL DRAFT FORM AS IT WILL BE SUBMITTED TO THE LEGISLATURE. THIS REPORT CONSTITUTES A REVIEW OF, BUT NOT APPROVAL OR DISAPPROVAL OF, THE SUBSTANTIVE CONTENT AND TECHNICAL ACCURACY OF THE RULE.]

CLEARINGHOUSE RULE 00-154

AN ORDER to repeal NR 10.106 (2) (d) 2. and 10.117; to renumber and amend NR 10.106 (2) (d) 3.; to amend NR 1.15 (2) (a), 10.001 (3t), 10.01 (3) (e) 1., 2. and 6., (em), (es) and (h) 1. a., 10.09 (1) (a) 2., 10.104 (10) (b), 10.106 (2) (a) and (b), 12.16 (2) (a) and 19.80 (4) (a) 5.; and to create NR 1.15 (2) (am) and (at), 10.01 (3) (ev) and (ez) and 10.105 (3), relating to deer hunting and the wildlife damage abatement and claims program.

Submitted by **DEPARTMENT OF NATURAL RESOURCES**

11-03-00 RECEIVED BY LEGISLATIVE COUNCIL.

11-30-00 REPORT SENT TO AGENCY.

RNS:GAA;jal;rv

LEGISLATIVE COUNCIL RULES CLEARINGHOUSE REPORT

This rule has been reviewed by the Rules Clearinghouse. Based on that review, comments are reported as noted below:

1. STATUTORY AUTHORITY [s. 227.15 (2) (a)]

Comment Attached YES NO

2. FORM, STYLE AND PLACEMENT IN ADMINISTRATIVE CODE [s. 227.15 (2) (c)]

Comment Attached YES NO

3. CONFLICT WITH OR DUPLICATION OF EXISTING RULES [s. 227.15 (2) (d)]

Comment Attached YES NO

4. ADEQUACY OF REFERENCES TO RELATED STATUTES, RULES AND FORMS [s. 227.15 (2) (e)]

Comment Attached YES NO

5. CLARITY, GRAMMAR, PUNCTUATION AND USE OF PLAIN LANGUAGE [s. 227.15 (2) (f)]

Comment Attached YES NO

6. POTENTIAL CONFLICTS WITH, AND COMPARABILITY TO, RELATED FEDERAL REGULATIONS [s. 227.15 (2) (g)]

Comment Attached YES NO

7. COMPLIANCE WITH PERMIT ACTION DEADLINE REQUIREMENTS [s. 227.15 (2) (h)]

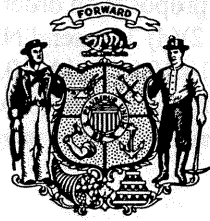
Comment Attached YES NO

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CLEARINGHOUSE RULE 00-154

Comments

[NOTE: All citations to "Manual" in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated September 1998.]

2. Form, Style and Placement in Administrative Code

In the treatment clauses to SECTIONS 10 and 16, periods should be inserted after the subdivision numbers. Also, in the treatment clause to SECTION 16, "to" should be deleted.

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

The Wisconsin Natural Resources Board proposes an order to repeal NR 10.106(2)(d) 2 and 10.117; renumber and amend NR 10.106(2)(d) 3; amend NR 1.15(2)(a), 10.001(3t), 10.01 (3)(e)1, 2 and 6, (em), (es), (h)1.a., 10.09(1)(a)2, 10.104(10)(b), 10.106(2)(a),(b), 12.16(2)(a) and 19.80(4)(a)5; and to create NR 1.15(2)(am), (at), 10.01(3)(ev), (ez), and 10.105(3) relating to deer hunting and the wildlife damage abatement and claims program.

WM-40-00

Analysis Prepared by Department of Natural Resources

Statutory Authority: ss. 29.014, 29.889 and 227.11 Stats.

Statutory interpreted: ss. 29.177, 29.186, 29.361 and 29.889, Stats.

Section 1. Adds hunter success in harvesting and seeing deer and public deer viewing opportunities to the list of criteria for determining deer population goals.

Section 2. Develops standards for tolerable levels of deer damage to crops. Requires the department to lower the overwinter goal in deer management units that exceed the tolerable levels in 2 years out of a 3 year period.

Sections 3, 9 and 10. Updates references to a newly created paragraph.

Section 4. Creates a 4-day December antlerless only deer hunting season.

Section 5. Extends the early deer bow season to the Thursday before the gun deer season and the late bow season to the Sunday closest to January 15.

Section 6. Extends the muzzleloader deer season 3 days.

Section 7. Establishes a one day youth gun deer hunt on the Saturday closest to Oct. 24.

Section 8. Allows the Department to modify the deer hunting season where normal seasons and permits are not expected to bring a deer population to within 20% of a unit's population goal. Establishes the special herd control modifications to the deer season including a 4 day October antlerless deer season and the earn-a-buck season after 2 years of October hunts. Provides, for public input, antlerless only deer seasons as an option to the earn-a-buck herd control season. Establishes a formula for establishing herd control seasons, and eliminates the requirement of public meetings in affected units and natural resources board approval for each zone T unit each year. Expands DNR authority to administer herd control seasons from farmland deer management units to all deer management units.

Section 11. Clarifies that antlerless deer permits have to be used in the unit or units specified on the permit.

Sections 12, 13, 14, 15 and 16 Requires all deer killed with a gun or bow to be registered in the deer management unit of kill or an adjoining unit.

Section 17. Repeals section describing deer season modifications as this has been recreated in section 7.

Sections 18 and 19. Requires farmers enrolled in the Wildlife Damage Abatement Claims Program (WDACP) in a given year who experiences \$1,000 or more damage in that year be automatically issued a shooting permit by January 31 of the following year, with the required harvest objective of 80% of the harvest quota by September 15 in order to qualify for the benefits of the WDACP for the current year.

Section 1. NR 1.15 (2)(a) is amended to read:

NR 1.15(2)(a) *Deer population goals.* The department shall seek to maintain a deer herd in balance with its range and at deer population goals reasonably compatible with social, economic and ecosystem management objectives for each deer management unit. Deer population goals are to be based on:

1. Carrying capacity as determined by unit population responses to habitat quality and historical records of winter severity.
2. ~~The demand for deer hunting~~ Hunter success in harvesting and seeing deer and public deer viewing opportunities.
3. Ecological and economic impacts of deer browsing.
4. Disease transmission.
5. Concern for deer-vehicle collisions.
6. Chippewa treaty harvest.
7. Hunter access to land in a deer management unit.
8. Ability to keep the deer herd in a deer management unit at goal.
9. Tolerable levels of deer damage as described in par. (am).

Section 2. NR 1.15 (2)(am) and (at) are created to read:

NR 1.15(2)(am) *Tolerable levels of deer damage to crops.* Deer damage to crops in a deer management unit exceeds tolerable levels when the crop damage is greater than 2.5 times the median in 2 of the following 4 indicators:

1. Appraised deer damage losses determined through the wildlife damage program under s. 29.889, Stats., per 100 overwinter deer,
2. Appraised deer damage losses determined through the wildlife damage program under s. 29.889, Stats., per square mile of land in the deer management unit,
3. Appraised deer damage losses determined through the wildlife damage program under s. 29.889, Stats., per square mile of agricultural land in the deer management unit, or
4. Number of claims for deer damage submitted through the wildlife damage program under s. 29.889, Stats., per 100 square miles of total land.

(at) If crop damage in a deer management unit is above the tolerable limit in 2 years out of a 3 year period since the last unit review under s. NR 10.104(3), the department shall consider reducing the goal if intolerable levels of damage are likely when the herd is at goal. If damage in a deer management unit exceeds tolerable levels when the herd is at goal in 2 years out of a 3 year period since the last unit review under s. NR 10.104(3), the department shall reduce the population goal in that unit, unless a goal reduction is not expected to alleviate intolerable levels of deer damage.

Section 3. NR 10.001 (3t) is amended to read:

NR 10.001(3t) "Bonus deer hunting permit" for purposes of s. 29.181, Stats., means any additional carcass tags issued under s. NR 10.117-10.01(3)(ez), any antlerless deer permits issued under s. NR 10.104(6)(a) for gun deer season zone B as described in s. NR 10.01(3)(e), and any antlerless permits issued under s. NR 10.104(8)(c) and (d).

Section 4. NR 10.01 (3)(e) 1., 2., and 6. are amended to read:

Kind of animal and locality	Open season (all dates inclusive)	Limit
(e) <i>Gun deer season.</i> As established by county and deer management unit.		The season limit is one deer unless the hunter possesses additional antlerless deer permits issued under s. NR 10.104.
1. Zone "A" All that part of the state not otherwise listed in season zones "B" through "F".		
a. In the counties or parts of counties and deer management units of Brown, Calumet, Dane, Dodge, Door (Detroit, Plum, Rock, and Washington Islands only), Dunn (unit 59B portion), Fond du Lac, Green, Jefferson, Kenosha, Kewaunee, Lafayette, Manitowoc, Outagamie, Ozaukee, Pierce (unit 59B, 60 and 60A portions), Racine, Rock, St. Croix (unit 59B and 60 portions) Sheboygan, Shawano (south of highway 29), Walworth, Washington, Waukesha, Waupaca, and Winnebago.	Shotgun season beginning on the Saturday immediately preceding the Thanksgiving holiday and continuing for 9 consecutive days.	One buck deer or as authorized by hunter's choice and antlerless deer permit issued under s. NR 10.104.
	<u>Shotgun season reopening on the second Thursday following the Thanksgiving holiday and continuing through the following Sunday.</u>	<u>One antlerless deer per hunter's choice or antlerless deer permit issued under s. NR 10.104.</u>
b. Deer management unit 79 except Long island.	Muzzleloading firearm season October 1-31.	One deer either sex.
Kind of animal and locality	Open season (all dates inclusive)	Limit

	inclusive)	
c. Deer management unit 82.	Firearm deer season beginning on the Saturday preceding the Thanksgiving holiday and continuing for 9 consecutive days.	One buck deer with an unforked antler only or as authorized by hunter's choice and antlerless deer permits issued under s. NR 10.104.
	<u>Firearm season reopening on the second Thursday following the Thanksgiving holiday and continuing through the following Sunday.</u>	<u>One antlerless deer per hunter's choice or antlerless deer permit issued under s. NR 10.104.</u>
d. The Pepin county portion of unit 59B.	Shotgun season beginning on the Saturday immediately preceding the Thanksgiving holiday and continuing for 2 consecutive days.	One buck deer or as authorized by hunter's choice and antlerless permits issued under s. NR 10.104.
	Firearm season beginning on the day immediately following the shotgun season described above and continuing for 7 consecutive days.	One buck deer or as authorized by hunter's choice and antlerless permits issued under s. NR 10.104.
	<u>Firearm season reopening on the second Thursday following the Thanksgiving holiday and continuing through the following Sunday.</u>	<u>One antlerless deer per hunter's choice or antlerless deer permit issued under s. NR 10.104.</u>
e. All other parts of "A".	Firearm season beginning on the Saturday immediately preceding the Thanksgiving holiday and continuing for 9 consecutive days.	One buck deer or as authorized by hunter's choice and antlerless permits issued under s. NR 10.104.
	<u>Firearm season reopening on the second Thursday following the Thanksgiving holiday and continuing through the following Sunday.</u>	<u>One antlerless deer per hunter's choice or antlerless deer permit issued under s. NR 10.104.</u>
Kind of animal and locality	Open season (all dates)	Limit

inclusive)

2. Zone "B" Mississippi River Units. Deer management units 59D, 61, 61B, 74A and 74B.

a. The Buffalo, Trempealeau and Pepin county portions of deer management unit 61.

Shotgun season beginning on the Saturday immediately preceding the Thanksgiving holiday and continuing for 2 consecutive days.

One deer of either sex and as authorized by antlerless deer permits issued under s. NR 10.104.

Firearm season beginning on the day immediately following the shotgun season described above and continuing for 7 consecutive days.

Firearm season reopening on the second Thursday following the Thanksgiving holiday and continuing through the following Sunday.

One antlerless deer and as authorized by antlerless deer permits issued under s. NR 10.104.

b. The Pierce county portion of deer management unit 61.

Shotgun season beginning on the Saturday immediately preceding the Thanksgiving holiday and continuing for 2 consecutive days.

One deer of either sex and as authorized by antlerless deer permits issued under s. NR 10.104.

Shotgun season beginning on the day immediately following the season described above and continuing for 7 consecutive days.

Shotgun season reopening on the second Thursday following the Thanksgiving holiday and continuing through the following Sunday.

One antlerless deer and as authorized by antlerless deer permits issued under s. NR 10.104.

Kind of animal and locality	Open season (all dates inclusive)	Limit
c. The Jackson, La Crosse and Monroe county portions of unit 59D, and the La Crosse county portion of unit 74A.	Shotgun season beginning on the Saturday immediately preceding the Thanksgiving holiday and continuing for 2 consecutive days.	One deer of either sex and as authorized by antlerless deer permits issued under s. NR 10.104.
	Firearm season beginning on the day immediately following the shotgun season described above and continuing for 7 consecutive days.	
	<u>Firearm season reopening on the second Thursday following the Thanksgiving holiday and continuing through the following Sunday.</u>	<u>One antlerless deer and as authorized by antlerless deer permits issued under s. NR 10.104.</u>
d. Trempealeau national wildlife refuge.	Shotgun season beginning on the Saturday immediately preceding the Thanksgiving holiday and continuing for 9 consecutive days.	Sex and type of deer is as specified on permit issued by federal refuge permit.
	<u>Shotgun season reopening on the second Thursday following the Thanksgiving holiday and continuing through the following Sunday.</u>	<u>One antlerless deer as authorized by federal refuge permit.</u>
e. The Vernon county portions of deer management units 59D and 74A, and the Vernon and Crawford county portion of unit 74B.	Firearm season beginning on the Saturday immediately preceding the Thanksgiving holiday and continuing for 2 consecutive days.	One deer of either sex and as authorized by antlerless deer permits issued under s. NR 10.104.
	Firearm season beginning on the day immediately following the season described above and continuing for 7 consecutive days.	
	<u>Firearm season reopening on the second Thursday following the Thanksgiving holiday and continuing through the following Sunday.</u>	<u>One antlerless deer and as authorized by antlerless deer permits issued under s. NR 10.104.</u>

Kind of animal and locality	Open season (all dates inclusive)	Limit
6. Zones M1, M2 & M3-Metropolitan Deer Units.		
a. M1—Deer management unit 59M.	Shotgun season beginning on the Saturday immediately preceding the Thanksgiving holiday and continuing for 2 consecutive days.	One deer of either sex and as authorized by antlerless deer permits issued under s. NR 10.104.
	Shotgun season beginning on the day immediately following the shotgun season described above and continuing for 7 consecutive days.	
	<u>Shotgun season reopening on the second Thursday following the Thanksgiving holiday and continuing through the following Sunday.</u>	<u>One antlerless deer and as authorized by antlerless deer permits issued under s. NR 10.104.</u>
b. M2-Deer Management Unit 76M.	Shotgun season beginning on the Saturday immediately preceding the Thanksgiving holiday and continuing for 9 consecutive days.	One buck deer or as authorized by hunter's choice and antlerless deer permits issued under s. NR 10.104.
	<u>Shotgun season reopening on the second Thursday following the Thanksgiving holiday and continuing through the following Sunday.</u>	<u>One antlerless deer per hunter's choice or antlerless deer permit issued under s. NR 10.104.</u>
c. M3-Deer Management Unit 77M.	Shotgun season beginning on the Saturday immediately preceding the Thanksgiving holiday and continuing for 9 consecutive days.	One buck deer or as authorized by hunter's choice and antlerless deer permits issued under s. NR 10.104.
	Shotgun season beginning on the day immediately following the season described above and continuing through the second Sunday in December.	One antlerless deer per hunter's choice or antlerless deer permit issued under s. NR 10.104.

Section 5. NR 10.01 (3)(em) is amended to read:

Kind of animal and locality	Open season (all dates inclusive)	Limit
<i>(em) Deer bow season</i>		
1. Statewide except as established under s. NR 10.01(3)(em)2.	<p>Beginning on the third <u>Saturday in September nearest September 15</u> and continuing through the Sunday <u>Thursday immediately prior to the opening of the deer gun season Thanksgiving holiday.</u></p> <p>Reopening on the second Saturday <u>Monday following the Thanksgiving holiday and continuing through December 31</u> the second Wednesday following the Thanksgiving holiday.</p> <p>Reopening on the <u>second Thursday following the Thanksgiving holiday and continuing through the following Sunday.</u></p> <p>Reopening on the <u>third Monday following the Thanksgiving holiday and continuing through the Sunday closest to January 15.</u></p>	<p>One deer of either sex and one antlerless deer per hunter's choice and per bonus permit issued under s. NR 10.104.</p> <p>One antlerless deer and as authorized by antlerless deer permits issued under s. NR 10.104.</p> <p>One deer of either sex and one antlerless deer per hunter's choice and per bonus permit issued under s. NR 10.104.</p>
2. Badger army ammunition plant in Sauk county, Fort McCoy military reservation in Monroe county and Volk field military facility in Juneau county.	Bow season as established by military permit and approved by the department by August 1 annually.	Sex and type of deer is as specified on permit issued by military permit <u>facility</u> .

Kind of animal and locality	Open season (all dates inclusive)	Limit
3. M-3 Deer Management Unit 77M.	<p>Beginning on the third <u>Saturday in September nearest September 15</u> and continuing through the Thursday immediately prior to the opening of the deer gun season <u>Thanksgiving holiday and reopening.</u></p>	<p>One deer of either sex and one antlerless deer per hunter's choice permit issued under s. NR 10.104.</p>
	<p>Reopening on the Saturday immediately preceding the Thanksgiving holiday and continuing through January 31 <u>the second Wednesday following the Thanksgiving holiday.</u></p>	
	<p>Reopening on the <u>second Thursday following the Thanksgiving holiday and continuing through the following Sunday.</u></p>	<p><u>One antlerless deer and as authorized by antlerless deer permits issued under s. NR 10.104.</u></p>
	<p>Reopening on the <u>third Monday following the Thanksgiving holiday and continuing through January 31.</u></p>	<p><u>One deer of either sex and one antlerless deer per hunter's choice permit issued under s. NR 10.104.</u></p>

Section 6. NR 10.01 (3) (es) is amended to read:

Kind of animal and locality	Open season (all dates inclusive)	Limit
<i>(es) Muzzleloader deer season</i>		
Entire state except for the areas described in subd. 1m and 2.	Beginning on the Monday immediately following the Thanksgiving holiday and continuing for <u>7 10</u> consecutive days.	One buck deer or as authorized by hunter's choice and additional deer as authorized by antlerless deer permits issued under s. NR 10.104.
1m. Deer management units 1,2,3,4,5,6,7,8,9,10,11,12,13,14,17,18,19,20,24,28,29A,29B,30,31,34,35,36,37,38,44,49B,50,52,53,55,56,78 and the Tuscobia Park Falls state trail.	Muzzleloader season beginning November 27, 2000 and ending on December 3, 2000.	One deer of either sex and additional deer as authorized by antlerless deer permits issued under s. NR 10.104.
2. Zone B as described in par. (3) (e)2.	Beginning the Monday immediately following the Thanksgiving holiday and continuing for <u>7 10</u> consecutive days.	One deer of either sex and additional <u>antlerless</u> deer as authorized by antlerless deer permits issued under s. NR 10.104.

Section 7. NR 10.01(3)(ev) is created to read:

NR 10.01(3)(ev) *Special youth antlerless deer hunt event.* Persons 12 years of age or older but under the age of 16 years of age who possess a certificate of accomplishment under s. 29.591, Stats., or its equivalent from another state or province, may hunt antlerless deer with a gun on the Saturday nearest October 24 in deer management units not included in a deer herd control hunt under s. NR 10.01(3)(ez). Allowable types of guns are those authorized on the first day of the regular gun deer season under s. NR 10.01(3)(e). The bag limit is one antlerless deer per hunter's choice or antlerless deer permit issued under s. NR 10.104. Youth who are first time graduates of the hunter education program may use their certificates of accomplishment in place of a hunter's choice permit issued under s. 29.177, Stats., to take an antlerless deer. Hunters shall be accompanied by an adult 18 years of age or older. One adult may not accompany more than 2 hunters and all other hunting regulations apply. Blaze orange requirements under s. 29.301(2), Stats., apply to all hunters on this day except waterfowl hunters.

Section 8. NR 10.01 (3)(ez) is created to read:

NR 10.01(3)(ez) *Special deer herd control hunt.* 1. The department may, upon making the findings in subd. 2., modify the deer hunting seasons and deer permit issuance procedures as described in this paragraph for any deer management unit to reduce the deer population nearer to the overwinter population goals established in s. NR 10.104. Modifications to the deer season shall consist of:

a. A 4-day antlerless only deer season allowing the use of bows and guns starting on the Thursday nearest October 22. Allowable types of guns are those authorized on the first day of the regular gun deer season under s. NR 10.01(3)(e). Antlerless deer may be tagged with the back tag issued with each deer license, a special permit under subd. par. 1.b., or bonus permits issued under s. 29.181, Stats.

b. Special permits for antlerless deer under s. 29.177 Stats. shall be issued free of charge at the rate of one permit per license authorizing deer hunting or 2 permits per conservation patron license. The permits may be used to hunt and tag deer during any of that year's deer seasons for the units specified under subd.1.

c. The backtag issued with a regular deer license is valid for taking and tagging a deer of either sex during the regular 9 day gun season under s. NR 10.01(3)(e).

[DRAFTERS NOTE: subpar. d. is shown in two cases to allow public comment on the different options presented. Only one of the 2 options will be selected for rule adoption based on public input.]

d. If after 2 consecutive seasons, as described in this subd. 1.a., the department makes the findings in subd. 2., for the same deer management unit or units in the consecutive subsequent year or years, hunters shall harvest or tag an antlerless deer in that unit or units with either a bow or a gun during any deer season or with an agricultural shooting permit, before they may harvest a buck with either weapon in that unit or units. One antlerless deer is required to authorize harvest of one buck in that unit or units for each archery and gun deer license. Deer harvested as described in this paragraph shall be transported in accordance with s. NR 10.105 (3).

d. If after 2 consecutive seasons, as described in this subd. 1.a., the department makes the findings in subd. 2., for the same deer management unit or units in the consecutive subsequent year or years, hunters may only harvest or tag antlerless deer in that unit or units with either a bow or a gun during any deer season or with an agricultural shooting permit. Deer harvested as described in this paragraph shall be transported in accordance with s. NR 10.105 (3).

2. Findings. The department shall, prior to making any modification for a deer management unit under subd.1., find that it is unlikely the deer population for the deer management unit will be reduced to within 20% of the overwinter population goal established in s. NR 10.104 under the established deer hunting rules. In making this determination, the department shall compare the deer harvest required to reduce the deer population to goal to the deer harvest likely to occur under the existing season structure.

Section 9. NR 10.01 (3)(h)1.a. is amended to read:

Kind of animal and locality	Open season (all dates inclusive)	Limit
a. Wolf management zone 1, as described in s. NR 10.20.	All year except closed during the gun deer seasons as established under s. NR 10.01(3) (e) ₂ (es) and 10.117 (ez).	None

Section 10. NR 10.09(1)(a) 2 is amended to read:

NR 10.09(1)(a) 2. Size. Possess or have in control while hunting, shells containing shot larger than the no. BB during the period commencing on June 1 and ending 48 hours following gun deer season closure established in s. NR 10.01(3)(e) or 10.117 (ez), whichever season is later, except during the open season established in s. NR 10.01 (1)(b), (c), (d) and (g) when nontoxic shot size BBB and T may be used for hunting migratory game birds.

Section 11. NR 10.104 (10)(b) is amended to read:

NR 10.104(10)(b) *Antlerless deer hunting permit*. Valid for the taking of one antlerless deer only in the unit or units designated on the permit.

Section 12. NR 10.105 (3) is created to read:

NR 10.105(3) In deer management units with deer seasons modified under s. NR 10.01(3)(ez) 1.d., no person may transport a buck deer from the time it is killed to the time it is registered under s. NR 10.106 unless accompanied by the antlerless deer or antlerless deer registration verification which authorized the taking of the buck deer. An antlerless deer may be used only by the hunter who tagged it to secure authorization for that hunter to tag one buck deer in the unit or units modified under s. NR 10.01(3)(ez)1.d. Deer may only be transported outside of the unit of kill or adjoining unit after they have been registered.

Section 13. NR 10.106(2)(a) is amended to read:

NR 10.106(2)(a) *Gun license deer*. Gun license deer shall be registered ~~within the open season zone~~ in the unit in which the deer was killed or an adjoining unit no later than 5:00 p.m. of the first day following the season's close. Deer may not be transported outside the unit in which it was killed or an adjoining unit until it is registered.

Section 14. NR 10.106(2)(b) is amended to read:

NR 10.106(2)(b) *Special permit deer*. Party permit deer, bonus permit deer or antlerless deer taken under the authority of the hunter's choice permit, a gun deer license or special deer permit shall be registered with the deer management unit in which the deer was killed or an adjoining unit no later than 5:00 p.m. of the first day following the season's close ~~unless transported on federal or state highways directly to the authorized registration station in an adjoining deer management unit.~~

Section 15. 10.106(2)(d)2 is repealed.

Section 16. NR 10.106(2)(d) 3 is renumbered ~~to~~ NR 10.106(2)(d) 2 and amended to read:

NR 10.106(2)(d) 2 ~~Additional deer restrictions. All bowhunters authorized to kill an additional antlerless deer shall register it~~ Bow killed deer. Bow killed deer shall be registered within the deer management unit ~~designated on the deer carcass tag~~ in which the deer was killed or in an adjoining deer management unit. ~~All such deer shall~~ Deer may not be transported outside the unit in which it was killed or an adjoining unit until it is registered.

Should this
say
(title)
since the
title is
checked:

Section 17. NR 10.117 is repealed

Section 18. NR 12.16 (2)(a) is amended to read:

NR 12.16 (2) (a) *Harvest objective.* The permittee and participants, unless granted an exemption under par. (b) or issued a shooting permit under s. NR 19.80(4)(a) 5, shall kill at least 80% of the number of deer authorized for harvest on the permit and shall kill at least 50% of the number of deer authorized for harvest during the first 45 days after permit issuance. If issued a shooting permit under s. NR 19.80(4)(a)5, the permittee shall kill at least 80% of the number of deer authorized for harvest on the permit by September 15 of the same year. The permittee is not eligible for a shooting permit the next year if the permittee fails to comply with these harvest objectives unless a shooting permit is prescribed damage abatement under s. 29.889, Stats.

Section 19. NR 19.80(4)(a) 5 is amended to read:

NR 19.80(4)(a) 5. If an enrollee has participated in the WDACP the previous ~~2 years~~ year, and ~~each year~~ had in excess of \$1,000 of appraised deer damage losses ~~documented on the claim applications in the previous year on contiguous land within the same section, as documented by the enrollee's previous claim application,~~ to be eligible for claims the enrollee shall ~~apply for a deer damage shooting permit~~ sign a shooting permit application form under s. 29.885 Stats. and ch. NR 12 and WDACP enrollment form as required in s. NR 19.795(2) by January 31 and comply with subd. 4.

The foregoing rule was approved and adopted by the State of Wisconsin Natural Resources Board on _____.

Sections 1 to 17 shall take effect on the first day of the month following publication. Sections 18 and 19 shall take effect January 1, 2001 as provided in s. 227.22, Stats.

Dated at Madison, Wisconsin _____.

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

By _____
George E. Meyer, Secretary

(SEAL)