

## Chapter NR 10

## GAME AND HUNTING

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(ss. 29.085 and 29.174, Stats.)

NR 10.001 Definitions. (1) "Antlerless deer" means any deer without antlers or with an antler less than 3 inches in length.

(1h) "Accompanied by", for the purposes of s. 29.227, Stats., means within sight and voice contact, without the aid of any mechanical or electronic amplifying device other than a hearing aid.

(1m) "Assisting", for the purpose of bear hunting, means helping a bear harvest permittee hunt a bear by handling dogs, tracking, trailing or locating the bear, or otherwise aiding while with the permittee or baiting.

(2) For the purposes of this chapter, "bait" means honey and any solid or nonliquid material attractive to wildlife.

(3) "Bearded turkey" means a turkey with a bristle-like appendage protruding from the upper part of the breast.

(3m) "Black bear hunting zone" means a zone established in s. NR 10.30.

(3s) "Blind", for the purpose of goose hunting in zones established in s. NR 10.31, means any framed enclosure or pit not more than 15 feet in its greatest dimension and camouflaged to provide concealment to hunters.

(4) "Bow" means any bow, drawn and held by and through the effort of the person releasing it, but does not include crossbow.

(5) "Buck deer" means any deer with an antler not less than 3 inches in length.

(5m) "Canada goose management zones and subzones" means those established in s. NR 10.31.

(6) "Crossbow" means any device using a bow which, once drawn, is held solely by means other than the effort of the person firing it.

(6m) "Current validated deer carcass tag", for purposes of s. 29.40 (2), Stats., means an unused tag of the current year validated according to the requirements of s. NR 10.103 (2).

(7) "Daily bag limit" means the maximum number of a game species which may be reduced to a person's possession in one day.

(7m) "Deer management unit" means a zone established in s. NR 10.28.

(8) "Department" means the department of natural resources.

(9) For the purposes of ss. 29.224 (2), 29.56, 29.565 (2), 29.57 (4) and 350.06, Stats., "enclosed within a carrying case" for firearms means completely contained in a gun case expressly made for that purpose which is fully enclosed by being zipped, snapped, buckled, tied, or otherwise fastened, with no portion of the firearm exposed.

Note: Subsection (9) does not remove the requirement of ss. 29.224 and 350.06, Stats., to enclose bows or crossbows in carrying cases. The rule does not apply to bows or crossbows only because the natural resources board recognizes that certain designed bow cases may allow portions of the bow, for instance the handle, to be exposed and yet still render the bow inoperable.

(9m) For the purpose of administering the Canada goose hunting permit system, "Exterior goose management zone" or the "Exterior zone" means all that part of the state outside of the Collins, Horicon, Pine Island and Theresa goose management zones described in s. NR 10.31, and includes the Mississippi River, Brown County, Burnett County, New Auburn and Rock Prairie subzones which shall be treated as separate management subzones for other purposes.

(10) "Firearm season" means an open season for hunting with any of the following firearms loaded with a single slug or ball: rifle, muzzle-loader, shotgun or handgun for deer hunting described in s. NR 10.09 (1) (c) 1. c..

(13) "Liquid" means a substance, neither solid or gaseous, that flows freely and takes the shape of its container at a temperature of 70°F.

(14) "Liquid scent" means any nonsolid material except honey.

(15) "Migratory game birds" means any bird which is migratory and on which an open season has been prescribed in this chapter and belonging to one of the following families:

(a) *Anatidae* (wild ducks, geese and brant),

(b) *Rallidae* (rails, coots and gallinules),

(c) *Scolopacidae* (woodcock and Wilson's snipe (jacksnipe)).

(16) "Molest" means any activity which results in physical damage or destruction of an object.

(17) For the purpose of hunting deer and bear, "muzzle-loader" means any smoothbore muzzle-loading firearm of not less than .45 caliber and Register, March, 1990, No. 411

any rifled muzzle-loading firearm of not less than .40 caliber, discharged from the shoulder.

(18) For the purpose of hunting wild animals other than deer and bear, "muzzle-loader" means any caliber of any muzzle-loading firearm discharged from the shoulder.

(19) "Nontoxic shot" means steel shot and copper or nickel plated steel shot with the plating not exceeding .0002 inches or 1% or less of shot by weight.

(19m) "Openly exposed" means to view by a person in a passing vehicle.

(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. Dead stumps and dead trees in water do not constitute a natural growth of vegetation.

(21) "Permanent abode" means a person's principal or ordinary home or dwelling place as distinguished from a temporary abode.

(22) "Possession limit" means the maximum number of a game species which may be reduced to a person's possession in 2 days or more.

(23) "Preservation facility" means any permanent abode, cold storage facility, locker plant, taxidermy establishment, hunting club or place of business which receives or possesses any game belonging to another person for the purposes of picking, cleaning, freezing, processing, storage or shipment.

(23m) "Shotgun" means a smoothbore barrelled firearm designed to shoot pellets. Rifled shotgun barrels of at least 18" in length are considered to be shotguns for the purpose of hunting deer if they fire a single projectile and are of the following gauges: 10, 12, 16, 20, 28.

(24) "Shotgun season" means an open season for hunting with any of the following firearms, as provided in s. NR 10.09, loaded with a single slug or ball:

- (a) For hunting deer, muzzle-loader, shotgun and handgun; or
- (b) For hunting other game, muzzle-loader or shotgun.

(25) "Sight exposed bait" means any bait which can be seen from above the bait.

(25m) "Tag authorized for use on the type of deer killed", for purposes of s. 29.40 (2), Stats., means a tag issued to the hunter killing the deer or an individual satisfying the provisions of s. 29.405, Stats., which, based on the approvals of the person tagging the deer, is valid for the type of deer killed.

(26) "Temporary abode" means a transient place of abode or dwelling such as a hunting club, or any clubhouse, cabin, tent, or trailer used as a hunting club, or any hotel, motel or roominghouse used during a hunting trip.

(27) "Unforked antler" means a polished antler consisting of a single spike without branches or tines.

(29) "Water set" means any trap which is set or staked in such a manner as to permit the trap or trapped animal to reach water at any point.

(30) "Waterfowl" means any migratory game bird of the family *Anatidae* including wild ducks, geese and brant.

(31) "Wild turkey hunting zone" means a zone established in s. NR 10.29.

History: Cr. Register, October, 1975, No. 238, eff. 11-1-75; cr. (2), Register, May, 1977, No. 257, eff. 6-1-77; cr. (3) to (5), Register, February, 1978, No. 266, eff. 3-1-78; cr. (6) and (7), Register, May, 1978, No. 269, eff. 6-1-78; renum. 10.07 (1) (c) to be (8) and (9), Register, August, 1978, No. 272, eff. 9-1-78; cr. (10) to (16), Register, August, 1979, No. 284, eff. 9-1-79; cr. (17), Register, September, 1979, No. 285, eff. 10-1-79; emerg. cr. (18), eff. 9-12-81; cr. (18), (19) and (20), Register, March, 1982, No. 315, eff. 4-1-82; am. (11), Register, April, 1982, No. 316, eff. 5-1-82; cr. (22), Register, September, 1982, No. 321, eff. 10-1-82; cr. (21), Register, October, 1982, No. 322, eff. 11-1-82; cr. (23), Register, November, 1982, No. 323, eff. 12-1-82; cr. (24), Register, May, 1983, No. 329, eff. 6-1-83; cr. (25), Register, September, 1983, No. 333, eff. 10-1-83; cr. (26) and (27), Register, October, 1984, No. 346, eff. 11-1-84; am. (23), Register, March, 1985, No. 351, eff. 4-1-85; renum. (1), (3) to (18), (20) to (27) to be (8), (20), (30), (15), (14), (12), (4), (6), (16), (10), (24), (17), (18), (7), (22), (29), (28), (11), (9), (27), (3), (25), (13), (5) and (1) and r. and recr. (7) and (22), cr. (21), (23) and (26), Register, September, 1985, No. 357, eff. 10-1-85; cr. (1m) and r. (12), Register, June, 1986, No. 366, eff. 7-1-86; r. (28), Register, January, 1987, No. 373, eff. 2-1-87; emerg. am. (19), eff. 9-25-87; r. and recr. (24), Register, October, 1987, No. 382, eff. 1-1-88; am. (19), Register, December, 1987, No. 384, eff. 1-1-88; cr. (3m), (3s), (5m), (7m), (9m) and (31), r. (11), Register, July, 1988, No. 391, eff. 8-1-88; cr. (1h), (6m), (23m) and (25m), Register, October, 1988, No. 394, eff. 11-1-88; emerg. am. (5m) and (9m), eff. 9-15-89; emerg. cr. (25e), eff. 10-16-89; am. (5m) and (9m), Register, March, 1990, No. 411, eff. 4-1-90.

NR 10.01 Open and closed seasons. A closed season is established year-round for each species of wild animal named in this section, except during the specified open season. Seasons open to legal hunting and trapping apply to the entire locality described, except as otherwise provided in chs. NR 11 and 15. Whenever open and closed season areas are defined by highways, the boundary shall be the highway center line. No person may hunt, take, catch or kill any animal specified in this section except during the specified open season.

## (1) MIGRATORY GAME BIRDS.

Kind of animal	Locality	Open season (all dates inclusive)	Daily bag limit	Possession limit
(a) <i>Canvasback duck</i>	Entire state	Closed	None	None
(b) <i>All species of wild duck and mergansers except as established in par. (a)</i>	Entire state	As established by zone	3 ducks to include not more than 2 mallards of which only one may be a hen mallard, one pintail, one redhead, same as the daily one black duck, and 2 wood ducks; 5 mergansers to include not more than one hooded merganser.	Double the daily bag limit through the entire open season, except opening day when it is the daily bag limit
	South zone as established in s. NR 10.32	Oct. 7 at 12:00 noon - Oct. 10 and Oct. 18 - Nov. 12		
	North zone as established in s. NR 10.21	Oct. 7 at 12:00 noon - Nov. 5		
(c) <i>Coots and gallinules</i>	Entire state	Concurrent with the open season for ducks as established in par. (b)	5	10
(d) <i>Coot and gallinules</i>	Entire state	Concurrent with the open season for ducks as established in par. (b)	15	30
(e) <i>Sora and Virginia rails</i>	Entire state	Concurrent with the open season for ducks as established in par. (b)	25	25
(f) 1. <i>Snipe</i>	Entire state	Concurrent with the opening season for ducks as established in par. (b)	8	16
2. <i>Woodcock</i>	Entire state	Beginning on the Saturday nearest Sept. 15 and continuing for 65 consecutive days	5	10
(g) <i>Geese. 1. Canada geese and its subspecies</i>	a. All that part of the exterior zone lying north of the highway boundaries established in s. NR 10.32 except for the subzones described in subpars. b.-e.	Sept. 23 - Oct. 6 and Oct. 7 at 12:00 noon - Oct. 31 and Nov. 1 - Dec. 1	1	2
			1	2
			2	4
	b. Mississippi river subzone north of a line extending from the Chippewa river's center line	Oct. 7 at 12:00 noon - Oct. 31 and Nov. 1 - Nov. 12 and Nov. 20 - Dec. 22	1	2
			2	4
		2	4	

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Kind of animal	Locality	Open season (all dates inclusive)	Daily bag limit	Possession limit
	c. Burnett county subzone	None	None	None
	d. New Auburn subzone	None	None	None
	e. Brown county subzone	Sept. 23 - Oct. 6 and Oct. 7 at 12:00 noon - Oct. 31 and Nov. 1 - Nov. 30 and Dec. 1 - Dec. 31	1 1 2 3	2 2 4 6
	f. All that part of the exterior zone lying south of the highway boundary established in s. NR 10.32 except for the zones and subzones described in subpars. g.-l.	Sept. 30 - Oct. 6 and Oct. 7 at 12:00 noon - Oct. 31 and Nov. 1 - Dec. 8	1 1 2	2 2 4
	g. Horicon zone	Four permit periods: Sept. 23 - Oct. 6 and Oct. 7 at 12:00 noon - Oct. 22; Oct. 7 at 12:00 noon - Nov. 5; Oct. 21 - Nov. 17  Nov. 27 - Dec. 16	 2 2 2  2	The possession limit is restricted by a season limit corresponding to the number of carcass tags issued.  The possession limit is restricted by a season limit corresponding to the number of carcass tags issued.
	h. Collins zone	Four permit periods: Sept. 23 - Oct. 6 and Oct. 7 at 12:00 noon - Oct. 8; Oct. 9 - Oct. 22; Oct. 23 - Nov. 5; Nov. 6 - Nov. 17 and Nov. 27 - Nov. 30	2 2 2 2	The possession limit is restricted by a season limit of 4.
	i. Pine Island zone	Four permit periods: Sept. 23 - Oct. 6 and Oct. 7 at 12:00 noon - Oct. 8; Oct. 9 - Oct. 22; Oct. 23 - Nov. 5; Nov. 6 - Nov. 30	2 2 2 2	The possession limit is restricted by a season limit of 4.
	j. Theresa zone	Sept. 23 - Oct. 6 and Oct. 7 at 12:00 noon - Nov. 17 and Nov. 27 - Nov. 30; or until registered harvest reaches 4,500, whichever occurs first	Limited to one goose per 7-day period. The first goose at anytime; each succeeding goose may not be taken sooner than 7 days thereafter.	The possession limit is restricted by a season limit of 4.
	k. Rock Prairie	Sept. 30 - Oct. 6	1	2

Kind of animal	Locality	Open season (all dates inclusive)	Daily bag limit	Possession limit
	subzone	and Oct. 7 at 12:00 noon - Oct 31 and Nov. 1 - Nov. 4 and Nov. 5 - Dec. 10	1	2
			2	4
			1	2
	1. Mississippi river subzone south of a line extending from the Chippewa river's center line	Oct. 7 at 12:00 noon - Oct. 10 and Oct. 18 - Oct. 31 and Nov. 1 - Nov. 19 and Nov. 20 - Dec. 22	1	2
			1	2
			2	4
			2	4
2. Snow and blue geese	Entire state	Concurrent with the wild duck seasons established in par. (b) or Canada goose seasons established in subd. 1 except for the Brown County subzone where the season ends Dec. 1	A total of 7 including 2 white-fronted geese and not more than the established daily limit for Canada geese or its subspecies during the open season on Canada geese	A total of 14 including 4 white-fronted geese and not more than the established possession or season limit on Canada geese or its subspecies during the open season on Canada geese
3. All other geese and brant	Entire state	Concurrent with the wild duck seasons established in par. (b) or Canada goose seasons in subd. 1 except for the Brown County subzone where the season ends Dec 1; except for the Rock Prairie subzone where the season ends Dec. 8; and except for the Horicon Zone where the season ends Dec. 10	A total of 7 including 2 white-fronted geese and not more than the established daily limit for Canada geese or its subspecies during the open season on Canada geese	A total of 14 including 4 white-fronted geese and not more than the established possession or season limit on Canada geese or its subspecies during the open season on Canada geese

Note: Migratory bird rules, including seasons, limits, hours and areas where authorized, are established by emergency rule procedure in September of each year. The emergency rules will be published in their entirety in the official state newspaper and published in summary form in the current year migratory bird regulation pamphlet. Copies of the emergency rules may be obtained by contacting: State of Wisconsin Department of Natural Resources, Bureau of Wildlife Management, P.O. Box 7921, Madison, Wisconsin 53707.

(u) *Falconry special season.* Any person possessing a valid falconry permit and hunting license shall be restricted to the following migratory game bird seasons:

Kind of animal	Locality	Open season (all dates inclusive)	Daily bag limit	Possession limit
1. All species of wild duck except as provided in par. (a), mergansers and coots	Entire state	Beginning on the first season day established in s. NR 10.01 (1) (b) at 12:00 noon and continuing for 107 consecutive days	3	6
2. Gallinules, Sora rail, Virginia rail, common snipe and woodcock	Entire state	Sept. 1-Dec. 16	3	6

## (2) GAME BIRDS

Kind of animal and locality	Open season (all dates inclusive)	Limit
(a) <i>Ruffed grouse (partridge)</i>		
1. All that part of Wisconsin lying south of a line beginning at the junction of state highway 64 and the west boundary of St. Croix county, then east on highway 64 to its intersection with U.S. highway 45, then southeasterly on highway 45 to its intersection with U.S. highway 10, then east on highway 10 and continuing east to the junction with the east boundary of the state.	Beginning on the Saturday nearest September 15 and continuing through January 31	Daily bag 5; possession 10
2. Remainder of the state	Beginning on the Saturday nearest September 15 and continuing through December 31	Daily bag 5; 10 possession
(b) <i>Sharp-tailed grouse</i>		
1. All that part of Wisconsin lying north of a line beginning at the junction of state highway 64 and the west boundary of the state, then east along highway 64 to its junction with state highway 13, then south along highway 13 to its junction with state highway 29, then east along highway 29 ending in the city of Green Bay, except in the areas described in subds. 2. and 3.	Beginning on the Saturday nearest October 17 and continuing for 23 consecutive days	Daily bag 1; possession 2
2. Closed areas established in s. NR 11.08	None	None
3. All that part of Price county enclosed by a line beginning at the intersection of state highway 70 and county highway F, then south on county highway F to its junction with Fleming's Rapids Road, then south on Fleming's Rapids Road to its junction with county highway W, then west on county highway W to its junction with Price Lakes Road, then north on Price Lakes Road to its junction with state highway 70, then east on state highway 70 to the point of beginning	None	None
4. Remainder of the state	None	None

c. Permit success rates used to compute the number of permits to be issued for each quota shall be those calculated by the department from annual fisher season harvest reports.

The success rate formula is:

$$\text{Success rate} = \frac{\text{Number of fisher harvested}}{\text{Number of permits issued}}$$

The permit number formula is:

$$\text{Permit number} = \frac{\text{Quota fisher to be harvested}}{\text{Trapper success rate}}$$

d. The overwinter population goal for each management zone is one fisher per 4 square miles of fisher range.

3. Tagging procedure. a. Each person shall immediately upon possessing a fisher or an otter, attach and lock a valid tag, issued by the department, through the opening of the mouth to the opening of the eye, immediately beneath the skin.

b. No person may have a fisher or an otter pelt in possession or under control unless the person trapping the animal attaches the tag as required by this subdivision.

c. The tag shall remain attached to the pelt until removed by a fur dresser or taxidermist at time of preparation.

4. Fisher exhibition. Unless otherwise authorized by the department, each person who has trapped a fisher shall exhibit the pelt separated from the carcass along with the carcass to an authorized department representative in the county in which the animal was trapped, or in an adjoining county, no later than 5 days after the close of the fisher season. The fisher carcass shall be retained by the department.

5. Otter exhibition. Each person who has trapped an otter shall exhibit each pelt to an authorized department representative in the county in which the animal was trapped, or in an adjoining county, but within the area open to otter trapping, no later than 5 days after the close of the otter season.

6. Registration. The department shall inspect the pelt, attach and lock a registration tag to the head of all lawfully taken and possessed fisher and otter.

7. Possession and transfer restrictions. No person may:

a. Possess raw fisher or otter pelts later than 5 days after the close of the fisher and otter seasons to the opening date of the following fisher and otter seasons without a registration tag attached and locked to the head of the animal.

b. Transfer, give, trade, sell or purchase any fisher or otter pelt without a registration tag being attached and locked to the head of the pelt.

8. Fisher or bobcat intended for mounting. Persons exhibiting fisher under subd. 4. or bobcat under s. NR 10.145 (3) who intend to have the fisher or bobcat mounted by a taxidermist may exhibit the fisher or bobcat to the department for registration in whole carcass condition without

separating the pelt and need not surrender the skinned carcass to the department until after the taxidermist has separated the pelt.

History: 1-2-56; am. (3) (g), Register, August, 1985, No. 356, eff. 9-1-85; r. and recr. (intro.), (1) (n), (2) (b), (3) (d) 2. c. and (3) (e) 7., am. (2) (f) 1. and 2., (3) (e) 2. intro. and d. and 9. e., Register September, 1985, No. 357, eff. 10-1-85; emerg. r. and recr. (1) (g) 1. a, cr. (1) (g) 1. am., eff. 10-19-85; r. and recr. (4) (a) 4., am. (2) (f), Register, January, 1986, No. 361, eff. 2-1-86, except (4) (a) 4. eff. 3-1-86; r. and recr. (1) (b), (g), (l) 2. b. and 5., (tm) 3., am. (1) (u) 1., Register, April, 1986, No. 364, eff. 5-1-86; r. and recr. (3) (g), Register, June, 1986, No. 366, eff. 7-1-86; am. (1) (l) 2. and 3. b., (3) (e) (intro.) and (4) (e) 4., r. and recr. (3) (e) 2. and 6., (3) (em) and (4) (e) 1. b., r. (4) (d) 3. to 5., Register, August, 1986, No. 368, eff. 9-1-86; emerg. r. and recr. (1) (a), (b), (g), (l) 2. b. and 5., (tm) 3. and (u) 1., cr. (1) (e) 3. c., eff. 9-12-86; r. and recr. (3) (e) intro. and 1. to 6., am. (3) (e) 9. e. and (4) (e) 2. intro., Register, October, 1986, No. 370, eff. 11-1-86; r. and recr. (1) (a), (b), (g), (l) 2. b. and 5., (tm) 3., (u) 1., cr. (1) (l) 3. c., Register, January, 1987, No. 373, eff. 2-1-87; am. (2) (f) 1. and r. and recr. (2) (f) 2., Register, February, 1987, No. 374, eff. 3-1-87; cr. (4) (e) 3., Register, March, 1987, No. 375, eff. 4-1-87; r. (1) (q) and (r), r. and recr. (3) (g) and (4) (c), Register, July, No. 379, eff. 8-1-87; emerg. r. (1) (a), r. and recr. (1) (b), (c) 2., (g), (l) 2. b. and 5., (tm) 2., 3. and 4., (u) 1., eff. 9-25-87; am. (2) (f) 1. and 2., (3) (e) 9. e., r. and recr. (3) (h) 1. and (4) (e) 2., cr. (3) (h) 3., Register, October, 1987, No. 382, eff. 11-1-87; r. (1) (a), r. and recr. (1) (b), (c) 2., (g), (l) 2. b., and 5., (tm) 2. to 5., and (u) 1., Register, December, 1987, No. 384, eff. 1-1-88; r. and recr. (2) (f) 2., Register, January, 1988, No. 385, eff. 2-1-88; r. and recr. (4) (b), am. (4) (c), Register, June, 1988, No. 390, eff. 7-1-88; renum. (1) (h) to be NR 10.125 (6), r. (1) (l) to (tm), (3) (e) 7. and 9., am. (1) (u) 1., r. and recr. (2) (b) 2., Register, July, 1988, No. 391, eff. 8-1-88; emerg. cr. (1) (a), r. and recr. (1) (b), (c) and (g) eff. 9-21-88; am. (intro.) and (2) (c) 1., Register, October, 1988, No. 394, eff. 11-1-88. cr. (2) (f) 3., Register, October, 1988, No. 394, eff. 1-1-89; cr. (1) (a), r. and recr. (1) (b), (c) and (g), Register, January, 1989, No. 397, eff. 2-1-89; r. and recr. (2) (f) 1. and 2., Register, March, 1989, No. 399, eff. 4-1-89; am. (3) (e) (intro.), r. (4) (e) 1. d., Register, July, 1989, No. 403, eff. 8-1-89; am. (2) (b) 1., (3) (e) 1. intro. and a., 2. intro., a., b., and e., r. and recr. (2) (d), (4) (dm) and (e) 2. d., renum. (3) (e) 1. d. to be 1. e., cr. (3) (e) 1. d., 2. f., 6. and 7., Register, October, 1989, No. 406, eff. 11-1-89; emerg. am. (1) (g) 1. a. and f., eff. 11-26-89; r. and recr. (2) (f) 1. and 2., Register, January, 1990, No. 409, eff. 2-1-90; r. and recr. (1) (b), (c) and (g), Register, March, 1990, No. 411, eff. 4-1-90

Note: For a complete history of s. NR 10.01 from 1-2-56 through 11-30-73 see the history note following s. NR 10.01 published in November 1973, Register. For a complete history of s. NR 10.01 from 12-1-73 through 7-31-85 see the history note following s. NR 10.01 published in the July, 1985 Register.

**NR 10.02 Protected wild animals.** The following wild animals are designated protected. No person may take, attempt to take, transport or possess any protected wild animal at any time unless expressly authorized by the department.

- (1) Cougar, badger, moose, elk, wolverine and flying squirrel.
- (2) Endangered or threatened species listed in ch. NR 27.
- (3) White deer (monocolored).
- (4) Woodchuck except as provided in s. 29.24, Stats.
- (5) Prairie chicken, Canada spruce grouse (spruce hen), mourning doves, swans, cranes, bitterns, plovers, kingfishers, cormorants, herons, sandpipers and grebes.
- (6) Eagles, hawks, falcons, and owls except as provided in ch. NR 18.
- (7) Hen pheasants except as expressly provided in this chapter.
- (8) Any other wild bird not specified in this chapter.

History: 1-2-56; am. (2), Register, August, 1956, No. 8, eff. 9-1-56; am. (1), Register, August, 1957, No. 20, eff. 9-1-57; am. (1) and (2), Register, August, 1958, No. 32, eff. 9-1-58; am. (1) emerg. eff. 9-20-58; am. (1), Register, August, 1959, No. 44, eff. 9-1-59; am. (2), cr. (3), Register, September, 1965, No. 117, eff. 10-1-65; am. (2), Register, March, 1966, No. 123, eff. 4-1-66; am. (1), Register, August, 1967, No. 140, eff. 9-1-67; renum. to be NR 10.02; am. (2), Register, June, 1970, No. 174, eff. 7-1-70; am. (1), Register, September, 1972, No. 201, eff. 10-1-72; r. (3), Register, December, 1977, No. 264, eff. 1-1-78; r. and recr. Register, August, 1979, Register, March, 1990, No. 411

No. 284, eff. 9-1-79; am. (1), Register, September, 1983, No. 333, eff. 10-1-83; am. (1), Register, July, 1985, No. 355, eff. 8-1-85; cr. (intro.) Register, September, 1985, No. 357, eff. 10-1-85.

**NR 10.03 Birds causing depredation.** (1) **APPLICATION.** The following named birds have been determined by the department to be birds committing depredation or about to commit depredation at all times to and upon ornamental or shade trees, agricultural crops, livestock or wildlife, and when concentrated in large numbers that they may constitute a health hazard or other nuisance:

- (a) Red-winged blackbirds.
- (b) Grackles.
- (c) Crows.
- (d) Cowbirds.

(2) **PERMITS.** Such birds may be taken at all times without need for either a federal or state permit.

(3) **INSPECTION OF PREMISES.** Any person taking such birds shall at all reasonable times, including during actual operation, permit any federal or state game law enforcement officer, free and unrestricted access on the premises over which such operations have been or are being conducted, and shall furnish promptly to such officer whatever information may be required about said operation.

(4) **DISPOSITION.** Birds killed pursuant to this subsection and their plumage shall not be sold or offered for sale.

History: 1-2-56; am. Register, August, 1956, No. 8, eff. 9-1-56; am. Register, August, 1966, No. 128, eff. 9-1-66; r. and recr., Register, August, 1967, No. 140, eff. 9-1-67; renum. to be NR 10.03; r. (1), Register, June, 1970, No. 174, eff. 7-1-70; r. and recr. Register, August, 1979, No. 284, eff. 9-1-79.

**NR 10.04 Unprotected wild animals.** The following wild animals are designated unprotected. No closed season, bag limit, size limit or possession limit applies to these animals.

Note: A valid hunting or trapping license must be obtained before taking any unprotected animal by a gun discharged from the shoulder, handgun, pellet gun, bow and arrow, falconry, steel-jawed traps, Conibear traps or live traps. A department approval is required before any unprotected animal may be taken by any means not specified in this paragraph.

- (1) Opossum, skunk and weasel.
- (2) Starlings, English sparrows, coturnix quail and chukar partridge.
- (3) Any other wild animal not specified in this chapter.

History: 1-2-56; am. (1) Register, August, 1957, No. 20, eff. 9-1-57; am. (2), Register, August, 1958, No. 32, eff. 9-1-58; renum. to be NR 10.04; am. (1) and (2), Register, June, 1970, No. 174, eff. 7-1-70; am. (1), Register, August, 1972, No. 200, eff. 9-1-72; r. and recr. Register, No. 251, eff. 12-1-76; r. and recr. Register, August, 1979, No. 284, eff. 9-1-79; am. (1), Register, October, 1980, No. 298, eff. 11-1-80; cr. (intro.), Register, September, 1985, No. 357, eff. 10-1-85.

**NR 10.05 Highways.** (1) **GENERAL HUNTING.** No person may hunt within 50 feet of a roadway's center except as provided in s. 167.31, Stats.

Note: The exceptions provided by s. 167.31, Stats., allows any person to legally hunting small game with a muzzle-loading firearm or shotgun loaded with shotshells containing shot size BB or smaller if the roadway is surfaced with anything other than concrete or blacktop.

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(2) **WATERFOWL AND COOT HUNTING.** It shall be unlawful to hunt waterfowl or coot from any public roads or railroads including the respective rights-of-way along or within the area described as the Horicon zone in s. NR 10.31 (4).

History: 1-2-56; am. (1) and (2), Register, August, 1956, No. 8, eff. 9-1-56; am. (1) and (2), Register, August, 1957, No. 20, eff. 9-1-57; r. (1) and (2) and recr. (1), Register, August, 1958, No. 32, eff. 9-1-58; cr. (2), Register, September, 1960, No. 57, eff. 10-1-60; cr. (3), Register, August, 1963, No. 92, eff. 9-1-63; r. and recr. (2), Register, September, 1966, No. 129, eff. 10-1-66; emerg. am. (2), eff. 9-1-67; emerg. am. (2), eff. 9-30-68; emerg. am. (2), eff. 8-30-69; am. (2), Register, November, 1969, No. 167, eff. 12-1-69; renum. to be NR 10.06; cr. (4) and (5), Register, June, 1970, No. 174, eff. 7-1-70; emerg. am. (2), eff. 9-19-73; emerg. am. (2), eff. 9-24-75; am. (2), Register, May, 1976, No. 245, eff. 6-1-76; r. and recr. (1) am. (2) and r. (3), (4) and (5), Register, May, 1977, No. 257, eff. 6-1-77; am. (2), Register, February, 1978, No. 266, eff. 3-1-78; am. (1), Register, September, 1979, No. 285, eff. 10-1-79; am. (2), Register, July, 1989, No. 403, eff. 8-1-89.

**NR 10.06 Hunting hours.** (1) **GENERAL HUNTING.** All hunting hours, when specified in this chapter, mean Central Standard Time, and the daily opening (a.m.) and closing (p.m.) hours listed shall apply to the entire state.

(2) **HUNTING ZONES.** (a) *General.* General hunting hour zones are established as follows:

**Zone**

- A—all that part of the state lying east of 88°-00' longitude.
- B—all that part of the state lying between 88°-00' and 89°-00' long.
- C—all that part of the state lying between 89°-00' and 90°-00' long.
- D—all that part of the state lying between 90°-00' and 91°-00' long.
- E—all that part of the state lying between 91°-00' and 92°-00' long.
- F—all that part of the state lying west of 92°-00' longitude.

(b) *General prohibition.* Except as provided in subs. (4), (6), (7) and (8), no person may hunt or shoot any game species on which an open season is prescribed on any day during the open season before the a.m. times or after the p.m. times established in sub. (3).

(3) **BIG AND SMALL GAME HUNTING.** (a) *Formula.* The hunting hours for pursuing big game small game in Zone A are listed in par. (b). The hunting hours for other zones are obtained by adding minutes to the Zone A a.m. and p.m. columns as follows:

Zone - Adjustment

- B - add 4 minutes.
- C - add 8 minutes.
- D - add 12 minutes.
- E - add 16 minutes.
- F - add 20 minutes.

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(b) Big game and small game hunting hours (zone A Milwaukee; CST)

- 30 minutes before sunrise through 15 minutes after sunset.

Date	Jan.		Feb.		Mar.		Apr.		May		Sept.		Oct.		Nov.		Dec.	
	A.M.	P.M.	A.M.	P.M.	A.M.	P.M.	A.M.	P.M.	A.M.	P.M.								
1	6:53	4:43	6:37	5:19	5:58	5:56	5:04	6:32	4:16	7:07	4:46	6:42	5:18	5:48	5:56	4:59	6:38	4:33
2	6:53	4:44	6:36	5:17	5:56	5:57	5:03	6:34	4:15	7:08	4:47	6:40	5:20	5:47	5:57	4:58	6:34	4:33
3	6:53	4:44	6:35	5:22	5:55	5:58	5:01	6:35	4:13	7:09	4:48	6:38	5:21	5:45	5:58	4:57	6:35	4:33
4	6:53	4:45	6:34	5:23	5:53	5:59	4:59	6:36	4:12	7:10	4:49	6:37	5:22	5:43	5:59	4:55	6:36	4:33
5	6:53	4:46	6:33	5:24	5:52	6:01	4:57	6:37	4:11	7:12	4:50	6:35	5:23	5:41	6:01	4:54	6:37	4:32
6	6:53	4:47	6:31	5:26	5:50	6:02	4:56	6:38	4:09	7:13	4:51	6:33	5:24	5:40	6:02	4:53	6:38	4:32
7	6:53	4:48	6:30	5:27	5:48	6:04	4:54	6:39	4:08	7:14	4:52	6:31	5:25	5:38	6:03	4:52	6:39	4:32
8	6:52	4:49	6:29	5:28	5:46	6:04	4:52	6:41	4:07	7:15	4:53	6:30	5:26	5:36	6:05	4:51	6:40	4:32
9	6:52	4:50	6:28	5:30	5:45	6:05	4:50	6:42	4:06	7:16	4:54	6:28	5:28	5:35	6:06	4:50	6:41	4:32
10	6:52	4:52	6:25	5:31	5:43	6:07	4:49	6:43	4:04	7:17	4:55	6:26	5:29	5:33	6:07	4:48	6:42	4:32
11	6:52	4:53	6:23	5:32	5:41	6:08	4:47	6:44	4:03	7:18	4:56	6:24	5:30	5:31	6:08	4:47	6:42	4:32
12	6:51	4:54	6:22	5:33	5:40	6:09	4:45	6:45	4:02	7:19	4:58	6:23	5:31	5:30	6:10	4:46	6:43	4:32
13	6:51	4:55	6:22	5:35	5:38	6:10	4:42	6:46	4:01	7:20	4:59	6:21	5:32	5:28	6:11	4:45	6:44	4:32
14	6:51	4:56	6:21	5:36	5:36	6:11	4:42	6:48	4:00	7:21	4:59	6:19	5:33	5:26	6:12	4:44	6:45	4:33
15	6:50	4:57	6:20	5:38	5:34	6:13	4:40	6:49	3:59	7:23	4:58	6:17	5:35	5:25	6:14	4:43	6:46	4:33
16	6:50	4:58	6:18	5:39	5:33	6:14	4:39	6:50	3:58	7:24	4:59	6:15	5:36	5:23	6:15	4:43	6:46	4:33
17	6:49	5:00	6:17	5:40	5:31	6:15	4:37	6:51	3:57	7:25	5:03	6:14	5:37	5:21	6:16	4:42	6:47	4:33
18	6:49	5:01	6:15	5:42	5:29	6:16	4:36	6:52	3:56	7:26	5:04	6:12	5:38	5:20	6:17	4:41	6:48	4:34
19	6:48	5:02	6:14	5:43	5:27	6:17	4:34	6:53	3:55	7:27	5:05	6:10	5:39	5:18	6:19	4:40	6:48	4:34
20	6:47	5:03	6:12	5:44	5:26	6:19	4:32	6:54	3:54	7:28	5:06	6:08	5:41	5:17	6:20	4:39	6:49	4:34
21	6:47	5:05	6:11	5:45	5:24	6:20	4:31	6:56	3:53	7:29	5:07	6:06	5:42	5:15	6:21	4:39	6:49	4:35
22	6:46	5:06	6:09	5:47	5:22	6:21	4:29	6:57	3:52	7:30	5:08	6:05	5:43	5:13	6:22	4:38	6:50	4:35
23	6:45	5:07	6:08	5:48	5:20	6:22	4:28	6:58	3:51	7:31	5:10	6:03	5:44	5:12	6:23	4:37	6:50	4:36
24	6:44	5:09	6:06	5:49	5:18	6:23	4:26	6:59	3:51	7:32	5:11	6:01	5:46	5:10	6:25	4:37	6:51	4:37
25	6:44	5:10	6:05	5:51	5:17	6:24	4:25	7:00	3:50	7:33	5:12	5:59	5:47	5:09	6:26	4:36	6:51	4:37
26	6:43	5:11	6:03	5:52	5:15	6:26	4:23	7:01	3:49	7:33	5:13	5:57	5:48	5:08	6:27	4:35	6:52	4:38
27	6:42	5:12	6:01	5:53	5:13	6:27	4:22	7:02	3:48	7:34	5:14	5:56	5:49	5:06	6:28	4:35	6:52	4:39
28	6:41	5:14	6:00	5:54	5:11	6:28	4:20	7:04	3:48	7:35	5:15	5:54	5:51	5:05	6:29	4:34	6:52	4:39
29	6:40	5:15	6:00	5:55	5:10	6:29	4:19	7:05	3:47	7:36	5:16	5:52	5:52	5:03	6:30	4:34	6:52	4:40
30	6:39	5:16	6:00	5:55	5:08	6:30	4:17	7:06	3:46	7:37	5:17	5:50	5:53	5:02	6:32	4:34	6:53	4:41
31	6:38	5:18	6:00	5:56	5:06	6:31	4:17	7:06	3:46	7:38	5:17	5:50	5:54	5:01	6:32	4:34	6:53	4:42

(4) **MIGRATORY GAME BIRD HUNTING.** The hunting zones for pursuing migratory game birds are established in par. (2) (a) and hunting hours are established in the following table with the following exceptions:

(a) All waterfowl hunting starts at noon on the first day of the duck hunting season established in s. NR 10.01 (1) (b).

(b) The hunting hours in the Theresa goose management zone close at 1:00 p.m. daily except on the first day of the duck hunting season established in s. NR 10.01 (1) (b) when the hunting hours close as shown in the table.

(c) Hunting hours for rails, snipe and woodcock, begin daily 30 minutes prior to the time listed for a.m. and end with the hours listed for p.m. in the table through November 12 after which the hunting hours are as listed in the table.

#### Migratory Game Bird Hunting Hours C.S.T.

DAY	September		October		November		December	
	A.M.	P.M.	A.M.	P.M.	A.M.	P.M.	A.M.	P.M.
1	5:16	6:27	5:48	5:33	6:26	4:44	6:33	4:18
2	5:17	6:25	5:50	5:32	6:27	4:43	6:34	4:18
3	5:18	6:23	5:51	5:30	6:28	4:42	6:35	4:18
4	5:19	6:22	5:52	5:28	6:29	4:40	6:36	4:18
5	5:20	6:20	5:53	5:26	6:31	4:39	6:37	4:17
6	5:21	6:18	5:54	5:25	6:32	4:38	6:38	4:17
7	5:22	6:16	5:55	5:23	6:33	4:37	6:39	4:17
8	5:23	6:15	5:56	5:21	6:35	4:36	6:40	4:17
9	5:24	6:13	5:58	5:20	6:36	4:35	6:41	4:17
10	5:25	6:11	5:59	5:18	6:37	4:33	6:42	4:17
11	5:26	6:09	6:00	5:16	6:38	4:32	6:42	4:17
12	5:28	6:08	6:01	5:15	6:40	4:31	6:43	4:17
13	5:29	6:06	6:02	5:13	6:11	4:30	6:44	4:17
14	5:30	6:04	6:03	5:11	6:12	4:29	6:45	4:18
15	5:31	6:02	6:05	5:10	6:14	4:28	6:46	4:18
16	5:32	6:00	6:06	5:08	6:15	4:28	6:46	4:18
17	5:33	5:59	6:07	5:06	6:16	4:27	6:47	4:18
18	5:34	5:57	6:08	5:05	6:17	4:26	6:48	4:19
19	5:35	5:55	6:09	5:03	6:19	4:25	6:48	4:19
20	5:36	5:53	6:11	5:02	6:20	4:24	6:49	4:19
21	5:37	5:51	6:12	5:00	6:21	4:24	6:49	4:20
22	5:38	5:50	6:13	4:58	6:22	4:23	6:50	4:20
23	5:40	5:48	6:14	4:57	6:23	4:22	6:50	4:21
24	5:41	5:46	6:16	4:55	6:25	4:22	6:51	4:22
25	5:42	5:44	6:17	4:54	6:26	4:21	6:51	4:22
26	5:43	5:42	6:18	4:53	6:27	4:20	6:52	4:23
27	5:44	5:41	6:19	4:51	6:28	4:20	6:52	4:24
28	5:45	5:39	6:21	4:50	6:29	4:19	6:52	4:24
29	5:46	5:37	6:22	4:48	6:30	4:19	6:52	4:25
30	5:47	5:35	6:23	4:47	6:32	4:19	6:53	4:26
31			6:24	4:46			6:53	4:27

Note: Times listed for Sept. 1 through Nov. 12 are sunrise and sunset and beginning on Nov. 13 and through Dec. 31, times listed are one half hour before sunrise and sunset.

(6) **PHEASANT HUNTING.** Pheasant hunting hours shall close at 2:00 p.m. daily within the posted boundaries of the following properties beginning the second day of the pheasant hunting season established in s. NR 10.01 (2) (c) and continuing for 13 consecutive days.

(a) Allenton (Washington county)

(b) Brooklyn (Dane and Green counties)

(c) Collins (Manitowoc county)

- (d) Dunnville (Dunn county)
- (e) Goose Lake (Dane county)
- (f) Holland (Brown county)
- (g) Horicon (Dodge county)
- (h) Killsnake (Calumet and Manitowoc counties)
- (i) Little Scarboro — Kewaunee (Kewaunee county)
- (j) Mazomanie (Dane county)
- (jm) Muddy Creek (Dunn county)
- (k) New Munster (Kenosha county)
- (l) Theresa (Dodge and Washington counties)
- (m) Tichigan (Racine county)
- (n) Vernon (Waukesha county)
- (o) White River (Green Lake and Marquette counties)
- (p) Witwen (Sauk county)

(7) **WILD TURKEY HUNTING.** The hunting hours for pursuing wild turkeys shall be the same as the hours established in sub. (3) except that spring hunting hours shall close at 12:00 noon daily.

(8) **EXCEPTIONS.** There are no hunting hour restrictions for pursuing coyote, fox, raccoon and all wild animals for which no closed season is established except as follows:

(a) *Bow bear and deer seasons.* Hunting hours established in sub. (3) shall apply to archers pursuing any species during the bow bear season established in s. NR 10.01 (3) (g) and during the bow deer season established in s. NR 10.01 (3) (em).

(b) *Gun deer season.* Hunting hours established in sub. (3) shall apply to bow and gun hunters pursuing any species during the gun deer season established in s. NR 10.01 (3) (e).

History: 1-2-56; am. (2); cr. (2m), Register, August, 1956, No. 8, eff. 9-1-56; am. (2m), Register, August, 1957, No. 20, eff. 9-1-57; am. (2), (2m) and (3), Register, August, 1958, No. 32, eff. 9-1-58; r. and recr. Register, August, 1959, No. 44, eff. 9-1-59, am. (2), cr. (2m) Register, Sept. 1959, No. 45, eff. 10-1-59; am. (2) and r. (2m), Register, September 1960, No. 57, eff. 10-1-60; am. (2), cr. (2m), Register, September, 1961, No. 69, eff. 10-1-61; r. and recr. (2) and (2m), Register, August, 1962, No. 80, eff. 9-1-62; r. and recr. Register, August, 1965, No. 116, eff. 9-1-65; am. (3), emerg. eff. 9-5-65; am. (2), Register, March, 1966, No. 123, eff. 4-1-66; r. and recr. Register, August, 1966, No. 128, eff. 9-1-66; r. cr. (2); cr. (4) Register, September, 1966, No. 129, eff. 10-1-66; r. and recr. (2) and (3), Register, August, 1967, No. 140, eff. 9-1-67; renun. to be NR 10.06; r. (4), Register, June, 1970, No. 174, eff. 7-1-70; am. (3), Register, August, 1971, No. 188, eff. 9-1-71; am. (3), Register, September, 1972, No. 201, eff. 10-1-72; am. (2), (3), Register, August, 1973, No. 212, eff. 9-1-73; am. (2), Register, September, 1973, No. 213, eff. 10-1-73; am. (3), Register, March, 1975, No. 231, eff. 4-1-75; emerg. am. (2) (d), eff. 9-24-75; am. (3), Register, October, 1975, No. 238, eff. 11-1-75; am. (2) (d) (eff. 6-1-76), am. (2) (c), Register, May, 1975, No. 245, eff. 8-15-76; am. (2) (d) and (3), Register, November, 1976, No. 251, eff. 12-1-76; am. (2) (a), Register, May, 1977, No. 257, eff. 6-1-77; r. and recr. (2) (d), Register, February, 1978, No. 266, eff. 3-1-78; am. (2) (c) and (e), Register, October, 1980, No. 298, eff. 11-1-80; am. (2) (c) and cr. (4) and (5), Register, November, 1982, No. 323, eff. 12-1-82; am. (2) (c) and cr. (6), Register, March, 1984, No. 339, eff. 4-1-84; am. (2) (d), Register, April 1985, No. 352, eff. 5-1-85; cr. (6) (jm), Register, October, 1986, No. 370, eff. 11-1-86; emerg. am. (2) (d), eff. 9-25-97; am. (2) (d), Register, December, 1987, No. 384, eff. 1-1-88; r. and recr. (2) (b), (3) to (5), r. (2) (d), renun. (2) (e) to be (3) (b), cr. (7) and

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(8), Register, October, 1988, No. 394, eff. 1-1-89; r. and recr. (4), Register, January 1989 No. 397 eff. 2-1-89; r. and recr. (2) (b), (3) (b), (7) and (8) (a) to (c), r. (2) (c) and (5), am. (3) (a), Register, October, 1989, No. 406, eff. 11-1-89; r. and recr. (4), Register, March, 1990, No. 411, eff. 4-1-90.

NR 10.07 General hunting. (1) PROHIBITED METHODS. No person shall:

(a) *Aircraft*. Hunt with the aid of an airplane, including the use of an airplane to spot, rally or drive wild animals for hunters on the ground.

(b) *Devices*. 1. Place, operate or attend, spread, or set any net, pitfall, snare, spring gun, pivot gun, swivel gun, or other similar contrivance for the purpose of catching or which might catch, take or ensnare wild animals.

2. Use or possess any snare, trap or device designed or used for the purpose of driving rabbits out of their holes or dens.

(d) *Molesting*. Molest the nest or den of any squirrel.

(e) *Ferret*. Use or possess any ferret while hunting.

(f) *Retrieval*. Fail to make every reasonable effort to retrieve all wild animals killed or crippled; and until such effort is made, such wild animals shall be included in the daily bag.

(g) *Baiting*. 1. Place, use or hunt over bait contained within metal, paper, plastic, glass, wood or other nondegradable materials.

2. Except as established in s. NR 10.12 (1) (h), use any bait material for attracting wild animals other than fruit, vegetables, grains, pastry or liquid scent. All such solid material shall be confined to a hole in the ground measuring no more than 2 feet square.

3. Place or hunt over bait or liquid scent within 50 yards of any trail, road or campsite used by the public.

4. Exception: This subsection does not prohibit hunting over bait materials deposited by natural vegetation or found solely as a result of normal agricultural practices.

(h) *Salt*. Hunt by the use or aid of salt.

(i) *Dog use*. Hunt or pursue any free-roaming wild animal with the aid of dog or dogs May 1 to June 30 in that portion of the state north of the highways shown on the following map except for dog trials and training under permit as established by ch. NR 17:

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(b) It is likely that a failure to reduce the deer population to the over-winter population goals in the unit will result in increased deer damage to commercial seedings or crops on agricultural lands, nurseries or orchards or a waste of the resource.

(3) NOTICE. Modification by the secretary under sub. (1) shall become effective upon issuance of an order and publication in the official state newspaper. In addition, a copy of the order shall be provided to newspapers in the area affected and to all legislators.

History: Cr. Register, September, 1985, No. 357, eff. 10-1-85; am. (1) and (2) (a), Register, July, 1988, No. 391, eff. 8-1-88.

**NR 10.12 Migratory game bird hunting. (1) PROHIBITED METHODS.** No person shall hunt any migratory game bird by any of the following methods:

(a) *Sinkbox.* From or by means, aid or use of a sinkbox or any other type of low floating device, having a depression affording the hunter a means of concealment beneath the surface of the water.

(b) *Boats.* From any boat or craft other than those propelled by paddle, oar or pole. When motors or sails are attached to the boat, the motor shall be completely shut off and the sail furled, and the boat's progress stopped before a firearm may be loaded.

(c) *Structures.* From any pier, dam, dock or similar structure, except disabled persons under the authority of a class A permit issued by the department.

(d) *Rallying.* By the use or aid of any water, air or motor-driven land conveyance used for the purpose of or resulting in stirring up, driving or rallying.

(e) *Bird calls.* By the use or aid of recorded or electrically amplified bird calls or sounds or imitations thereof.

(f) *Live decoys.* By using directly or indirectly any live tame or captive ducks or geese for decoy purposes regardless of the distance intervening between any such live decoys and the position of the hunter. All live tame or captive ducks and geese shall be removed for a period of 10 consecutive days prior to hunting, and confined within an enclosure which substantially reduces the audibility of their calls and totally conceals these live birds from the sight of migratory waterfowl.

(g) *Decoy use.* By the use or aid of decoys which are placed beyond 200 feet from the blind or cover in which the hunter is located. In addition, it is unlawful to:

a. Place in the water prior to one hour before opening hunting time.

b. Leave in the water unattended.

c. Leave in the water more than 20 minutes after the close of hunting time.

(h) *Baiting.* By the aid of baiting, or on or over any baited area. As used in this paragraph, "baiting" shall mean the placing, exposing, depositing, distributing, or scattering of shelled, shucked, or unshucked corn, wheat or other grain, salt, or other feed so as to constitute for such birds a lure, attraction or enticement to, on, or over any areas where

hunters are attempting to take them; and "baited area" means any area where shelled, shucked, or unshucked corn, wheat or other grain, salt, or other feed whatsoever capable of luring, attracting, or enticing such birds is directly or indirectly placed, exposed, deposited, distributed, or scattered; and such area shall remain a baited area for 10 days following complete removal of all such corn, wheat or other grain, salt, or other feed. However, nothing in this paragraph shall prohibit:

1. The taking of all migratory game birds, including waterfowl, on or over standing crops, flooded standing crops (including aquatics), flooded harvested croplands, grain crops properly shocked on the field where grown or grains found scattered solely as the result of normal agricultural planting or harvesting; and

2. The taking of all migratory game birds, except waterfowl, on or over any land where shelled, shucked or unshucked corn, wheat or other grain, salt, or other feed has been distributed or scattered as the result of bona fide agricultural operations or procedures, or as a result of manipulation of a crop or other feed on the land where grown for wildlife management purposes: provided that manipulation for wildlife management purposes does not include the distributing or scattering of grain or other feed once it has been removed from or stored on the field where grown.

Note: Baiting rules are taken verbatim from 50 C.F.R. s. 20.21 (i) as a result of a court of appeals decision nos. 88-0815 to 88-0818 dated March 1, 1989.

2. This subsection shall not be construed to apply to propagating, scientific or other operations in accordance with the terms of lawfully issued state and federal permits, or to the taking of birds over salt blocks, properly shocked corn, standing crops (including aquatics), grains found scattered solely as a result of normal agricultural practices, flooded standing crops or flooded harvested crop lands, or to the feeding of migratory game birds at any time not in connection with hunting.

(2) POSSESSION. No person shall possess any live or crippled migratory game bird reduced to possession by means of hunting. Such bird shall be immediately killed and become a part of the daily bag limit.

(3) OPEN WATER RESTRICTIONS. No person may hunt waterfowl in open water from any blind which may include any boat, canoe, raft, contrivance or similar device except:

(a) *Mississippi river*. Blinds in any of the waters of the Mississippi river and adjoining counties provided the blinds are securely anchored and located not more than 100 feet from any shoreline including islands. Blinds in open water in Grant county and the Lake Pepin portions of the Mississippi river are permitted regardless of the distance from shore provided the blinds are securely anchored.

(b) *Great Lakes area*. Blinds in open waters of Lake Superior, Lake Michigan and Green Bay beyond 500 feet of any lake or bay shoreline. Blinds do not have to be anchored in these areas.

(c) *Lake Winnebago and Petenwell flowage*. Blinds in open waters of Lake Winnebago and Petenwell flowage (north of state highway 21 and south of state highway 73) if more than 1,000 feet from any shoreline including islands provided blinds are securely anchored.

(d) *Blind removal*. All open water blinds shall be removed at the close of hunting hours each day.

(4) **SPECIAL BLIND RESTRICTIONS.** The department may restrict hunters to certain blind locations within the Collins, Pine Island and Theresa state wildlife areas by posted notice. If posted, maps shall be provided by the department indicating where blind sites are located. The following blind restrictions apply to goose hunting in the Collins, Horicon and Theresa zones:

(a) *Zone restrictions.* On any land within the Horicon intensive management subzone established in s. NR 10.31 (5) and on private land, unless leased by the department for public hunting, within the Collins and Theresa zones established in s. NR 10.31 (3) and (10), no person may hunt geese except from a blind unless they are a disabled person located no more than 20 feet from the blind and in possession of a class A permit issued by the department.

(b) *Hunter limits.* No more than 2 hunters may occupy any blind at one time nor may any person hunt waterfowl from a blind placed within 200 yards of any other blind occupied by one or more waterfowl hunters or within 100 yards of the property boundary on which the blind is located.

(c) *Game retrieval.* Downed game birds may be retrieved outside blinds with the aid of guns and dogs or by hand.

(5) **TAKING METHODS.** No person shall hunt any migratory bird:

(a) *Guns and devices.* With a trap, snare, net, rifle, pistol, crossbow other than in s. 29.104, Stats., swivel gun, punt gun, battery gun, machine gun, fishhook, poison, drug, explosive, stupefying substance or shotgun of a larger bore than a no. 10 gauge.

Note: The s. 29.104, Stats., reference authorizes disabled persons under department permit to hunt any migratory bird on which an open season is established in s. NR 10.01 (1) with crossbows meeting s. 29.104., Stats., standards.

(b) *Shotgun capabilities.* With any automatic-loading or hand-operated repeating shotgun capable of holding more than 3 shells the magazine of which has not been cut off or plugged with a one-piece filler incapable of removal without disassembling the gun so as to reduce the capacity of said gun to not more than 3 shells at one time in the magazine and chamber combined.

(c) *Legal means.* By any means other than a shotgun fired from the shoulder or a bow and arrow, or by falconry.

(d) *Non-toxic shot requirements.* While hunting waterfowl and coot within any area of the state, no person may:

1. Take, catch, kill or pursue waterfowl and coot with any shotshell loaded with any material other than nontoxic shot.
2. Possess any shotshell loaded with any material other than nontoxic shot.

Note: Muzzle-loading firearms are not restricted by this rule because shotshells are not part of their mechanism.

(6) **TAGGING.** No person may give, put or leave migratory game birds at any place, other than at that person's permanent abode, or in the custody of another person unless the birds are tagged individually or collectively with tags bearing the following information:

- (a) The hunter's signature,
- (b) The hunter's address,
- (c) The total number of birds tagged, by species, and
- (d) The dates the birds were killed.

Note: Tagging is required if the birds are being transported by another person for the hunter, or if the birds have been left for cleaning, storage (including temporary storage), shipment, or taxidermy services.

(7) **DRESSING.** No person may completely dress any migratory game bird and then transport the bird from the field. The head or one fully feathered wing shall remain attached to all migratory game birds being transported from the field to the person's permanent abode or a preservation facility.

(8) **SHIPMENT.** No person may ship migratory game birds unless the package is marked on the outside with:

- (a) The name and address of the person sending the birds,
- (b) The name and address of the person to whom the birds are being sent, and
- (c) The number of birds, by species, contained in the package.

(9) **IMPORTATION.** (a) One fully-feathered wing shall remain attached to all migratory game birds being transported between the port of entry and the possessor's permanent abode or to a preservation facility.

(b) No person may import migratory game birds belonging to another person.

Note: Violation of state migratory game bird regulations is also a violation of federal regulations. Importation restrictions do not prohibit the importation of legally taken, fully feathered migratory game birds for mounting purposes by a taxidermist holding a valid federal permit and licensed by the U.S. department of agriculture to decontaminate birds.

History: 1-2-56; am. (2) (c), (3) (a), (4), (5) (c), Register, August, 1956, No. 8, eff. 9-1-56; am. (1) (e) and (2) (c) and r. (5) (b), Register, August, 1958, No. 32, eff. 9-1-58; am. (1) (b); r. and recr. (1) (d); cr. (1) (f) and (g); am. (5) (a), Register, September, 1960, No. 57, eff. 10-1-60; r. and recr. (1) (f), Register, August, 1961, No. 63, eff. 9-1-61; r. and recr. (1) (f), Register, September, 1963, No. 93, eff. 10-1-63; r. (5) (c) Register, August, 1965, No. 116, eff. 9-1-65; am. (5) (a), Register, September, 1965, No. 117, eff. 10-1-65; am. (1) (f), Register, September, 1966, No. 129, eff. 10-1-66; am. (2) (b); cr. (2) (d), (e) and (f), Register, August, 1967, No. 140, eff. 9-1-67; emer. am. (1) (f), eff. 9-1-67; am. (2) (b) and (e), Register, August, 1968, No. 152, eff. 9-1-68; emerg. am. (1) (f), eff. 9-30-68; emerg. am. (2) (c), eff. 10-11-68, emerg. am. (1) (f) and (2) (c), eff. 8-30-69; am. (1) (f) and (2) (c), Register, November, 1969, No. 167, eff. 12-1-69; renum. to be NR 10.12, Register, June, 1970, No. 174, eff. 7-1-70; am. (2) (d) and (e), and r. (f), Register September 1970, No. 177, eff. 10-1-70; am. (2) (b), Register, September, 1971, No. 189, eff. 10-1-71; emerg. am. (1) (f) eff. 10-10-72; emerg. am. (2) (a), eff. 9-24-75; am. (2) (a), Register, June, 1976, No. 246, eff. 7-1-76; am. (2), Register, January, 1977, No. 253, eff. 2-1-77; am. (5), Register, December, 1977, No. 264, eff. 1-1-78; r. (2) (a), r. and recr. (2) (c), and cr. (5)(b), Register, February, 1978, No. 266, eff. 3-1-78; r. and recr. (1) to (4) and (5) (a), cr. (5) (intro.), renum. (5) (b) to be (5) (d), Register, May, 1978, No. 269, eff. 6-1-78; r. and recr. (3) (d) and (5)(d) 2., Register, December, 1978, No. 276, eff. 1-1-79; r. and recr. (1) (g), Register, August, 1979, No. 284, eff. 9-1-79; r. and recr. (3) (b), Register, April, 1980, No. 292, eff. 5-1-80; am. (3) (d) 1. and 2., Register, June, 1981, No. 306, eff. 7-1-81; emerg. r. and recr. (5) (d), eff. 9-12-81; r. and recr. (5) (d), Register, March, 1982, No. 315, eff. 4-1-82; am. (3) (d) (intro.), Register, April, 1982, No. 316, eff. 5-1-82; am. (5) (d) 2.b., Register, June, 1984, No. 342, eff. 7-1-84; am. (3) (b), cr. (3) (e) and r. and recr. (4) (a) 1., Register, April, 1985, No. 352, eff. 5-1-85; am. (1) (b), (f) and (h) 1., (5) (d) 2.c. and d., r. and recr. (5) (a), cr. (6) to (9), Register, September, 1985, No. 357, eff. 10-1-85; renum. (2)(d)2.d. to be 2.e. and cr. (2)(d)2.d., Register, January, 1986, No. 361, eff. 3-1-86; emerg. r. and recr. (5) (a) 2. d., eff. 9-12-86; r. and recr. (5) (d), Register, January, 1987, No. 373, eff. 2-1-87; r. and recr. (3), Register, December, 1987, No. 384, eff. 1-1-88; r. and recr. (4), Register, July, 1988, No. 391, eff. 8-Register, March, 1990, No. 411

1-88; emerg. am. (1) (c) and (4) (a), r. and recr. (1) (h), eff. 9-15-89; am. (1) (c) and (4) (a), r. and recr. (1) (h), Register, March, 1990, No. 411, eff. 4-1-90.

**NR 10.125 Canada goose hunting, (1) PERMIT REQUIREMENTS.** (a) *Permit possession.* No person may hunt Canada geese in any area of the state without having on their person a current, valid Canada goose hunting permit.

(b) *Permit validity.* Permits and any associated carcass tags are valid only in the zones and for the time periods specified on the permit during the open season established for Canada geese.

(c) *Permit quota.* 1. Horicon zone. The number of Canada goose permits issued by the department annually under this section and under s. NR 19.84 shall be based upon the assigned federal quota and distributed within established zones based upon the general distribution of geese within the state and the previous year's hunter success rates.

2. Collins zone. Permit numbers for each time period for the Collins zone may not exceed 325.

3. Pine Island zone. Permit numbers for each time period for the Pine Island zone may not exceed 200.

(d) *Permit application procedures.* 1. Application forms supplied by the department shall be completed and submitted by the applicant together with the appropriate hunting license stub, senior citizen recreation card number, hunter education certificate number or bow license number. Applications shall be postmarked no later than the second Friday in September or hand delivered to the department license section no later than 4:30 p.m. on that Friday each year.

Note: The license section address is 101 South Webster, Box 7924, Madison, WI 53707.

2. No person may submit more than one application per year or an application containing false information.

3. If 2 or more persons wish to hunt together in the Collins, Horicon or Pine Island zones, each must fill out an application form and submit them together in one envelope clearly marked "group application" on the outside. A group application shall be considered one application.

4. Applicants may indicate preference for any zone and period.

5. Persons not applying by the permit deadline for Collins, Horicon, Theresa or Pine Island zones may apply for an Exterior zone permit.

b. Exterior zone applicants may complete and submit the department supplied application form by mail or in person to the address identified on the form or hand delivered to the department license section no later than 4:30 p.m. Monday through Friday during the open season.

Note: The license section address is 101 South Webster, Box 7924, Madison, WI 53707.

(d) *Permit issuance procedures.* The department shall issue Canada goose hunting permits in the following manner:

1. Permit quantities shall be limited for the Collins, Horicon and Pine Island zones only. All other eligible zone applicants shall receive a permit provided the zone's harvest quota has not been reached.

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2. When Collins, Horicon or Pine Island zone applications exceed the number of permits available, successful applicants shall be randomly selected and priority given to persons who applied for a permit, but were unsuccessful the previous year.

3. If the number of Collins, Horicon or Pine Island zone permit applications are less than the number of permits available for any time period, the department may issue the remaining permits to successful applicants by random selection and increase the applicant's season bag limit accordingly.

4. Horicon zone permit holders possessing a current, valid permit with an unused carcass tag may also hunt in the Theresa zone provided:

a. The Theresa zone harvest quota has been reached; and

b. The federally assigned season framework has not been terminated; and

c. Approval is obtained based on subpars. a. and b. from the person in charge of the department goose registration station located adjacent to the village of Theresa Station.

5. Exterior zone permits may be issued to applicants appearing in person at select department offices Monday through Friday, 8:00 a.m. - 4:30 p.m.

(e) *Permit validation procedures.* In the Exterior zone, when a Canada goose is taken and before it is transported in any manner, the hunter shall validate the permit by slitting or punching the mark indicating the month and day the goose was killed and following the carcass tag marking procedures established in sub. (2) (b). Failure to follow the validation procedure invalidates the permit and renders any goose in possession illegal.

(2) **CARCASS TAG REQUIREMENTS.** The following carcass tag requirements apply to Canada goose hunting in the Collins, Horicon, Pine Island and Theresa zones:

(a) *Tag possession.* No person may hunt Canada geese without being in possession of a valid carcass tag issued by the department.

(b) *Tagging requirements.* When a Canada goose is taken and before it is carried by hand or transported in any manner, the hunter shall:

1. Validate the permit by tearing or cutting out notches on the tag designating the month, day and time of kill. Failure to follow the validation procedure in this manner invalidates the permit and renders any goose in possession illegal.

2. Completely attach and seal the paper tag, utilizing its own adhesive, to the neck of the goose.

3. No person may possess or transport a Canada goose unless it is tagged with a validated tag.

(c) *Transportation restrictions.* The hunter shall:

1. Transport the goose in a motor vehicle in such a manner that the tag attached to the goose cannot be handled or manipulated by any occupant of the vehicle.

2. Keep the tag attached to the goose until it reaches the personal abode of the person taking it.

(3) **REGISTRATION REQUIREMENTS.** Canada geese killed in the Theresa zone shall be registered at on-site department stations no later than 8:00 p.m. on the opening day of the zone's duck season and no later than 3:00 p.m. on the day it was killed during the remainder of the season.

(4) **ADDITIONAL TAGS.** Theresa zone hunters may obtain one additional carcass tag for each consecutive time period provided:

1. The zone harvest quota has not been reached; and
2. The additional carcass tag is used in a valid time period established in s. NR 10.01 (1) (g).

(5) **REPORTS.** (a) *Report card issuance.* Canada goose harvest reports shall be issued to each successful applicant for the Exterior zone.

2. Exterior zone permit holders shall be issued 5 report cards. Additional report cards may be issued at select department offices to applicants appearing in person.

(b) *Harvest reports.* Each successful Exterior zone permit holder shall complete and submit a harvest report on forms supplied by the department. The report shall be submitted to the department within 48 hours of harvesting a goose.

(c) *Hunting reports.* The department may require any permit holder to provide the department a goose hunting report. The selected hunter shall be required to complete the report and mail it within 48 hours of receipt.

Note: The hunting report forms will be mailed to certain hunters only.

(6) **CANADA GOOSE LIMITS.** The daily bag limit on Canada geese state-wide is not more than that permitted in any one zone within the state and no person may possess or transport more than the daily bag limit or aggregate daily limit, whichever applies, or migratory game birds, tagged or not tagged, at or between the place where taken and either the person's personal abode or temporary or transient place of lodging; or a commercial preservation facility.

History: Cr. (1) to (5), (6) renum. from NR 10.01 (1) (h), Register, July, 1988, No. 391, eff. 8-1-88; emerg. am. (1) (c), eff. 9-21-88; am. (1) (c), Register, January, 1989, No. 397, eff. 2-1-89; am. (5) (a) 2., Register, July, 1989, No. 403, eff. 8-1-89; emerg. renum. (1) (c) to be (1) (c) 1., cr. (1) (c) 2. and 3., r. and recr. (1) (d) 5. intro., r. (1) (d) 5. a. and (5) (a) 1., am. (1) (e) and (5) (a) (intro.) and (b), eff. 9-15-89; renum. (1) (c) to (1) (c) 1., cr. (1) (c) 2. and 3., r. and recr. (1) (d) 5. intro., r. (1) (d) 5. a. and (5) (a) 1., am. (1) (e) and (5) (a) (intro.) and (b), Register, March, 1990, No. 411, eff. 4-1-90.

**NR 10.13 Furbearing animals. (1) PROHIBITED METHODS.** No person may:

(a) *Hunting.* Hunt any beaver, fisher, mink, muskrat, or otter with the aid of any spear, gun or dog except that:

1. The owner or occupant of any land and members of their families may shoot or trap beaver on their respective lands without license as established in s. 29.24, Stats.

2. Agents possessing written authorization from the landowner, land lessee or responsible governmental body may use firearms to shoot beaver in damage control areas established in s. NR 19.85.

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(b) *Trapping.* 1. Traps. Set out or place traps, whether set or sprung, during the closed season.

2. Bait or scent. Set out or place any bait or scent for attracting fur-bearing animals during the closed season. During the open season, no person may use sight exposed bait consisting of feathers, animal flesh, fur, hide or entrails within 25 feet of any trap.

3. Trap limit. Set, place or operate more than 75 traps of any kind for the purposes of capturing furbearing animals.

4. Water sets. Take, capture or kill, or attempt to take, capture, or kill any furbearing animals at any time by means of water sets except during that period when and in those areas where there is an open season for trapping muskrat, beaver, or otter. In addition, persons removing beaver under s. NR 19.85 may use watersets.

5. Trap placement. Set any trap or traps at any time within 15 feet of any beaver house or beaver dam, except when participating under a beaver damage control subsidy agreement as established in s. NR 19.85 or when trapping under the landowner authority established by 29.24, Stats.

Note: The rule exception allows trapping on beaver houses and dams.

6. Trap use. It shall be unlawful for any person to set, place, operate or possess while on or adjacent to waters of this state, any trap other than a steel-jawed trap or live traps for the purpose of taking, capturing, or killing fur-bearing animals. Such live traps shall be constructed so that not more than one animal can be taken or captured in any single trap setting.

7. Artificial structures. No person shall construct or place on the ice of any of the waters of this state any artificial house or den for the purpose of taking, catching, or killing any fur-bearing animals, or place or set therein any trap or traps of any kind which might take, catch, or kill fur-bearing animals.

8. Killer traps. No person may set, place, or operate any killer type trap of the conibear type that is larger than 7" x 7" unless it is located completely underwater at all times.

9. Steeljawed traps. It shall be unlawful for any person to set, place or operate any steel jaw trap with a spread width of more than 8 inches.

10. Toothed traps. No person may set, place or operate any steel jawed trap with teeth unless it is located completely underwater at all times.

11. Minimum waterset. Except when the muskrat and mink season is open, no person may set, place or operate any waterset smaller than 5½" jaw spread for steel jaw traps and 6¼" x 6¼" for killer traps of the conibear type.

12. Killer trap placements. No person may set, place or operate any killer trap of the conibear type greater than 6" x 6" or 6" in diameter in the following locations:

a. Within 3 feet of any federal, state or county road rights-of-way culvert unless completely submerged in water.

b. Within 3 feet of any woven or welded wire mesh type fence.

c. Within 100 yards of any building devoted to human occupancy without the owner's consent.

(2) **MOLESTING.** While hunting or trapping, no person shall:

(a) *Raccoon.* Molest any raccoon den or den trees.

(b) *Mink.* Molest any mink den.

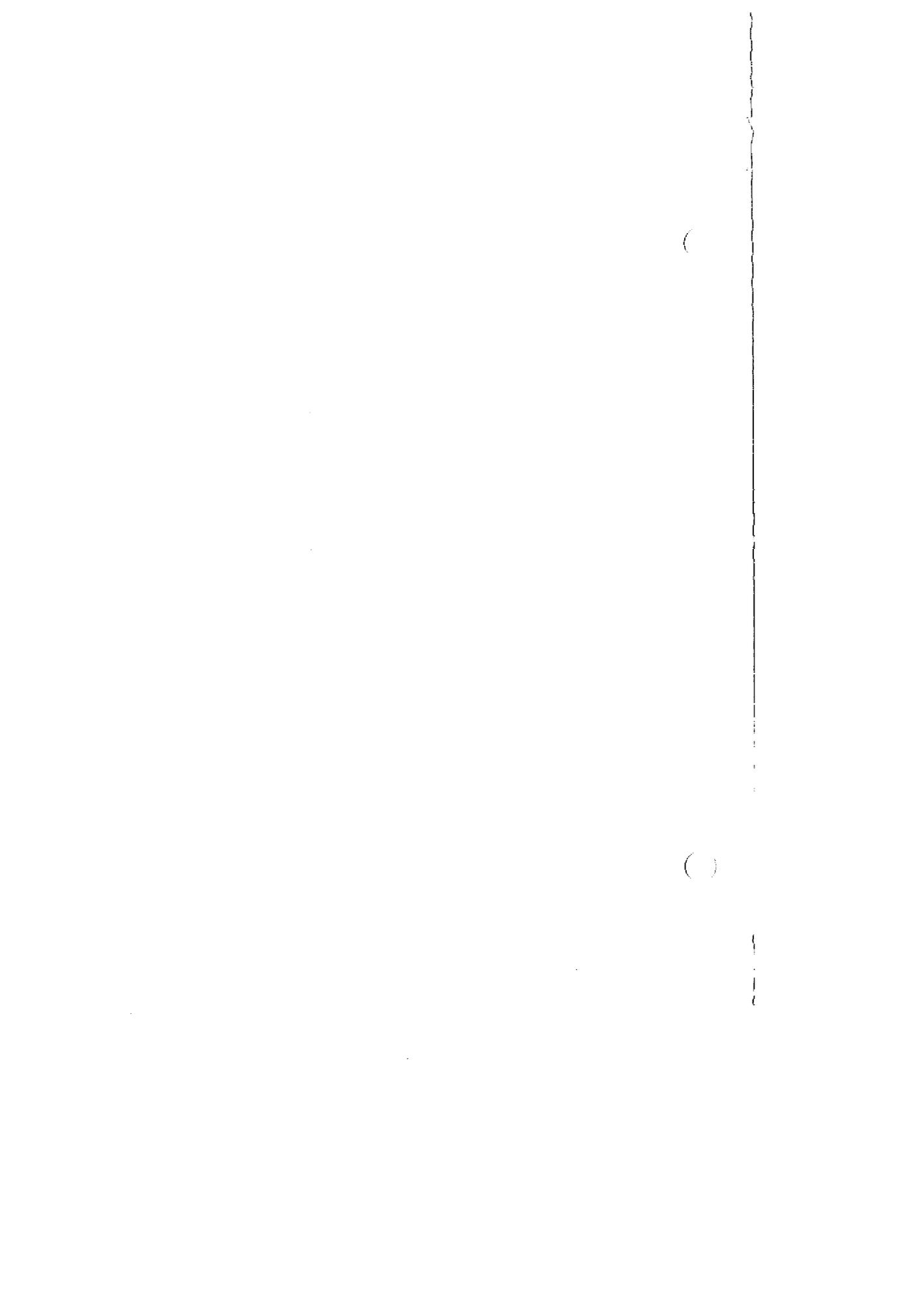
(c) *Muskrat and beaver.* Molest any muskrat house, muskrat feeding house, beaver house or beaver dam. However, beaver dams may be altered by persons participating under a beaver damage control subsidy agreement as established in s. NR 19.85 or when participating under the landowner authority established by s. 29.24, Stats.

(3) **TRAPPING HOURS.** (a) *Legal time period.* The trapping hours shall be from 6:00 a.m. to 7:00 p.m. (CST).

(b) *Illegal time period.* It shall be unlawful for any person to set or reset any trap or traps or attend any trapline from 7:00 p.m. to 6:00 a.m. (CST).

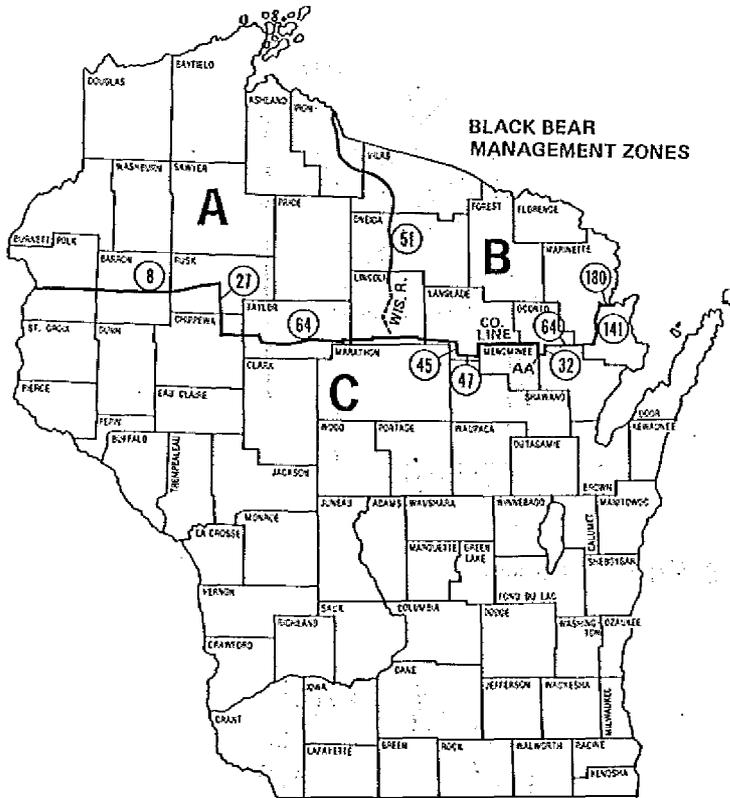
(c) *Special checking period.* All dry land sets shall be checked and animals therein removed at least once each day.

History: 1-2-56; am. (1), Register, August, 1962, No. 80, eff. 9-1-62; r. and recr. (1) and (3), Register, August, 1964, No. 104, eff. 9-1-64; r. and recr. (3), Register, August, 1966, No. 128, eff. 9-1-66; renum. to be NR 10.13; am. (3), Register, June, 1970, No. 174, eff. 7-1-70; am. (1),



NR 10.30 Black bear hunting zones. Black bear hunting zones are established as designated on the following map:

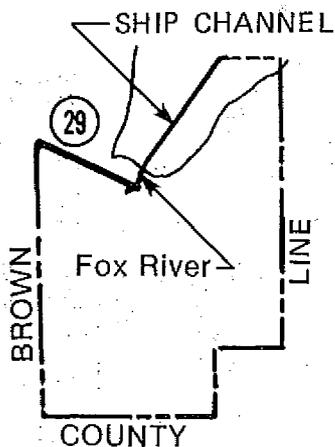
History: Cr. Register, July, 1987, No. 379, eff. 8-1-87.



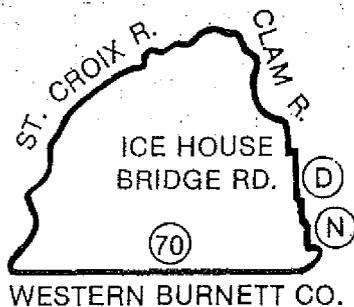
NR 10.31 Canada goose management zones. Canada goose management zones are established by the following maps:

(1) EXTERIOR ZONE. The exterior goose management zone is defined in s. NR 10.001 (9m) and includes the following subzones:

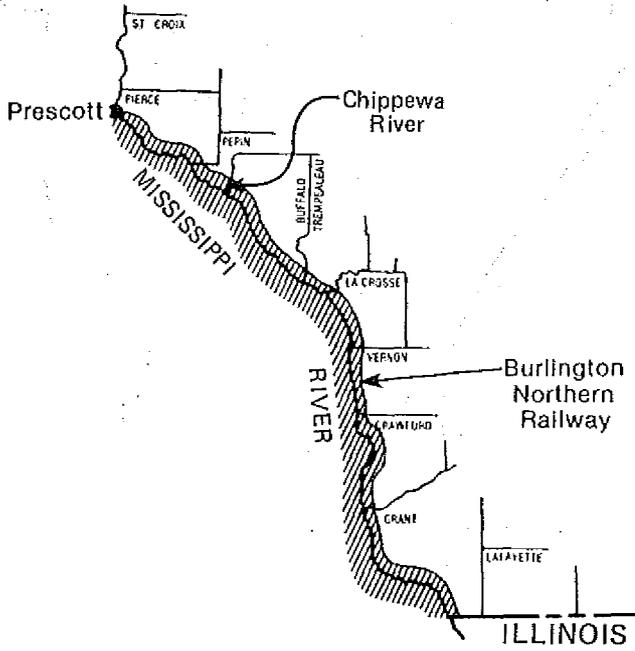
(a) *Brown county subzone.*



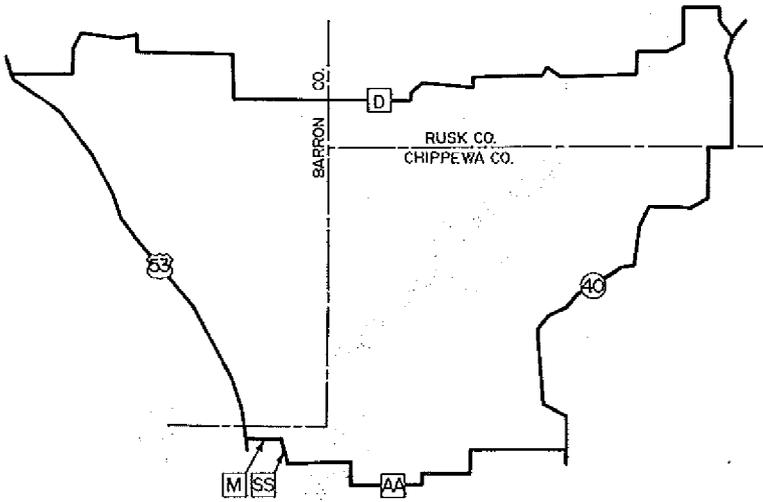
(b) *Burnett county subzone.*



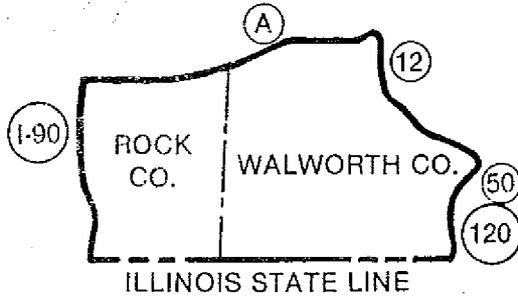
(c) *Mississippi river subzone.*



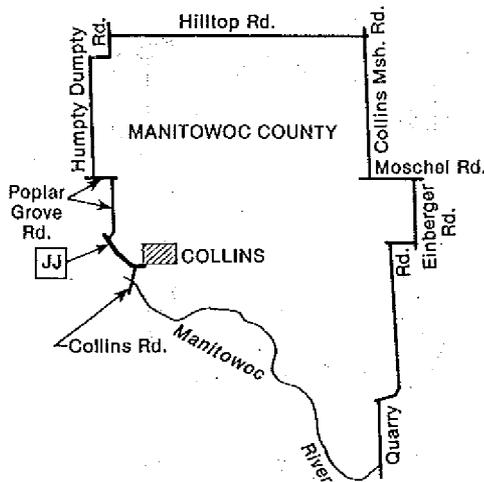
(d) *New auburn subzone.*



(e) *Rock prairie zone.*

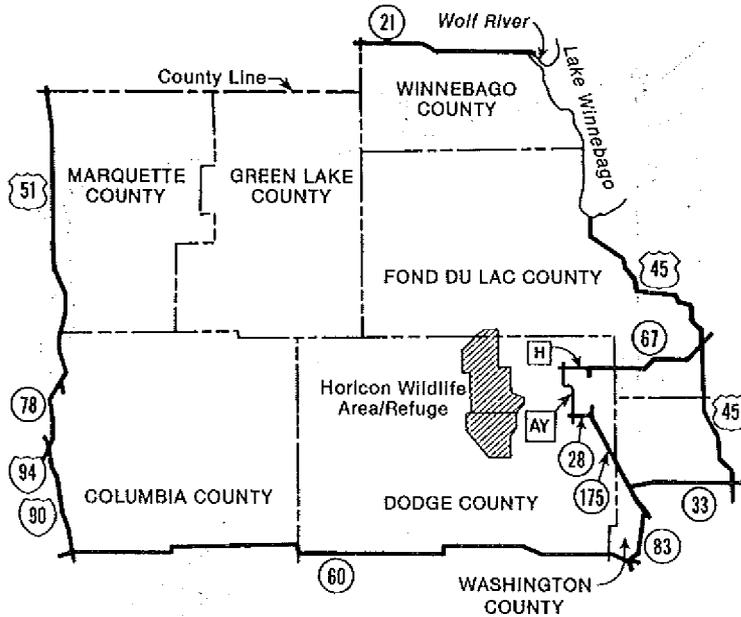


(2) COLLINS ZONE.

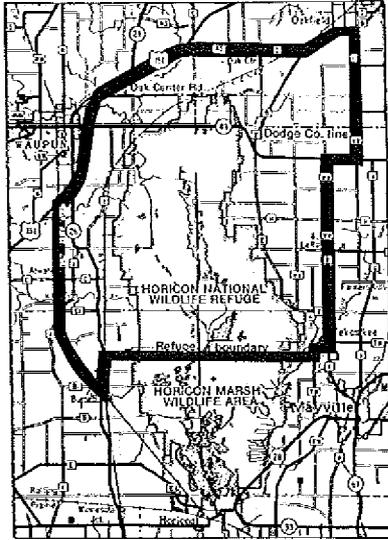


(3) HORIZON ZONE. The Horizon goose management zone is defined in s. NR 10.001 (9m) and includes one subzone.

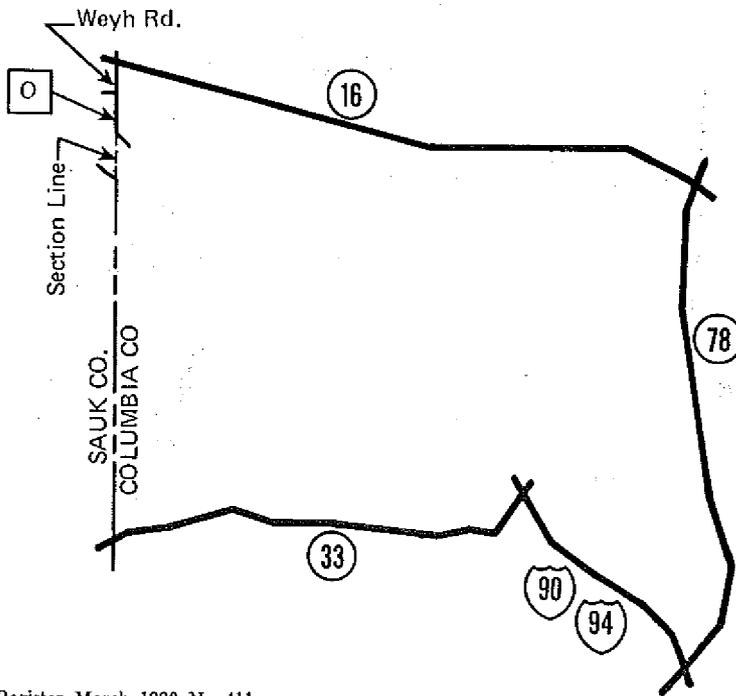
(a) Horizon zone boundaries.



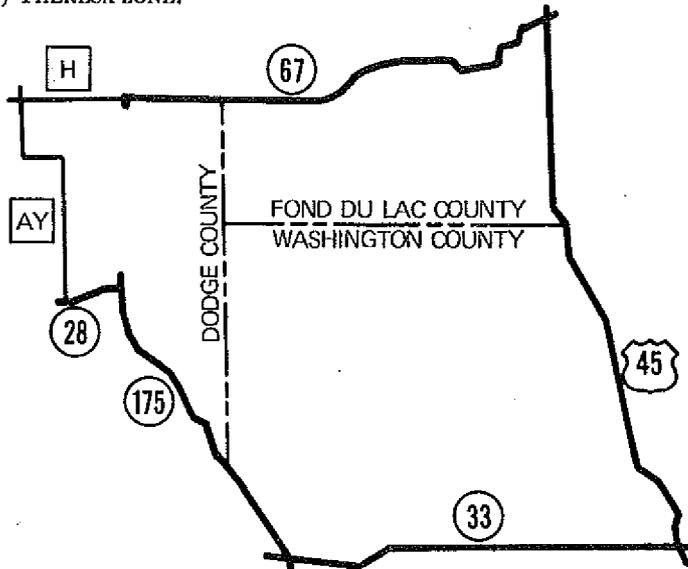
(b) *Horicon intensive management subzone.*



(4) PINE ISLAND ZONE.



(5) THERESA ZONE.



History: Cr. Register, July, 1988, No. 391, eff. 8-1-88; emerg. renum. (1) to (6) to be (1) (a), (b), (2), (3) (a), (3) (b) and (1) (c), cr. (1) (intro.), eff. 9-15-89; r. and recr. (7), Register, October, 1989, No. 406, eff. 11-1-89; renum. (1) to (10) to be (1) (a), (b), (2), (3) (a), (3) (b), (1) (c) and (d), (4), (1) (e) and (5), cr. (1) (intro.) and (3) (intro.), Register, March, 1990, No. 411, eff. 4-1-90.