

Chapter NR 17

DOG TRIALS AND TRAINING

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Note: Chapter NR 17 as it existed on October 31, 2003 was repealed and a new chapter NR 17 was created Register October 2003 No. 574, effective November 1, 2003.

NR 17.001 Definitions. (1) “Barrier area” means natural or artificial escape and refuge cover for rabbits which provides protection for rabbits located inside a hound dog training enclosure.

(1e) “Captive animal refuge area” means a natural or artificially constructed den, shelter or other protective structure located under, at or above ground level, which provides protection for a coyote or fox and is not accessible by any dog released into the hound dog training enclosure.

(1m) “Club” for the purposes of this chapter and s. 169.20 (3) (a), Stats., means at least 2 or more individuals, of whom at least one is eligible under s. 169.33 (2), Stats., to obtain a dog club training license and participate in legal bird or hound dog training activities, who are identified in writing as members of a licensed dog training club on a list retained by the license holder, which shall be made available to the department upon request.

Note: Pursuant to s. 29.304, Stats., no one under the age of 12 may possess a firearm. A person under the age of 12 may be a member of a dog training club and may train dogs with the use of captive wild animals as authorized under the dog training club license, but may not possess a firearm as part of the training activity.

(1s) “Department” means the state of Wisconsin department of natural resources.

(2) “Department lands” means lands under the management and control of the department.

(3) “Dog training” means actively developing a dog’s ability to retrieve, point, flush, or track game for the purpose of hunting, dog trial competition or hunt testing.

(4) “Dog club” means an organization that owns or leases land for the purpose of training bird dogs or hound dogs to retrieve, point, flush or track game.

(5) “Dog trial” means any organized competitive field event involving sporting dog breeds which is sanctioned, licensed or recognized by a local, state, regional or national dog organization.

(5m) “Fox” for the purpose of this chapter and ss. 169.20 and 169.21, Stats., means red and gray fox.

Note: “Fox” includes all color phases of the red fox.

(5s) “Hound dog training enclosure” means a fenced area of land that is used as the primary enclosure for captive wild coyote, fox, or rabbit held under a dog training club, hound dog training or hound dog trial license into which dogs are released for the purpose of dog training or trials.

(6) “Hunt” or “hunting” includes shooting, shooting at, pursuing, taking, capturing or killing or attempting to capture or kill any wild animal.

(7) “Northern restricted zone” means that portion of the state north of the highway described in s. NR 10.07 (1) (i).

(7m) “Owner” or “operator” means the person who owns the property on which a hound dog training enclosure exists, or a manager, or a lessee of the property who has an agreement with the

owner of the enclosed lands to retain possession or control of the improvements to the property during the term of the lease.

(8) “Primary enclosure” means the pen or cage any captive wild animals are kept in when not being used for training.

(8m) “Rabbit” for the purpose of this chapter and ss. 169.20 and 169.21, Stats., means cottontail rabbits, jack rabbits and snowshoe hare.

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

History: CR 03-031: cr. Register October 2003 No. 574, eff. 11-1-03; CR 05-104: renum. (1) to be (1s), cr. (1), (1e), (1m), (5m), (5s), (7m) and (8m), Register June 2007 No. 618, eff. 7-1-07.

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

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

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

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

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

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

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

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

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

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

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

History: CR 03-031: cr. Register October 2003 No. 574, eff. 11-1-03.

NR 17.02 Hound dog training license. (1) AUTHORITY.

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

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

Note: The unintentional breeding of rabbits in training enclosures is not a violation of this section.

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

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

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

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

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

(3) **CARE AND HOUSING.** (a) *Captive coyote, fox and rabbit.* Captive coyote, fox and rabbit obtained in accordance with s. NR 17.047 and possessed for dog training purposes may only be kept within a hound dog training enclosure that is permitted and that meets the requirements established under s. NR 17.045.

(b) *Captive bear, bobcat and raccoon.* Captive bear, bobcat and raccoon obtained in accordance with s. NR 17.047 may be used for dog training purposes provided:

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

2. Bear, bobcat and raccoon, when not being used for training purposes, are housed in accordance with s. NR 16.30 and 16.38.

3. The bear, bobcat or raccoon is kept in a cage at all times. The cage shall be constructed so that all of the following requirements are met:

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

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

c. The bear, bobcat or raccoon is at all times securely contained within a cage in a way that it is not likely to result in injury to itself, to handlers, or to persons or animals nearby.

d. The cage containing the bear has a mesh size no greater than 2 inches square.

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

f. The cage shall be designed to allow urine and feces to drain from the cage.

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

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

4. All individuals except the owner of the captive animal, the owner's designee or the dog handler shall be kept at least 4 feet from the cage. For bear, a barrier shall be provided to assure that individuals other than the owner, designee or handlers are kept 4 feet from the cage.

5. Dogs shall be kept a minimum of one foot from the cage at all times by restraint, cage design or barrier fence except where the cage is covered by solid material, which prevents all physical contact between the dog and the captive animal. The one foot minimum distance does not apply to raccoon training with the use of roll cages.

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

7. The bear, bobcat or raccoon shall have access to fresh water.

8. Roll cages may not be used for dog training with bear or bobcat.

(c) *Training periods.* 1. The length of time that captive wild bear, bobcat or raccoon may be used for training exercises may not exceed 12 hours within a 24-hour period. Captive wild bear, bobcat and raccoon shall be provided with a minimum of 8 consecutive hours of rest within a 24-hour period. Additionally, a bear, bobcat or raccoon used for training, may not be housed in an enclosure that does not meet the primary enclosure standards in s. NR 16.30 (4) for a period of more than 72 hours.

2. The length of time that training activity may occur in a hound dog training enclosure containing captive coyote or fox may not exceed 16 hours within a 24-hour period. A minimum of 8 consecutive hours of rest within a 24-hour period shall be provided during which no dog training or trialing may take place within an enclosure containing captive coyote or fox.

History: CR 03-031: cr. Register October 2003 No. 574, eff. 11-1-03; CR 05-104: am. (1), r. and recr. (3), Register June 2007 No. 618, eff. 7-1-07.

NR 17.03 Dog club training license. (1) AUTHORITY.

A dog club training license authorizes the club members to possess and use captive wild pheasants of the species *phasianus colchicus* or *syrmaticus reevesii*, quail of the subfamily *odontophorinae*, gray partridge, chukar partridge, red-legged partridge, and mallard ducks that are bred in captivity for bird dog training. A dog club training license authorizes the club members to possess and use captive wild bobcat, coyote, fox, rabbits and raccoons in accordance with the provisions outlined in ss. NR 17.02 (3) and 17.045 for hound dog training. The license does not authorize the use of captive bear, commercial shoots, animal selling, breeding or propagation.

Note: Pursuant to s. 29.304, Stats., no one under the age of 12 may possess a firearm. A person under the age of 12 may be a member of a dog training club and may train dogs with the use of captive wild animals as authorized under the dog training club license, but may not possess a firearm as part of the training activity.

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

Note: The unintentional breeding of rabbits in training enclosures is not a violation of this section.

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

(a) *Display of license.* Be in possession of a dog club training license at the clubhouse or training grounds where the training activity is occurring. If a club member is engaged in training activities but not within one-quarter mile of the clubhouse, the member shall be in possession of a copy of the club training license. Club members shall make the license available to any authorized department agent upon request. For dog clubs utilizing a hound dog training enclosure permitted under s. NR 17.045, a ledger of all club members shall be kept at the enclosure and provided to the department upon request.

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

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

(d) *Care and treatment.* Captive wild birds, bobcat, coyote, fox, rabbits and raccoons possessed for dog training purposes shall be treated in a humane manner and confined under sanitary conditions with proper and adequate space, shade, food and fresh water. Individuals using captive wild birds or animals for training purposes are responsible for following all rules pertaining to the use of birds for dog training purposes under s. NR 17.01 and all rules established under s. NR 17.02 for hound dog training under the authority of a dog club training license.

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

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

History: CR 03-031: cr. Register October 2003 No. 574, eff. 11-1-03; CR 05-104: am. (1) (2) (a) and (d), r. (2) (d) 1. to 4. and (g), Register June 2007 No. 618, eff. 7-1-07.

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

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

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

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

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

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

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

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

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

3. The department approves the property locations listed.

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

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

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

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

1. Each dog is uniquely tattooed or wears a collar with the owner's name and address attached.

2. No more than 6 dogs in a single pack may be used to pursue bear regardless of the number of persons assisting the bear hunting licensee and regardless of the dog ownership.

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

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

History: CR 03-031: cr. Register October 2003 No. 574, eff. 11-1-03.

NR 17.045 Hound dog training enclosure permit.

(1) **ENCLOSURE INSPECTION AND PERMIT.** (a) *Conditions.* The owner or operator of a hound dog training enclosure shall be at least 18 years of age to apply for and obtain an approved hound dog training enclosure permit from the department prior to using or releasing any captive wild animals or dogs into the enclosure for dog training or trialing purposes. The department shall inspect every hound dog training enclosure for which it has received a permit application. The department shall issue a permit to an applicant if it finds that the facility meets the requirements of this section and s. NR 17.11. Enclosures that do not meet the requirements of this section may not be issued a permit but may reapply for inspection after 30 days. No person may train, trial or otherwise release dogs into an enclosure containing captive wild animals unless a valid hound dog training enclosure permit is possessed by the owner or operator of the enclosure. An owner or operator shall obtain a separate hound dog training enclosure permit for each enclosure they own or operate. A hound dog training enclosure permitted under this section, may not be licensed under s. 169.15, Stats., as a captive wild animal farm, or as a wild fur farm under s. 169.18, Stats.

(b) Initial applicability. Any person operating a hound dog training enclosure prior to July 1, 2007, may continue to operate provided they apply for a hound dog training enclosure permit under this section no later than December 31, 2007. After December 31, 2007, no person may operate a hound dog training enclosure without first obtaining a hound dog training enclosure permit.

(c) *Fee*. There is no fee for issuance of a hound dog training enclosure permit.

(d) *Removal of animals*. 1. Any wild fox present in any new enclosure shall be live trapped and released outside of the enclosure or killed and removed as authorized under ch. 29, Stats., and ch. NR 10 or 12, prior to inspection by the department.

2. Any wild coyote present in any new enclosure shall be killed and removed as authorized under ch. 29, Stats., and ch. NR 10 and 12, or shall be live trapped in accordance with s. NR 17.047 (2) (b) and marked in accordance with sub. (5) (b).

Note: Verification of coyote or fox removal will be agreed upon by the department and the owner or operator. Snow cover may be necessary to confirm removal of fox and coyote.

(e) *Presence of other animals*. Captive wild animals, other than the species specifically permitted under this section, may not be maintained in the same enclosure. An enclosure may only be permitted for one species.

(f) *Killing of captive animals*. A hound dog training enclosure permit authorizes the killing of captive wild animals only by the holder of the permit, or an employee of the permit holder.

(g) *Compliance with local regulations*. No initial enclosure permit application may be approved unless the application is accompanied by written assurance that the enclosure is in compliance with local ordinances and zoning regulations.

(h) *Expiration*. A hound dog training enclosure permit shall remain valid until the date indicated on the permit provided the facility remains in compliance with this section. The expiration date of a hound dog training enclosure permit shall be the same as the expiration date of the dog training or trialing license held by the owner or operator or club under sub. (2).

(2) LICENSE REQUIREMENTS. (a) *Hound dog training license*. Except as provided in par. (b) or (c), the owner or operator of any hound dog training enclosure and every person participating in the training of hound dogs within a hound dog training enclosure shall possess a valid hound dog training license.

(b) *Dog club training license*. If the owner or operator of the hound dog training enclosure possesses a valid dog club training license, the members of that club are not required to possess individual hound dog training licenses.

(c) *Hound dog trial license*. If the owner or operator of the hound dog training enclosure or an individual participating in an organized competitive field trial event possesses a valid hound dog trial license, the participants in the event are not required to possess a hound dog training license for that event.

(3) CARE AND HOUSING. Hound dog training enclosures shall meet the following requirements:

(a) *Food, water and cover*. All hound dog training enclosures shall provide the necessary natural or artificial habitat and meet the food, water and cover requirements of a coyote, fox or rabbit. Conditions are subject to approval by the department.

(b) *Acclimation period*. No dogs may be released into an enclosure that is used to train dogs to pursue coyotes or fox until the 7th day following the release of a new coyote or fox into an enclosure. No dogs may be released into an enclosure that is used for training dogs to pursue rabbits until the 2nd day following the release of a new rabbit into the enclosure.

(c) *Intent of training*. 1. Dogs may not be released into an enclosure with the intent to kill or physically injure the captive coyote, fox or rabbit. Any coyote or fox injured during a dog training exercise shall be submitted to a veterinarian for treatment at the owner or operator's expense, or euthanized and shall be reported to the department within 24 hours.

2. Injured or debilitated coyote, fox or rabbits shall not be maintained in the hound dog training enclosure.

Note: To report an injury or death of a coyote or fox resulting from a dog training exercise, individuals shall contact their local warden or call the 24 hour department law enforcement hotline 1-800-847-9367.

(d) *Supervision*. Whenever dogs are released into or present in a hound dog training enclosure, the owner or operator of the enclosure or one or more competent individuals designated by the owner or operator shall be present at the enclosure and actively directing attention to the training activity. For the purposes of this paragraph, competent means that the individuals are knowledgeable of regulations of this chapter and are capable of controlling the dogs released into the enclosure.

(e) *Enclosure size*. 1. Except as provided in subd. 2., the minimum size of a hound dog training enclosure for coyote and fox shall be 75 contiguous completely fenced acres without interior fences that divide the area into parcels less than 75 acres.

2. A hound dog training enclosure used to train inexperienced dogs may be less than 75 acres provided the owner or operator also holds a permit for a facility that meets the requirements of subd. 1., for experienced dogs and complies with the following conditions:

a. May not be less than 15 acres in size, except as provided in subd. 2. b.

b. Existing enclosures in operation and used under a hound dog training license for training inexperienced dogs on coyote or fox on or before October 1, 2006 may be less than 15 acres in size.

c. Shall be within 2 miles of the enclosure meeting the requirements established in subd. 1.

3. The minimum size for hound dog training enclosures for rabbits shall be 0.5 acres.

(f) *Fences*. 1. Coyote and fox. a. Perimeter fences used to confine coyote or fox within a hound dog training enclosure shall be a minimum of 6 feet in height, with a minimum of 12-inches of additional fence material bent inward at a 90 degree angle at the top and the bottom of the fence. The bottom 12-inch section of fence shall be in contact with the ground and secured to the ground to prevent coyotes and fox from entering or leaving the enclosure.

b. The outside of the perimeter fence shall either include a minimum of 12 inches of additional fence material bent outward at a 90 degree angle at the bottom of the fence, or a single strand electric fence may be used to prevent wild coyotes and fox from entering the enclosure.

c. The fence material shall be of sufficient design and strength to prevent captive coyote and fox from escape or wild coyote or fox from entering the enclosure.

d. A corridor at least 4 feet wide shall be maintained on the inside or outside of the perimeter fence to allow for easy access and inspection of the fence by the owner or operator and the department by use of an ATV or other vehicle. The corridor does not need to be located immediately adjacent to the fence but shall be close enough to the fence to allow easy access to and visual inspection of the fence.

e. Existing enclosures in operation and used under a hound dog training license on or before October 1, 2006 are exempt from subd. 1. b. until the perimeter fence is replaced.

2. Rabbits. a. Perimeter fences used to confine rabbits within a hound dog training enclosure shall be a minimum of 5 feet in height, including any part of the fence that is buried, or bent inward or outward at the bottom of the fence.

b. The fence material shall be of sufficient design and strength to prevent captive rabbits from escape or wild rabbits from entering the enclosure.

c. A corridor at least 4 feet wide shall be maintained on the inside or outside of the perimeter fence to allow for easy access and inspection of the fence by the owner or operator and the department by use of an ATV or other vehicle. The corridor does not need to be located immediately adjacent to the fence but shall

be close enough to the fence to allow easy access to and visual inspection of the fence.

3. Exceptions. The use of materials or specifications, other than those specified in this paragraph may be permitted by the department if the materials or specifications are found by the department to exceed minimum specifications and the fence is sufficient to hold the coyote, fox or rabbit.

Note: The department recommends approval of fence plans prior to construction to assure that the fence meets the requirements in s. NR 17.045(3)(f). To obtain approval of plans, contact the local conservation warden or wildlife biologist. To find the conservation warden for a given county, contact your local DNR service center.

(g) *Gates.* All gates shall remain closed and secured to prevent escape of captive animals and unauthorized access and opening of the gates, except when authorized persons, dogs or equipment are traveling through the gate.

(h) *Refuge areas.* 1. No person may molest, harass or chase a captive coyote or fox utilizing a refuge area.

2. Coyote and fox. Captive animal refuge areas shall be available or provided for coyote and fox at a rate of not less than one area for each captive animal within the enclosure and not less than one per full 15 acres. Each refuge area shall be readily available to any coyote or fox held inside the hound dog training enclosure and may not be located immediately adjacent to any other refuge area. All minimum required captive animal refuge areas shall be evenly distributed throughout the enclosure.

3. Rabbits. Sufficient barrier areas shall be provided for rabbits held within an enclosure to provide refuge and escape areas for all of the rabbits held within the enclosure.

(i) *Density of captive animals.* No less than 2 coyote or fox may be present in a hound dog training enclosure, and no more than 2 coyote or fox may be present per each full 15 acres in a hound dog training enclosure.

(4) DISEASE PREVENTION. At the time of inspection, the department may require specific health management procedures as deemed necessary, including mandatory disease investigation, testing and disease reporting. The department will contact the owner or operator if additional health management procedures are deemed necessary after a permit is issued. In addition, the enclosure owner or operator shall agree to all of the following:

(a) *Fees.* 1. Inspection or treatment by a licensed veterinarian or both when required shall be at the sole expense of the owner or operator of the hound dog training enclosure.

2. In the event of disease outbreaks, costs associated with the testing, depopulating, cleaning and disinfecting the enclosure shall be the sole expense of the owner or operator of the hound dog training enclosure.

(b) *Release of diseased animals.* The owner or operator may not release or permit the release into a hound dog training enclosure of any wild animals or dogs that are diseased or have been exposed to diseased animals.

(c) *Testing.* The department may conduct disease testing and take samples of any species of wildlife within the hound dog training enclosure.

(d) *Permit suspension.* The department may suspend a hound dog training enclosure permit and the operation of any hound dog training enclosure or prohibit by verbal or written notice the release of any coyote, fox, or rabbit into any hound dog training enclosure when the department deems it necessary to prevent the threat or presence of wildlife diseases which may pose a threat to native wildlife populations, domestic livestock or public safety.

(5) ADDITIONAL PROVISIONS. (a) *Age.* All captive coyote and fox released into a hound dog training enclosure shall be at least 9 months of age.

(b) *Marking.* Coyote and fox may not be released into a hound dog training enclosure unless first individually tagged, tattooed or otherwise permanently marked with a unique individual animal identification number which is recorded in the records required to be kept under s. NR 17.11 (2) (d).

(c) *Reproduction.* When more than one coyote or fox is released into a hound dog training enclosure, all additional animals of the same species that are of a different sex shall be spayed or neutered by a licensed veterinarian prior to release into the hound dog training enclosure.

Note: Breeding or propagating of captive wild animals is not authorized under a hound dog training, dog trial or dog club training license. However, the unintentional breeding of rabbits within a hound dog training enclosure is not a violation of this section.

(d) *Surgical modifications.* Any physical modifications, including the docking of tails, done to a coyote or fox shall be done by a licensed veterinarian. The hound dog training enclosure permittee shall maintain written documentation of veterinary involvement in any physical modification done to a coyote or fox.

(e) *Veterinarian of record.* The applicant of any hound dog training enclosure permit shall provide the department with a written statement, by a Wisconsin certified veterinarian, which certifies that the veterinarian is the training enclosure veterinarian, having established a valid veterinarian-client relationship with the applicant.

(6) DOGS. (a) *Licensing.* Any person that releases a dog or dogs into a hound dog training enclosure shall keep on the dog or have present at the enclosure any tag required for the dog under s. 95.21 (2) (f), 174.05, 174.053 or 174.07 (1), Stats.

(b) *Number of dogs.* No person may place or allow the placement of more than 3 dogs into any coyote or fox hound dog training enclosure for each coyote or fox that is present in the enclosure.

(c) *Age.* No dogs less than 5 months of age are permitted in hound dog training enclosures that contain coyote or fox.

(7) REVOCATION. If the owner or operator of a hound dog training enclosure has their hound dog training license or enclosure permit revoked or fails to renew their hound dog training license for any reason, the owner or operator of the enclosure shall remove all coyotes, foxes or rabbits as directed by the department.

(8) COMPLIANCE AND ENFORCEMENT. (a) *Existing enclosures.* 1. Except as provided in subd. 2., all hound dog training enclosures for coyote and fox operating under the authority of a hound dog training or dog club training license prior to July 1, 2007, shall comply with all provisions in this section.

2. Hound dog training enclosures for fox and coyote operating under the authority of a hound dog training or dog club training license prior to July 1, 2007, and that are at least 60 acres, but less than 75 acres, shall comply with all provisions in this section except the acreage requirement under sub. (3) (e).

3. Notwithstanding subd. 2, if the holder of the hound dog training enclosure permit fails to renew the permit within 45 days after the permit's expiration date, the permit may not be renewed unless the applicant complies with the acreage requirement under sub. (3) (e).

4. Animals existing in the enclosure shall be considered captive if possessed under a hound dog or dog club training license prior to July 1, 2007. Owners or operators of enclosures with animals described in this subdivision shall comply with sub. (5) by December 31, 2007.

(b) *New enclosures.* All individuals who were not operating a hound dog training enclosure under the authority of a hound dog training or dog club training license prior to July 1, 2007, shall comply with this section.

(c) *Enforcement.* Owners or operators of hound dog training enclosures that have applied for a permit under sub. (1) (b) by December 31, 2007 that do not meet the minimum structural or design requirements under this section shall bring their enclosures into compliance by December 31, 2008.

History: CR 05-104: cr. Register June 2007 No. 618, eff. 7-1-07.

NR 17.047 Sources of captive wild animals for hound dog training. (1) **RESIDENT CAPTIVE SOURCES.** Except as provided in this section, bobcat, coyote, fox, rabbit or raccoon

used for hound dog training shall be obtained from a legal resident captive bred source.

(2) WILD SOURCES. No free-ranging wild animals captured from the wild may be used for hound dog training purposes, except:

(a) Coyotes and raccoons that are live trapped on a Wisconsin licensed wild fur farm.

(b) Coyotes and rabbits that are live trapped for relocation under s. NR 12.10 (1) (a) 5. and (b) 5.

(3) TRANSFER. Coyotes or rabbits live trapped under s. NR 12.10 (1) (a) 5. and (b) 5. may not be live trapped and relocated from one enclosure to another, unless the animal is transferred to the owner or operator of an enclosure with a valid hound dog training enclosure permit for that enclosure.

(4) NONRESIDENT CAPTIVE SOURCE. Unless authorized by the department, captive wild animals from out of state may not be used within a hound dog training enclosure. If the department authorizes use of an imported captive animal for use in hound dog training enclosures, the animal shall be accompanied by a certificate of veterinary inspection as required under s. ATCP 10.06 and a copy of the certificate maintained with the records required to be kept under s. NR 17.11 (2) (d) and a copy shall be provided to the department with quarterly reports required under s. 169.36 (9) (b), Stats. When determining whether to issue an authorization under this subsection, the department shall consider whether the animal originates from a state or country with suspected or known infectious wildlife diseases.

Note: To request the use of an imported captive wild animal, contact the state wildlife veterinarian, (608) 266-8204.

History: CR 05-104: cr. Register June 2007 No. 618, eff. 7-1-07.

NR 17.05 Classes of dog training grounds.

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

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

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

History: CR 03-031: cr. Register October 2003 No. 574, eff. 11-1-03.

NR 17.06 Bird dog trial license. (1) AUTHORITY.

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

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

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

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

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

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

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

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

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

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

History: CR 03-031: cr. Register October 2003 No. 574, eff. 11-1-03.

NR 17.07 Hound dog trial license. (1) AUTHORITY.

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

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

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

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

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

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

(3) CARE AND HOUSING. (a) *Captive coyote, fox and rabbit.* Captive coyote, fox and rabbit obtained in accordance with s. NR 17.047 and possessed for dog trialing purposes may only be used within a hound dog training enclosure that is permitted and that meets the requirements established under s. NR 17.045.

(b) *Captive bear, bobcat and raccoon.* Captive bear, bobcat and raccoon obtained in accordance with s. NR 17.047 may be used for dog trials provided:

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

2. Bear, bobcat and raccoon, when not being used for trailing purposes, are housed in accordance with s. NR 16.30 and 16.38.

3. The bear, bobcat or raccoon is kept in a cage at all times. The cage shall be constructed so that:

a. The cage is strong enough to contain the bear, bobcat or raccoon securely and comfortably and to withstand the normal rigors of training or trials.

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

c. The bear, bobcat or raccoon is at all times securely contained within a cage in a way that it is not likely to result in injury to itself, to handlers, or to persons or animals nearby.

d. The cage containing the bear has a mesh size no greater than 2 inches square.

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

f. The cage shall be designed to allow urine and feces to drain from the cage.

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

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

4. All individuals except the owner of the captive animal, the owner's designee or the dog handler shall be kept at least 4 feet from the cage. For bear, a barrier shall be provided to assure that individuals other than the owner, designee or handlers are kept 4 feet from the cage.

5. Dogs shall be kept a minimum of one foot from the cage at all times by restraint, cage design or barrier fence except where the cage is covered by solid material, which prevents all physical contact between the dog and the captive animal. The one foot minimum distance does not apply to raccoon training with the use of roll cages.

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

7. The bear, bobcat or raccoon shall have access to fresh water.

8. Roll cages may not be used for dog training with bear or bobcat.

(c) *Training periods.* The length of time that captive wild bear, bobcat, coyote, fox or raccoon may be used for training exercises may not exceed 12 hours within a 24-hour period. Captive wild bear, bobcat, coyote, fox and raccoon shall be provided with a minimum of 8 consecutive hours of rest within a 24-hour period, when no dog training or trialing may take place. Additionally, a bear, bobcat or raccoon used for training, may not be housed in an enclosure that does not meet the primary enclosure standards in s. NR 16.30 (4) for a period of more than 72 hours.

History: CR 03-031: cr. Register October 2003 No. 574, eff. 11-1-03; CR 05-031: am. (2) (a) Register November 2005 No. 599, eff. 12-1-05; **CR 05-104: am. (1), r. and recr. (3), Register June 2007 No. 618, eff. 7-1-07.**

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

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

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

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

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

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

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

1. The individual applies for and receives a hound dog trial license.

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

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

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

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

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

1. Each dog is uniquely tattooed or wears a collar with the owner's name and address attached.

2. No more than 6 dogs in a single pack may be used to pursue bear regardless of the number of persons assisting the bear hunting licensee and regardless of the dog ownership.

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

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

History: CR 03-031: cr. Register October 2003 No. 574, eff. 11-1-03.

NR 17.09 Dog trials on department lands.

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

(2) DEPARTMENT STOCK. Captive wild pheasants provided by the department may only be used on department lands and may not be shot at dog trials unless authorized by the department. Live game birds provided by the department shall be released on the

trial grounds at the end of the event. All animals, which are no longer alive, shall be consumed or promptly disposed.

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

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

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

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

History: CR 03-031: cr. Register October 2003 No. 574, eff. 11-1-03.

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

(a) Richard Bong state recreation area – the west unit of the special use zone.

(b) George W. Mead wildlife area.

(c) Lower Wisconsin River wildlife area – Mazomanie unit.

(d) Kettle Moraine state forest –Ottawa unit.

(e) Pine Island wildlife area.

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

History: CR 03-031: cr. Register October 2003 No. 574, eff. 11-1-03.

NR 17.11 Records and reporting. (1) Receipts and invoices required under this chapter and s. 169.36 (4), Stats., shall include all of the following:

(a) *Name and address.* The complete name and address of the person from whom the wild animals were purchased or acquired or of the person to whom any wild animals were transferred.

(b) *License number.* The number of any license issued under the authority of ch. 169, Stats., held by the seller if applicable.

(c) *Date.* The date of the transaction.

(d) *Species information.* The number, sex and species of the wild animals purchased, acquired or transferred.

(2) **HOUND DOG TRAINING ENCLOSURES.** (a) Except as provided in par. (b), the owner or operator of any hound dog training enclosure shall maintain a complete and accurate registry which shall include all of the following:

1. Except for the enclosure owner and their immediate family members living with them, the name, and address or phone number of each person who releases dogs into the enclosure.

2. The date and time of each dog training activity including the number of dogs released.

(b) For organized competitive field trials occurring under a valid hound dog trial license, the owner or operator shall maintain a list of participants names and phone numbers.

(c) The registry shall be kept current, accurate and retained for 3 years from the date of the record, and shall be made available for inspection by the department.

(d) The owner or operator of any hound dog training enclosure shall also maintain and report as required complete and accurate records on the number, species and source of all captive coyote, fox and rabbit released into the hound dog training enclosure including the unique individual animal identification number of each coyote or fox, attached to each animal released. The following information shall be recorded or maintained in the owner or operator's records and correspond to the unique individual animal identification number:

1. The name, address, phone number, and applicable license number of the person from whom the captive coyote, fox or rabbit was obtained.

2. The origin of the coyote, fox or rabbit, including the origin of those animals existing prior to July 1, 2007.

3. All veterinary care, inoculation records and copies of health certificates or certificates of veterinarian inspections.

4. The date of release into the enclosure.

5. The date of mortality or discovery of mortality of any coyote or fox.

(e) The owner or operator of any hound dog training enclosure shall notify the department regarding any unusual mortality or detection of any disease involving any species of wildlife within the enclosure within 24 hours of becoming aware of the mortality or disease.

Note: To report an unusual mortality or disease, you may contact your local department wildlife biologist or call the bureau of wildlife management at (608) 266-8204.

(3) **MAINTENANCE AND SUBMITTAL.** (a) Copies of records or reports required to be kept under this chapter or under s. 169.36, Stats., shall be furnished to the department by required deadlines or upon request.

(b) A hound dog training or trial license may not be renewed when the licensee fails without good cause to submit all records required by s. 169.36, Stats., or this chapter by required deadlines or within 10 days of a request for the records:

(c) Each person required to hold a license which is subject to s. 169.36 (9) (b), Stats., shall provide a copy of the quarterly records required to be maintained for that license to the department as follows:

1. Quarterly submission of records shall be provided to the department by April 30, July 31, October 31 and January 31 each year, and shall consist of a copy of all required records that shall be maintained during the 3 previous months.

2. Records to be included in the quarterly report shall consist of accurate and complete records of all transactions, including acquisition, transfer, death or other information requested in writing by the department, involving any captive wild animals of the following families:

a. Canidae (coyotes, foxes).

b. Felidae (bobcat).

Note: Note: Section 169.36(9)(b), Stats., states that in addition to the requirements under par. (a), the person holding a license subject to this section shall provide a copy of the record required under this section to the department on a quarterly basis, as determined by the department, if the transaction or activity involved any live wild animal of the family canidae, ursidae, mustelidae, or felidae, or any harmful wild animal.

Note: Quarterly reports pertain to transactions involving captive animals. They are not intended to collect information regarding individual users.

History: CR 03-031: cr. Register October 2003 No. 574, eff. 11-1-03; CR 05-104: r. (intro.), renum. (1) to (4) to be (1) (a) to (d), cr. (1) (intro.), (2) and (3), Register June 2007 No. 618, eff. 7-1-07.