

Chapter NR 19

MISCELLANEOUS GAME FUR AND FISH

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(Sections 23.09 and 29.573, Wis. Stats.)

NR 19.01 Guns and ammunition. (1) It shall be unlawful for any person to carry in any manner or have in possession or under control any rifle other than a .22 rim-fire or any shotgun loaded with shot larger than No. BB, divided or cut shells of any variety, or any shells loaded with single ball or bullet, or have in their possession or under their control any shotgun shells loaded with shot larger than No. BB or any divided or cut shells or shells loaded with single ball or bullet from June 1 of each year through the following December 31, both dates inclusive, while being in or on or traversing any forest, fields, or other areas frequented or inhabited by deer in the counties of Adams, Ashland, Barron, Bayfield, Burnett, Chippewa, Clark, Columbia, Door, Douglas, Eau Claire, Florence, Forest, Green Lake, Iron, Jackson, Juneau, Langlade, Lincoln, Marathon, Marinette, Marquette, Monroe, Oconto, Oneida, Outagamie, Polk, Portage, Price, Rusk, Sauk, Sawyer, Shawano, Taylor, Vilas, Washburn, Waupaca, Waushara, and Wood, except that when an open season for deer or bear occurs in any of the before-mentioned counties, any person may carry lawful firearms and ammunition into and onto areas frequented or inhabited by deer or bear during the period of time beginning 5 days prior to the opening of the deer season or bear season, as the case may be, and ending at midnight of the third day following the closing of such season when such firearms are unloaded and enclosed within a carrying case.

(2) Nothing in the provisions of this section shall prohibit any person during each day of the actual open season for the hunting or killing of deer or bear from carrying any lawful firearms or ammunition in any manner either loaded or unloaded in all counties mentioned in subsection (1), as long as all other provisions of the statutes and of department orders dealing with fish and game are complied with.

(4) Nothing in the provisions of this section shall permit any person to transport or carry any firearms prohibited by this section in any of the counties named in subsection (1) during the open deer or bear season established for bow and arrow hunting in said counties.

(5) The department is authorized to issue free of cost to any person eligible to secure a license to hunt under the laws of the state of Wisconsin, a permit to carry specified firearms and ammunition into and onto any such deer-frequented or inhabited areas mentioned in this section when the applicant for such permit can show there is good and sufficient reason for the issuance of such permit to him. Applications for such permits may be made to the department, its conservation wardens, forest rangers, or other designated agents of the department and shall

state thereon the purpose for which they are required, the county or counties in which the permit is to be used, and such other information as may be deemed necessary by the department.

(6) Nothing in the provisions of this section shall apply to the armed forces of the United States, the national guard or peace officers in the performance of their duties as such, or any person summoned by such peace officers to assist them in making an arrest or to preserve the peace while such person or persons are so engaged or to any department employes or agents in the performance of their duties as such.

(7) Nothing in the provisions of this section shall apply to the lawful possession or transportation of unloaded and encased rifles or restricted ammunition as merchandise by manufacturers or merchants, or persons engaged in the business of gun collecting or repair, or those persons traveling directly to and from their place of abode to an established target range as long as such firearms are packed and transported in such manner so that they cannot be handled or manipulated by any person while being so transported.

(8) Nothing in the provisions of this section shall apply to the use of the restricted rifles and ammunition at established target ranges.

History: 1-2-56; (1) am. and (3) r. Register, August, 1956, No. 8, eff. 9-1-56; r. and recr. (1), (2) and (4). Register, August, 1960, No. 56, eff. 9-1-60; am. (1); r. and recr. (7); cr. (8), Register, August, 1961, No. 68, eff. 9-1-61; renum. from WCD 19.01 to be NR 19.01 and am. (2), (5) and (6), Register, April, 1971, No. 184, eff. 5-1-71; am. (1), Register, August, 1973, No. 212, eff. 9-1-73.

WCD 19.02 History: 1-2-56; r. Register, August, 1960, No. 56, eff. 9-1-60.

NR 19.03 Control of muskrats on cranberry marshes. (1) The owner or lessee of any improved cranberry marsh area may at any time and in any manner take, catch, or kill muskrats which are injuring his dams, dikes, reservoirs, ditches, or outlets, but shall not sell, offer to sell, barter or give to any person or persons, or have in possession or under his control, except upon such improved cranberry marsh lands, the skin of any muskrat unless each such muskrat skin has been tagged or stamped. Such tag or stamp shall be furnished and attached without charge by the department.

(3) The provisions of this section shall not apply to any person or persons who own or are interested in a cranberry marsh situated in the same area wherein said owners are the licensees of a muskrat farm or in which such person or persons have an interest.

(4) The department or its authorized agents may assist any owner or operator of improved cranberry marsh areas with the removal of muskrats from areas that have been damaged, or are being damaged by such muskrats, wherein they believe that the muskrats can be taken alive and removed to other localities deemed advisable by the department.

(5) Any such cranberry marsh areas where muskrats are being controlled as provided in this section shall be open to the inspection of the department or its authorized agents at any time.

History: 1-2-56; r. (2), Register, August, 1966, No. 128, eff. 9-1-66; renum. from WCD 19.03 to be NR 19.03, and am. (1), (4) and (5), Register April, 1971, No. 184, eff. 5-1-71.

WCD 19.04 History: 1-2-56; am. Register, August, 1964, No. 104, eff. 9-1-64; r. Register, June, 1970, No. 174, eff. 7-1-70.
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NR 19.05 Release of exotic species. (1) It shall be unlawful for any person, persons, firm or corporation to introduce or release or cause to be introduced or released in any manner into the inland or outlying waters, forests or fields of this state any variety or species of wild animal, hybrid of a wild animal, and any bird or fish or the eggs or spawn thereof, that are not native to the state without first applying for and receiving a permit from the department or its duly authorized agents. Such permit shall be granted only after a thorough investigation by the department, its agents, conservation wardens or forest rangers concerning the conditions under which such wild animals, hybrids of wild animals, or birds or fish, or the eggs or spawn thereof, are to be introduced or released and to establish to a certainty that such introduction or release will not be detrimental in any manner to the conservation of the natural resources of the state.

(2) It shall be unlawful for any person or persons to introduce, place, plant, or release, or cause to be introduced, placed, planted, or released in any manner in the publicly owned or controlled inland waters of the state of Wisconsin any fish, fish fingerlings, fish fry, or fish spawn except brook, brown or rainbow trout or spawn thereof procured from a person holding a class A or B license under section 29.52 (4) (a) or (b), Wis. Stats., unless such release or plantings are supervised and authorized or permitted by written permit by the department, its duly authorized agents or representatives.

(3) Nothing in the provisions of this section shall be applicable to the department, or its duly authorized agents wherein after investigation they deem it advisable or necessary to cause the release of any animals, birds or fish of any variety or species.

History: 1-2-56; am. (2), Register, October, 1969, No. 166, eff. 1-1-70; renum. from WCD 19.05 to be NR 19.05, and am. (1), (2) and (3), Register, April, 1971, No. 184, eff. 5-1-71.

NR 19.06 Fish nets and traps. (1) It shall be unlawful for any person or persons to take, catch or kill fish or fish for fish of any species when such fish are being held in any fish net, fish holding net, fish trap, fish pond, either artificial or natural, or any structure or net placed in any of the waters of the state by the department or under its authority for the purpose of taking or holding fish therein at any time, or for any person or persons to lift, molest, cut or destroy any fish net, fish holding net, fish trap, fish pond, or any structure or net placed in any of the waters of the state by the department or under its authority for the purpose of taking or holding fish therein.

(2) It shall be unlawful for any person or persons to take, catch, capture or kill fish or pursue fish in any fishing operations within 500 feet above or 500 feet below any net, dam or weir wherein the state of Wisconsin is fishing or holding fish for commercial, scientific, or biological purposes, when the area is properly posted by the department.

(3) No provisions in this section shall prohibit the department, its agents, deputy conservation wardens or representatives of the division of fish, game and enforcement of such department from taking any of the fish mentioned in any of the sections of this order at any time or from lifting, setting, or transferring any nets or structures used in

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holding or capturing fish, wherein they deem it advisable and necessary to promote the department fish management program.

History: 1-2-56; am. (1), Register, December, 1960, No. 60, eff. 1-1-61; am. (1), Register, December, 1961, No. 72, eff. 1-1-62; renum from WCD 19.06 to be NR 19.06 and am. (1), (2) and (3), Register, April, 1971, No. 184, eff. 5-1-71.

NR 19.07 Shooting preserves. (1) **LAND OWNERSHIP OR LEASES.** Any person making application to the department for a shooting preserve license must file with the department a verified copy of any lease of lands contained in the area for which they are making application for a shooting preserve license after the area has been inspected and found eligible for license. In the event the person making application for a shooting preserve license is owner of the land, he shall file with the department a sworn affidavit stating that he is the owner of such lands and has legal title to them.

(2) **SEASON FOR TAKING PHEASANTS.** The season for taking pheasants on shooting preserves shall begin September 15 and shall end on the last day of February. Shooting hours shall be as provided in Wis. Adm. Code section NR 10.06.

(3) **HUNTING LICENSE REQUIREMENTS.** No person shall hunt, take, capture, or kill pheasants, or any other game or wild animals, on any licensed shooting preserve areas authorized under section 29.573, Wis. Stats., unless he has in his possession at the time of doing such hunting, shooting, or killing of game or wild animals, a hunting license as required under the provision of sections 29.10, 29.12 and 29.147, Wis. Stats.

(4) **AVAILABILITY OF RULES.** Shooting preserve licensees shall have available for the review of each person hunting, taking, catching, or killing pheasants on the licensed shooting preserve areas a copy of the rules of the department regulating such shooting preserve.

(5) **SIZE AND LOCATION OF AREAS.** No shooting preserve license shall be issued after the effective date of this section (December 1, 1959), other than for those already in operation, for any land area larger than 640 acres or smaller than 80 acres, or for any area less than one-quarter mile from the exterior boundaries of a planned or approved state or federal wildlife area, public hunting ground or refuge which is managed in whole or in part for pheasants. All lands under one license shall be contiguous.

(6) **INVESTIGATION BEFORE LICENSING.** The department shall make such investigations necessary to determine that all provisions of section 29.573, Wis. Stats., and this section are complied with. All licenses are subject to the approval of the secretary and investigations for new licenses will be made only during the period beginning January 1 and ending August 31 of each year.

(7) **POSTING AND FENCING REQUIREMENTS.** (a) All shooting preserve signs posted around licensed shooting preserve areas shall be purchased from the department.

(b) Boundaries of the area licensed shall be posted in either of the following manners at the discretion of the licensee:

1. Signs shall be placed at intervals of not more than 400' along the boundary lines of such area, and in addition, such boundary lines shall be clearly defined by at least one strand of wire; or

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2. Wherever such boundary lines are not defined by one or more strands of wire, the posting of signs shall be at intervals of not more than 200' along the boundary lines of such areas.

(c) Exceptions. Variations in posting and in fence construction other than specified shall be submitted to the secretary and may be approved by the secretary if found to comply with the intent and purpose of these rules. Whenever the strand of wire or fence is not required, posting of signs shall be at intervals of not more than 200' along the boundary lines of such areas.

(8) STOCKING PROCEDURE, TAGGING AND CREDITS. (a) All licensed shooting preserves shall be required to make a yearly minimum stocking of pheasants in the ratio of not less than one pheasant for each 4 acres of the area licensed, except that the minimum stocking requirement for any shooting preserve in excess of 640 acres licensed prior to the effective date of this section (December 1, 1959), shall be 160 pheasants. Failure to comply with the minimum stocking requirements during each licensed year shall automatically prohibit the renewal of the license, and also prohibit the licensing of any of the lands involved in any new license for a period of one year. Shooting preserves licensed prior to the effective date of this section (December 1, 1959), shall be subject to the minimum stocking requirement beginning July 1, 1960.

(b) All pheasants liberated shall be of high-quality stock, fully feathered, and not less than 12 weeks of age. For the purpose of assuring high-quality stock, pheasants shall not be debeaked more than $\frac{1}{4}$ inch and not less than 2 weeks prior to release. Brailed pheasants shall have the brail removed not less than 2 weeks prior to release. Pheasants shall not be held in crates or other containers more than 24 hours prior to release. Upon written certification by the department representative, listing the number and varieties of pheasants stocked, or placed in holding pens (see (e) below) and the date of such stocking or holding, shooting preserve seals shall be furnished by the department at a cost of 5 cents each to the licensee at a ratio of 75% of the total birds certified. All shooting preserve seals and seal credits shall expire on March 1.

(c) Upon leaving preserve no person shall have in his possession or under his control any dead pheasant or pheasants of any species or varieties showing indications that they have been shot, unless the proper shooting preserve seal has been attached. Such seals shall be supplied by the department at a cost of 5 cents each. This regulation will apply both during the general open season for pheasants and during the special pheasant season prescribed in this section for licensed shooting preserves.

(d) Whenever a shooting preserve licensee indicates to the department that he desires to stock pheasants on a shooting preserve area, he shall notify an authorized representative of the department who shall certify to all pheasants liberated. Such representative shall thereafter notify the department in writing of the number and varieties stocked and the day and date when such stocking occurred, except as provided in paragraph (e).

(e) Any shooting preserve shall be authorized to retain and stock pheasants from an approved holding pen provided such birds have been counted and certified by a department representative. The licensee agrees to stock all pheasants so retained.

(f) A daily record shall be kept by the licensee of all pheasant stocking and harvesting, including stocking or removal from holding pens. Such daily records and inspection of the licensed area, holding pen, and pheasants, shall be open to representatives of the department at any time. Reports shall be filed with the department on forms and on dates as specified by the department.

(10) **DOG TRIALS OR DOG TRAINING ON LICENSED SHOOTING PRESERVES.** During the closed season for the taking of pheasants within the boundaries of a licensed shooting preserve, a dog trial or dog training permit may be issued under the provisions of sections NR 17.01 and 17.02. Pheasants released or taken under the provisions of such permit shall be tagged as provided, but shall not be required to be additionally tagged with a shooting preserve tag, nor shall any of the stocking procedures, tagging, or credits of shooting preserve code section NR 19.07 (8) apply under such permit.

History: 1-2-56; r. and recr. Register, November, 1959, No. 47, eff. 12-1-59; r. and recr. (7), Register, August, 1961, No. 68, eff. 9-1-61; am. (2), (7), (a) and (b); and (8) (b) and (e), Register, January, 1964, No. 97, eff. 2-1-64; am. (8) (b) and (d) and cr. (10), Register, February, 1968, No. 146, eff. 3-1-68; renum. from WCD 19.07 to be NR 19.07 and am. (1), (3), (4), (6), (7) (a) and (c), (8) (b), (c), (d), (e) and (f), (9) and (10), Register, April, 1971, No. 184, eff. 5-1-71; emerg. am. (2) eff. 8-9-72; am. (2), (5), (6), (8), (b), (c) and (e), r. (9), Register, September, 1972, No. 201, eff. 10-1-72.

NR 19.08 Tagging canned pheasants. Pheasants produced on licensed game farms pursuant to section 29.574, Wis. Stats., and processed in cans shall be tagged by the licensee in the following manner: each such can containing a pheasant produced on a licensed game farm pursuant to said section 29.574 shall be marked and tagged by having embossed in either lid thereof the following legend: "WIS. L. G. F. NO. _____", including in such legend the license number of the license issued to the licensee pursuant to said section 29.574.

History: 1-2-56; renum. from WCD 19.08 to be NR 19.08, Register, April, 1971, No. 184, eff. 5-1-71.

NR 19.09 Wild rice conservation. (1) A closed season is established for the harvesting or gathering of wild rice in the following described areas at all times except as hereinafter provided and it is unlawful for any person to harvest or gather wild rice in any manner or at any time during such closed season.

(2) The secretary is authorized and directed, after determining by investigation and study that the wild rice is ripe, to designate the open season for harvesting or gathering wild rice in each of the hereinafter following described areas. Such open season in any such area to begin not earlier than August 15 and to continue in effect for not more than 60 days. Such open season in any such area as designated by the secretary pursuant to this subsection shall be put into effect by posting of proper notice of such open season on the shores of, and at places of public access to, the lakes and streams in which such open season is effective at least 48 hours before the beginning of such open season.

(a) *Ashland county.* All waters north of highway 2 including outlying waters.

(b) *Bayfield county.* Namekagon river from Namekagon lake downstream to the town road in section 9, T43N, R6W, Totogatic lake.

(c) *Burnett county.* Bashaw lake, Big Clam lake, Briggs lake, Gaslyn lake, Long lake, Loon lake, Mud Hen lake, Rice lake, Yellow river from Register, April, 1976, No. 244

Rice lake downstream to the highway 35 bridge, Yellow river flowage on Yellow river from Yellow lake downstream to the Danbury dam in section 33, T41N, R17W.

(d) *Douglas county.* Allouez Bay in the city of Superior, Big Pokegama river from the highway 105 bridge downstream to the St. Louis river, Lower Ox lake, Mulligan lake, Minong flowage, St. Croix flowage on the St. Croix river from St. Croix lake downstream to the dam at Gordon in section 36, T44N, R13W, St. Louis river waters including connected bays, bayous, sloughs and backwaters from the highway 23 bridge downstream to Lake Superior, Totogatic river from Smith's bridge in section 32, T43N, R12W to Rice creek.

(e) *Forest county.* Riley Lake, Big Rice Lake and Wabigon Lake.

(f) *Lincoln county.* Pine Creek Flowage.

(g) *Marinette county.* Noquebay Lake.

(h) *Oneida county.* Wolf River in the towns of Schoepke and Monico, Wisconsin River from the bridge at McNaughton downstream to the dam at Rhineland, Cary Lake, Spur Lake.

(i) *Polk county.* Balsam Branch, Glenton Lake, Little Butternut Lake, Rice Lake, Rice Bed Creek in the town of Johnstown, Straight River from the highway 48 bridge downstream to Big Round Lake.

(j) *Price county.* Squaw Creek from the west Oneida county line downstream to Pike Lake.

(k) *Sawyer county.* Billy Boy Flowage from Little Lac Court Oreilles on the Couderay River downstream to the Billy Boy dam in section 19, T39N, R8W, west fork of Chippewa River from Cattail Lake downstream to Moose Lake including Meadow and Partridge Crop Lakes, Musky Bay located in sections 10 and 11, T39N, R9W on Big Lac Court Oreilles Lake, Pac-wa-wong Flowage on the Namekagon River from the south Bayfield county line downstream to Chech dam in section 3, T42N, R8W, Phipps Flowage on the Namekagon River from the highway 63 bridge downstream to the Phipps Dam in section 6, T41N, R8W.

(1) *Vilas county.* Allequash Lake, Little Rice Lake, Nixon Lake, Irving Lake, Aurora Lake, West Plum Lake, Devine Lake, West Ellerson Lake, Micheys Mud Lake, Frost Lake, Rice Lake, Sand Lake, Sugar Bush Chain.

(m) *Washburn county.* Boyer Creek in the town of Saron, Gilmore Lake, Long Lake, Mud Lake, Rice Lake, Spring Lake, Tranus Lake.

There is no closed season for the harvesting or gathering of wild rice in any other area of the state of Wisconsin not herein described.

(3) It is unlawful for any person to harvest or gather any wild rice in any area of the state of Wisconsin between the hours of 4:00 p.m. central standard time and the following 9:00 a.m.

(4) It is unlawful for any person to harvest or gather any wild rice in any area in the state of Wisconsin by the use of any machine or mechanical device of any kind other than smooth, rounded rods or sticks not more than 38 inches in length and held and operated by hand.

(5) It is unlawful for any person to harvest or gather any wild rice in any area in the state of Wisconsin by the use of any boat longer than 16 feet or greater than 38 inches in width or by the use of any boat propelled by other than muscular power.

(6) All licensed wild rice dealers shall file reports pursuant to section 29.544 (5), Wis. Stats., on forms furnished by the department covering the license period, with the Department of Natural Resources, Box 450, Madison, Wisconsin 53701, prior to obtaining a wild rice dealer's license for the following effective period. Such reports shall summarize the book records required under said section and shall include the total number of transactions and the total amount of wild rice bought, sold or processed by him during the period covered by his license.

(7) Nothing in the provisions of this section shall prohibit authorized agents of the department from harvesting or gathering wild rice in the performance of their official duties.

(8) This section is adopted pursuant to section 29.544, Wis. Stats.

History: Cr. Register, July, 1960, No. 55, eff. 8-1-60; r. and recr. Register, July, 1964, No. 103, eff. 8-1-64; renum. from WCD 19.09 to be NR 19.09 and am. (2), intro. par., (6) and (7), Register, April, 1971, No. 184, eff. 5-1-71.

NR 19.10 Bird-banding permits. (1) The department may issue bird-banding permits free of charge to qualified natural persons as hereinafter provided. Such permit authorizes the permittee to capture alive and band for scientific purposes only the birds specified in the permit subject to the conditions and limitations specified in the permit and the rules of the department. The permittee may possess the birds only for such a period of time as may be necessary to securely band and attend to collateral functions such as weighing, measuring, sexing and aging.

(2) Applications for bird-banding permits shall be made on forms prepared and furnished by the department and shall show:

- (a) The name, address and description of the applicant.
- (b) The purposes for which the permit will be used.
- (c) Such other information as the department shall deem reasonable.

(3) Upon receipt of such application the department shall investigate the same. When satisfied that the applicant is engaged in a bona fide research program leading to increased, useful scientific knowledge the department may in its discretion issue a bird-banding permit to the applicant.

(4) Such permit shall state:

- (a) The name, address and description of the permittee.
- (b) The date of issue.
- (c) The period of time during which the permit is effective.
- (d) The purposes for which it is issued.
- (e) The signature of the permittee.
- (f) Such other conditions and limitations as the department shall deem reasonable.

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(5) Bird-banding permits are not transferable and may be revoked at any time by the department.

(6) Record keeping and annual reports. The permittee shall keep current records of all transactions by him under such permit, which records shall be made available for inspection at all reasonable hours by the department or its agents, and a report of operations based on this record shall be filed annually with the said department on or before January 31 of each year. Annual reports shall be on forms prepared and furnished by the department and shall show:

- (a) Date federal report was submitted.
- (b) Number of game birds and nongame birds banded.
- (c) Name and band number of all birds banded with nonfederal bands.
- (d) Any other information deemed reasonable by the department.

(7) The permit must be carried upon the person of the permittee when exercising any privileges thereunder.

(8) All traps used in banding operations shall bear a label showing the name and address of the permittee and number of the permit, or the trapping area must be adequately posted with signs bearing the name and address of the permittee and his permit number.

(9) The permit of any person convicted of a violation of any law or rule regulating the taking, possession, or use of wild animals shall be forfeited and revoked in addition to all other penalties, and any person so convicted shall not be eligible for a permit under this section for the period of one year following the date of such conviction.

History: Cr. Register, August, 1964, No. 104, eff. 9-1-64; renum, from WCD 19.10 to be NR 19.10 and am. (1), (2) intro. par., (2) (c), (3), (4) (f), (5), (6) intro. par., and (6) (d), Register, April, 1971, No. 184, eff. 5-1-71.

NR 19.11 Scientific collectors permits. This section applies to scientific collectors permits as provided in section 29.17, Wis. Stats.

(1) **APPLICATION FOR PERMIT.** Applications for scientific collectors permits shall be made on forms prepared and furnished by the department and shall show:

- (a) Name and address of the permittee.
- (b) Personal description.
- (c) Purpose of the request.
- (d) Type, species, and number of specimens to be collected.
- (e) Area and period of time in which the specimens are to be collected.
- (f) Method of taking.
- (g) The place where the specimens will be kept.
- (h) Such additional information requested by the department.

(2) **RECORD KEEPING AND ANNUAL REPORTS.** Records of all transactions under the permit shall be kept current and be made available by the permittee for inspection at all reasonable hours on request of any

authorized person. A report of operations based on this record must be filed annually with the department on or before January 10. Annual reports shall be made on forms prepared and furnished by the department and shall show:

- (a) Number of each species, nests and eggs collected.
- (b) Disposition of each.
- (c) Any other information requested by the department.
- (3) **PERMITTEE'S SIGNATURE.** The permit shall be signed by the permittee.
- (4) **PERMIT ON PERSON.** The permit must be carried upon the person of the permittee when exercising privileges hereunder.
- (5) **EXCEPTIONS.** The permit does not authorize the following:
 - (a) The taking of specimens on state wildlife refuges.
 - (b) The exchange of specimens with persons who do not hold an appropriate permit.
 - (c) The purchase or sale of specimens.
 - (d) The routine care of injured animals.

History: Cr. Register, April, 1966, No. 124, eff. 5-1-66; renum. from WCD 19.11 to be NR 19.11, and am. (1) intro. par., (1) (h), (2) intro. par. and (2) (c), Register, April, 1971, No. 184, eff. 4-1-71.

NR 19.12 Tagging the carcasses of wild animals, birds and fish taken on Indian reservations. (a) Each authorized person who has taken a protected wild animal, bird or fish on an Indian reservation, under provisions of the reservation's treaty rights during the off-reservation closed season for such game set by the department of natural resources, shall before removing the carcass or part thereof of such animal, bird or fish from the reservation, contact and exhibit it during ordinary working hours to a conservation warden of the department of natural resources or to any tribal member authorized by the particular tribe and designated by the department of natural resources.

(b) The conservation warden or designated tribal member shall inspect all such carcasses, attach and lock a special lettered and numbered tag to each carcass or part thereof, and maintain a record book containing the following information: the date, the reservation, the name and address of the person being issued the tag, the species and description of the wild animal, bird or fish being tagged, the destination, and the name and address of the person issuing the tag. Such record book shall be exhibited to the department of natural resources at reasonable hours for inspection and duplication. Failure to maintain and exhibit such a record book containing the above information shall be sufficient cause for the department of natural resources to revoke the authority of the official to issue any more tags. The secretary of the department of natural resources may take such revocation action without requiring that a hearing be held on the matter.

(c) The special lettered and numbered tag shall be distributed to the conservation warden or designated tribal member by the department of natural resources at such times and in such numbers as it deems appropriate. During the off-reservation closed season for such wild

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animal, bird or fish, no person shall remove any such carcass or part thereof from an Indian reservation without such a tag being attached and locked. No person shall remove the tag prior to consumption of the animal, bird or fish carcass tagged. No endangered species shall be tagged. No person other than a conservation warden or designated tribal member shall have unused tags in his or her possession.

History: Cr. Register, April, 1976, No. 244, eff. 5-1-76.