

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; am. (2), (4), (5), (8) and (10), r. and recr. (3), Register, February, 1977, No. 254, eff. 3-1-77; am. (8) (a), Register, April, 1978, No. 268, eff. 5-1-78.

**NR 19.08 Tagging canned pheasants.** Pheasants produced on licensed game farms pursuant to s. 29.574, 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.

(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 Rhinelander, 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*. Musky Bay located in sections 10 and 11, T39N, R9W on Big Lac Court Oreilles Lake.

(l) *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*. Gilmore 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 17 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 s. 29.544 (5), 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 s. 29.544, 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; am. (2) (c), (k) and (m), Register, November, 1976, No. 251, eff. 12-1-76; am. (5), Register, April, 1978, No. 268, eff. 5-1-78.

**NR 19.10 Bird-banding permits.** **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), Register, September, 1978, No. 273

(5), (6) intro. par., and (6) (d), Register, April, 1971, No. 184, eff. 5-1-71; r. Register, September, 1978, No. 273, eff. 10-1-78.

**NR 19.11 Scientific collectors permits.** This section applies to scientific collectors permits as provided in s. 29.17, 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.
- (e) The taking of endangered species.

(6) **UNPROTECTED SPECIES.** A scientific collector's permit is not required for the taking of unprotected wild animals by legal means.

**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; cr. (5) (e) and (6), Register, September, 1978, No. 273, eff. 10-1-78.

**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 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.

**19.13 Disposition of deer accidentally killed by a motor vehicle.**

(1) The driver of a motor vehicle involved in a vehicle-deer collision may have first priority to the deer killed. However, if the driver does not want to take possession of the deer it may be given to another party at the scene of the accident by the department or its agents.

(2) If a driver collides with and kills 2 or more deer at one time, the driver is eligible to receive as many of these deer as the driver wishes.

(3) No such deer, or any parts thereof, may be sold, bartered or given by the individual to any other person at any time, except the head or hide, which may be disposed of pursuant to section 29.40 (3), Wis. Stats.

(4) Possession of vehicle-killed deer shall be limited to 90 days.

(5) Spotted fawns and white deer may not be released by the department.

(6) No deer shall be retained until it has been tagged with a metal seal provided by the department and a permit has been issued.

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- (7) Permits shall be issued and metal seals attached by the department or its agents for each deer released.
- (8) The permit shall contain the following information: (a) Name and address of permittee.
- (b) Vehicle license number if deer given to driver involved in the collision.
- (c) Date of accident.
- (d) Date of issuance.
- (e) Number of metal seal used.
- (f) Identification of permittee as driver of vehicle, or other.
- (g) Sex of deer and approximate weight.
- (h) Location of kill as to county.
- (i) Name of officer who issued permit and metal seal and the name and address of the officer's agency.
- (j) Statement that permit valid for a period of 90 days after date of issuance.
- (9) One copy of permit shall be issued to permittee, one copy sent to the department, and one copy retained by issuing agency.
- (10) Provisions of permit and restrictions shall be printed on the back of the permit form.
- (11) If a deer is not released pursuant to subsection (1), it may be sold by the department at the highest price obtainable or otherwise disposed of.
- (12) The entrails or any other parts of deer killed in vehicle-deer collisions shall not be disposed of on the highway right-of-way.

**History:** Cr. Register, June 1976, No. 246, eff. 7-1-76.

**NR 19.21 Goose damage.** (1) The phrase "in or near the area where damage occurs" as found in s. 29.594 (1) (f), Stats., is defined to mean any parcel of land under one ownership within or touching any zone where hunter numbers or concentrations are limited by law.

(2) The term "public hunting" as found in s. 29.594 (1) (g), Stats., is defined to mean lands on which the owner or occupant allows hunting for Canada geese by persons other than the immediate family and who have received permission from the owner or occupant to hunt said lands. The owner or occupant may limit such hunting as to time or place, but may not discriminate against persons requesting permission because of their race or religion.

**History:** Cr. Register, January, 1977, No. 253, eff. 2-1-77.