



NR 10

State of Wisconsin

DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny
Secretary

BOX 7921
MADISON, WISCONSIN 53707

IN REPLY REFER TO: _____

STATE OF WISCONSIN)
)
DEPARTMENT OF NATURAL RESOURCES) SS

*received
3-1-82
1:30 pm*

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Carroll D. Besadny, Secretary of the Department of Natural Resources and custodian of the official records of said Department, do hereby certify that the annexed copy of Natural Resources Board Order No. G-48-81 was duly approved and adopted by this Department on November 18, 1981. I further certify that said copy has been compared by me with the original on file in this Department and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department at General Executive Facility #2 in the City of Madison, this 26th day of February, 1982.

5-1-82

Carroll D. Besadny
Carroll D. Besadny, Secretary

(SEAL)

ORDER OF THE STATE OF WISCONSIN NATURAL RESOURCES BOARD
AMENDING, REPEALING AND RECREATING, AND CREATING RULES

.....
IN THE MATTER of amending ss. NR 10.001(11), 10.09(title) and .
10.12(3)(d)(intro.); repealing and recreating ss. .
NR 10.01(3)(e)2.a., c. & d., 10.07(1)(g)2. and 10.09(1)(c); .
and creating s. NR 10.14(8) of the Wisconsin Administrative . G-48-81
Code pertaining to hunting and trapping regulations for 1982 .
.....

Analysis Prepared by Department of Natural Resources

This order contains changes in the 1982 hunting and trapping regulations. Specifically, the changes are:

1. Modification of Deer Zone B1 - This rule changes the current 9-day buck only season to a 2-day, either sex followed by a 7-day buck only season. This western Wisconsin area has a traditional pattern of several years of 2+7 seasons followed by a buck only season. Population levels of deer have increased to goal levels which will now accommodate more liberal harvests.
2. Modification of legal baiting materials - This rule liberalizes legal baits from apples, pastry and liquid scent to include all fruit, vegetables and grains (except for waterfowl hunting). Baiting is used primarily for bear hunting and by a few hunters seeking coyote or deer. Because rule compliance has been good and hunters have requested the convenience of a broader range of bio-degradable material at a time when game populations are abundant, DNR supports such change.
3. Modification of legal gun types - This regulation expands the hunter's gun selection for deer hunting from rifles, shotguns and muzzle-loaders to include certain magnum caliber handguns. The .22 caliber handgun is currently a legitimate hunting gun for small game hunting. Magnum handguns of .357, .41 and .44 calibers have been proven to be effective for deer hunting by a 1970 experimental season on the Sandhill Wildlife Area. Ballistics information clearly indicates that any magnum caliber handgun generating 1000 foot pounds of energy at the muzzle is extremely effective in killing big game. Sportsmen in Wisconsin are on record of supporting such regulations for over a decade.
4. Modification of open water hunting of waterfowl - The rule change will add the Petenwell Flowage to a list of waters where it is legal to hunt waterfowl from blinds without being on land or in "natural vegetation rooted to the bottom and offering whole or partial concealment to the hunter." Designed to protect the rights of riparian landowners and rafting redhead and canvasback ducks, allowing hunting beyond 1500' in an area containing no large concentrations of redhead or canvasback ducks coupled with very light hunter densities is prudent.

5. Restricting the placement of killer type traps - This rule prohibits the placement of 220 Conibear and similar killer traps within 3 feet of certain culverts, fences and building areas. It is designed to minimize the risk of capturing nontarget animals including dogs and cats. The extent of this problem is unknown.

Pursuant to the authority vested in the State of Wisconsin Natural Resources Board by ss. 29.085, 29.174(1) and 227.014, Stats., the State of Wisconsin Natural Resources Board hereby amends, repeals and recreates, and creates rules interpreting ss. 29.085 and 29.174(1), Stats., as follows:

SECTION 1. NR 10.001(11) is amended to read:

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

SECTION 2. NR 10.01(3)(e)2.a., c. and d. are repealed and recreated to read:

Kind of animal and locality	Open season (both dates inclusive)	Limit
a. In Vernon county west and north of state highway 27 and state highway 82	Beginning on Saturday preceding the Thanksgiving holiday and continuing for 2 consecutive days	One deer per season, either sex

Kind of animal and locality	Open season (both dates inclusive)	Limit
<p>c. In counties of Jackson (south of state highways 54, 108 and 71), La Crosse, Monroe (south of state highway 71 and west of state highway 27), and Trempealeau (west and south of state highways 93 and 121, U.S. highway 10 and 53 and state highway 54).</p>	<p>Beginning on the day immediately after the season described above and continuing for 7 consecutive days</p>	<p>One buck deer per season with an antler not less than 3 inches in length</p>
<p>Shotgun season</p>	<p>Beginning on Saturday immediately preceding the Thanksgiving holiday and continuing for 2 consecutive days</p>	<p>One deer per season, either sex</p>
<p>Firearm season</p>	<p>Beginning on the day immediately after the season described above and continuing for 7 consecutive days</p>	<p>One buck deer per season with an antler not less than 3 inches in length</p>
<p>d. All other parts of Zone "B"</p>	<p>Beginning on Saturday immediately preceding the Thanksgiving holiday and continuing for 2 consecutive days</p>	<p>One deer per season, either sex</p>
	<p>Beginning on the day immediately after the season described above and continuing for 7 consecutive days</p>	<p>One buck deer per season with with an antler not less than 3 inches in length</p>

SECTION 3. NR 10.07(1)(g)2. is repealed and recreated to read:

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

SECTION 4. NR 10.09(Title) is amended to read:

NR 10.09 GUNS, AMMUNITION AND OTHER DEVICES.

SECTION 5. NR 10.09(1)(c) is repealed and recreated to read:

(c) Guns. 1. 'Type'. Hunt with any means other than the use of a gun discharged from the shoulder, bow and arrow or falconry except:

a. Muzzle-loaders may be used for hunting as defined in s. NR 10.001(13) and (14).

b. Hare, rabbit, squirrel, raccoon, fox, coyote, bobcat and unprotected wild animals may be hunted with .22 rim-fire handguns and pellet guns of .177 caliber or larger.

c. Deer may be hunted with handguns loaded with .357, .41 and .44 magnum caliber cartridges or any other caliber handgun chambered for commercially manufactured cartridges which produce a minimum muzzle energy of 1000 foot pounds. Such handguns shall have a minimum barrel length of 5 1/2 inches measured from the muzzle to the firing pin with the action closed. Handguns used for deer hunting are restricted to areas open to a firearm season. Hunters using such handguns may not possess any other gun while hunting deer.

Note: Persons under the age of 18 years, pursuant to s. 941.22, Stats., may not hunt with handguns. Hunters using handguns must comply with all state and federal laws respecting handguns, including s. 941.23, Stats., respecting concealment, and s. 29.224, Stats., respecting transportation. This rule only authorizes hunting deer with handguns in areas open to rifle hunting during the deer gun season.

d. Crossbows may be used by disabled individuals issued a permit under s. 29.104(4), Stats.

SECTION 6. NR 10.12(3)(d) introductory paragraph is amended to read:

(d) Blinds in ~~Calumet, Fond-du-Lac and Winnebago counties, --~~ In any of the waters of Lake Winnebago wherein they border Calumet, Fond du Lac and Winnebago counties and any of the waters of Petenwell Flowage north of state highway 21 and south of state highway 73, it shall be lawful for any person to use blinds that are set, placed or located more than if more than:

SECTION 7. NR 10.14(8) is created to read:

(8) No person may set, place or operate any killer trap of the conibear type greater than 6" x 6" or 6" in diameter in the following locations:

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

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

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

The foregoing rules were approved and adopted by the State of Wisconsin Natural Resources Board on November 18, 1981.

The rules contained herein shall take effect as provided in s. 227.026(1)(intro.), Stats.

Dated at Madison, Wisconsin _____ February 26, 1982 _____

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

By Carroll D. Besadny
Carroll D. Besadny, Secretary

(SEAL)



State of Wisconsin

DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny
Secretary

February 26, 1982

BOX 7921
MADISON, WISCONSIN 53707

IN REPLY REFER TO: 1020

Mr. Orlan L. Prestegard
Revisor of Statutes
411 West
C A P I T O L

*received
3-1-82*

Dear Mr. Prestegard:

Enclosed are two copies, including one certified copy, of State of Wisconsin Natural Resources Board Order No. G-48-81. These rules were reviewed by the Assembly Committee on Tourism and Recreation and the Senate Committee on Agriculture and Natural Resources pursuant to s. 227.018, Stats. A note in s. NR 10.09(1)(c), Wis. Adm. Code, has been added at the request of the Committee on Tourism and Recreation.

You will note that this order takes effect following publication. Kindly publish it in the Administrative Code accordingly.

Sincerely,

C. D. Besadny
C. D. Besadny
Secretary

Enc.