



CR 82-31

State of Wisconsin

DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny
Secretary

BOX 7921
MADISON, WISCONSIN 53707

STATE OF WISCONSIN)
)
DEPARTMENT OF NATURAL RESOURCES) ss

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JUL 26 1982
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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-1-82 was duly approved and adopted by this Department on May 26, 1982. 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 22nd day of July, 1982.

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 s. NR 18.03(1)(a), .
18.10(2)(d) & (3)(c) & (d); repealing and .
recreating s. NR 18.03(1)(b) and 18.04; and . G-1-82
creating ss. NR 18.04(2), 18.12(11) and 18.14(3) .
of the Wisconsin Administrative Code pertaining to .
falconry .
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Analysis Prepared by Department of Natural Resources

Chapter NR 18, Wis. Adm. Code, on falconry was created effective January 1, 1978 based upon the federal framework. At that time, the Department deferred judgment on any special hunting season until experience could be acquired. The Department has completed a one-year review of ch. NR 18 and several rule changes proposed by falconer license holders.

Currently, most falconers participate in hunting year-round by pursuing unprotected species (mostly mice and sparrows). Falconers may hunt game animals only during the regular gun season. The Department is proposing a season beginning September 1 and extending through March 31 to provide special hunting opportunities for warm and cold weather hunting. Because cottontail rabbit, fox squirrel and gray squirrel are generally abundant as well as being a popular quarry, a year-round season is warranted. Migratory birds may only be taken during the season established by federal framework.

The use of game farm, pen-raised pheasants and quail will facilitate raptor training similar to the training currently allowed for dogs.

Other changes clarify license requirements, nonresident restrictions, and the use of protected species.

Pursuant to the authority vested in the State of Wisconsin Natural Resources Board by ss. 23.09(2), 29.085, 29.174(1), 29.415(4) and 227.014, Stats., the State of Wisconsin Natural Resources Board hereby amends, repeals and recreates, and creates rules interpreting ss. 29.174(1) and 29.415(4), Stats., as follows:

SECTION 1. NR 18.03(1)(a) is amended to read.

(a) Residents. The department may issue a falconry permit to a holder of a valid small game or ~~sportsmen's~~ sports hunting license under s. NR 18.11 provided ~~that~~ the permit holder meets the standards of this chapter.

SECTION 2. NR 18.03(1)(b) is repealed and recreated to read:

(b) Nonresidents. Persons not residing in Wisconsin may take, possess or transport any raptor from Wisconsin except merlin (*Falco columbarius*) or endangered and threatened species provided they are in possession of a valid nonresident small game or general hunting license and meet the appropriate requirements of this chapter.

SECTION 3. NR 18.04 is repealed and recreated to read:

NR 18.04 FALCONRY HUNTING SEASON. In addition to the regular seasons described in ch. NR 10, persons may hunt upland game birds and animals described in s. NR 10.01(2) and (3) beginning September 1 and continuing through March 31, except cottontail rabbit, fox squirrel and gray squirrel which shall be open all year. Daily kill and possession limits, hunting hours and other rules for hunting apply.

SECTION 4. NR 18.10(2)(d) is amended to read:

(d) A permittee may not take, transport or possess any golden eagle (*Aquila chrysaetos*), merlin (*Falco columbarius*) or any ~~species-listed-as~~ federally-threatened-or endangered or threatened species listed in s. NR 27.03.

SECTION 5. NR 18.10(3)(c) is amended to read:

(c) A permittee may not take, transport or possess any endangered or threatened species listed as-federally-endangered in s. NR 27.03.

SECTION 6. NR 18.10(3)(d) is amended to read:

(d) A permittee may not take, transport or possess as part of ~~his/her~~ his or her three-bird limitation, more than one raptor listed as a federally threatened species as prescribed by 50 CFR s. 21.29(e)(3)(r).

SECTION 7. NR 18.12(11) is created to read:

(11) TRAINING OF RAPTORS. Persons may train raptors by using or killing game birds obtained from licensed game farms. A game farm receipt is required for any bird in possession. Such birds may be possessed year round and shall be treated in a humane manner and confined under sanitary conditions with proper care.

SECTION 8. NR 18.14(3) is created to read:

(3) IN-STATE USE. Except for species listed in s. NR 27.03, nonresidents may possess and transport raptors authorized by permit by their state of residency into Wisconsin without additional license. Such raptors may be used for meets and trials provided the event is approved by the department.

The foregoing rules were approved and adopted by the State of Wisconsin Natural Resources Board on May 26, 1982.

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

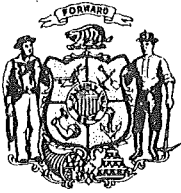
Dated at Madison, Wisconsin July 22, 1982

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

BOX 7921
MADISON, WISCONSIN 53707

July 22, 1982

1020

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

RECEIVED

JUL 26 1982

Revisor of Statutes
Bureau

Dear Mr. Prestegard:

Enclosed are two copies, including one certified copy, of State of Wisconsin Natural Resources Board Order No. G-1-82. 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. There were no requests for modification.

You will note that this order takes effect following publication. Kindly publish it in the Administrative Code for a September 1, 1982 effective date.

Sincerely,

A handwritten signature in cursive script that reads "C. D. Besadny".

C. D. Besadny
Secretary

Enc.