

## Chapter NR 10

## GAME AND HUNTING

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(ss. 29.085 and 29.174, Stats.)

**NR 10.001 Definitions.** (1) "Antlerless deer" means any deer without antlers or with both antlers less than 3 inches in length.

(1h) "Accompanied by", for the purposes of s. 29.227, Stats., means within sight and voice contact, without the aid of any mechanical or electronic amplifying device other than a hearing aid.

(1m) "Assisting", for the purpose of bear hunting, means helping a bear harvest permittee hunt a bear by handling dogs, tracking, trailing or locating the bear, or otherwise aiding while with the permittee or baiting.

(2) For the purposes of this chapter, "bait" means honey and any solid or nonliquid material attractive to wildlife.

(3) "Bearded turkey" means a turkey with a bristle-like appendage protruding from the upper part of the breast.

(3m) "Black bear hunting zone" means a zone established in s. NR 10.30.

(3s) "Blind", for the purpose of goose hunting in zones established in s. NR 10.31, means any framed enclosure or pit not more than 15 feet in its greatest dimension and camouflaged to provide concealment to hunters.

(3t) "Bonus deer hunting permit" for purposes of s. 29.1075, Stats., means any additional carcass tags issued under s. NR 10.11, any antlerless deer permits issued under s. NR 10.104 (3) (a) for gun deer season zone B as described in s. NR 10.01 (3) (e), and any antlerless permits issued under s. NR 10.104 (3) (b) and (c).

(4) "Bow" means any bow, drawn and held by and through the effort of the person releasing it, but does not include crossbow.

(5) "Buck deer" means any deer with an antler not less than 3 inches in length.

(5m) "Canada goose management zones and subzones" means those established in s. NR 10.31.

(5r) "Class A permit" means a permit as defined in s. 29.09 (9) (a) 2., Stats.

(5t) "Class C permit" means a permit issued to the visually handicapped as defined in s. 29.09 (9) (a) 5., Stats.

(6) "Crossbow" means any device using a bow which, once drawn, is held solely by means other than the effort of the person firing it.

(6m) "Current validated deer carcass tag", for purposes of s. 29.40 (2), Stats., means an unused tag of the current year validated according to the requirements of s. NR 10.103 (2).

(7) "Daily bag limit" means the maximum number of a game species which may be reduced to a person's possession in one day.

(7m) "Deer management unit" means a zone established in s. NR 10.28.

(8) "Department" means the department of natural resources.

(9) For the purposes of ss. 29.224 (2), 29.56, 29.565 (2), 29.57 (4) and 350.06, Stats., "enclosed within a carrying case" for firearms means completely contained in a gun case expressly made for that purpose which is fully enclosed by being zipped, snapped, buckled, tied, or otherwise fastened, with no portion of the firearm exposed.

Note: Subsection (9) does not remove the requirement of ss. 29.224 and 350.06, Stats., to enclose bows or crossbows in carrying cases. The rule does not apply to bows or crossbows only because the natural resources board recognizes that certain designed bow cases may allow portions of the bow, for instance the handle, to be exposed and yet still render the bow inoperable.

(9e) "Established range" means an existing facility that has target shooting with firearms as its major purpose.

(9m) For the purpose of administering the Canada goose hunting permit system, "Exterior goose management zone" or the "Exterior zone" means all that part of the state outside of the Collins, Horicon, Pine Island and Theresa goose management zones described in s. NR 10.31, and includes the Mississippi River, Brown County, Burnett County, New Auburn and Rock Prairie subzones which shall be treated as separate management subzones for other purposes.

(10) "Firearm season" means an open season for hunting with any of the following firearms loaded with a single slug or ball: rifle, muzzle-

loader, shotgun or handgun for deer or bear hunting described in s. NR 10.09 (1) (c) 1. c..

(10m) "Fully automatic firearm" means any firearm which continues to fire or is manufactured to continue to fire as long as the trigger is depressed.

Note: This definition does not include a semi-automatic firearm which fires a single shot with each pull of the trigger, then ejects the spent cartridge case and reloads without effort on the part of the shooter.

(13) "Liquid" means a substance, neither solid or gaseous, that flows freely and takes the shape of its container at a temperature of 70°F.

(14) "Liquid scent" means any nonsolid material except honey.

(15) "Migratory game birds" means any bird which is migratory and on which an open season has been prescribed in this chapter and belonging to one of the following families:

(a) *Anatidae* (wild ducks, geese and brant),

(b) *Rallidae* (rails, coots and gallinules),

(c) *Scolopacidae* (woodcock and Wilson's snipe (jacksnipe)).

(16) "Molest" means any activity which results in physical damage or destruction of an object.

(17) For the purpose of hunting deer and bear, "muzzle-loader" means any smoothbore muzzle-loading firearm of not less than .45 caliber and any rifled muzzle-loading firearm of not less than .40 caliber, discharged from the shoulder.

(18) For the purpose of hunting wild animals other than deer and bear, "muzzle-loader" means any caliber of any muzzle-loading firearm discharged from the shoulder.

(19) "Nontoxic shot" means steel shot and copper or nickel plated steel shot with the plating not exceeding .0002 inches or 1% or less of shot by weight.

(19m) "Openly exposed" means to view by a person in a passing vehicle.

(20) "Open water" means any water beyond a natural growth of vegetation rooted to the bottom and extending above the water surface of such height as to offer whole or partial concealment for the hunter. Dead stumps and dead trees in water do not constitute a natural growth of vegetation.

(21) "Permanent abode" means a person's principal or ordinary home or dwelling place as distinguished from a temporary abode.

(22) "Possession limit" means the maximum number of a game species which may be reduced to a person's possession in 2 days or more.

(23) "Preservation facility" means any permanent abode, cold storage facility, locker plant, taxidermy establishment, hunting club or place of business which receives or possesses any game belonging to another person for the purposes of picking, cleaning, freezing, processing, storage or shipment.

(23m) "Shotgun" means a smoothbore barrelled firearm designed to shoot pellets. Rifled shotgun barrels of at least 18" in length are considered to be shotguns for the purpose of hunting deer or bear if they fire a single projectile and are of the following gauges: 10, 12, 16, 20, 28.

(24) "Shotgun season" means an open season for hunting with any of the following firearms, as provided in s. NR 10.09, loaded with a single slug or ball:

- (a) For hunting deer, muzzle-loader, shotgun and handgun; or
- (b) For hunting other game, muzzle-loader or shotgun.

(25) "Sight exposed bait" means any bait which can be seen from above the bait.

(25e) "Snare" means a non-spring activated noose used for catching furbearers.

(25m) "Tag authorized for use on the type of deer killed", for purposes of s. 29.40 (2), Stats., means a tag issued to the hunter killing the deer or an individual satisfying the provisions of s. 29.405, Stats., which, based on the approvals of the person tagging the deer, is valid for the type of deer killed.

(26) "Temporary abode" means a transient place of abode or dwelling such as a hunting club, or any clubhouse, cabin, tent, or trailer used as a hunting club, or any hotel, motel or roominghouse used during a hunting trip.

(27) "Unforked antler" means a polished antler consisting of a single spike without branches or tines.

(29) "Water set" means any trap which is set or staked in such a manner as to permit the trap or trapped animal to reach water at any point.

(30) "Waterfowl" means any migratory game bird of the family *Anatidae* including wild ducks, geese and brant.

(31) "Wild turkey hunting zone" means a zone established in s. NR 10.29.

History: Cr. Register, October, 1975, No. 238, eff. 11-1-75; cr. (2), Register, May, 1977, No. 257, eff. 6-1-77; cr. (3) to (5), Register, February, 1978, No. 266, eff. 3-1-78; cr. (6) and (7), Register, May, 1978, No. 269, eff. 6-1-78; renum. 10.07 (1) (c) to be (8) and (9), Register, August, 1978, No. 272, eff. 9-1-78; cr. (10) to (16), Register, August, 1979, No. 284, eff. 9-1-79; cr. (17), Register, September, 1979, No. 285, eff. 10-1-79; emerg. cr. (18), eff. 9-12-81; cr. (18), (19) and (20), Register, March, 1982, No. 315, eff. 4-1-82; am. (11), Register, April, 1982, No. 316, eff. 5-1-82; cr. (22), Register, September, 1982, No. 321, eff. 10-1-82; cr. (21), Register, October, 1982, No. 322, eff. 11-1-82; cr. (23), Register, November, 1982, No. 323, eff. 12-1-82; cr. (24), Register, May, 1983, No. 329, eff. 6-1-83; cr. (25), Register, September, 1983, No. 333, eff. 10-1-83; cr. (26) and (27), Register, October, 1984, No. 346, eff. 11-1-84; am. (23), Register, March, 1985, No. 351, eff. 4-1-85; renum. (1), (3) to (18), (20) to (27) to be (8), (20), (30), (15), (14), (12), (4), (6), (16), (10), (24), (17), (18), (7), (22), (29), (28), (11), (9), (27), (3), (25), (13), (5) and (1) and r. and recr. (7) and (22), cr. (21), (23) and (26), Register, September, 1985, No. 357, eff. 10-1-85; cr. (1m) and r. (12), Register, June, 1986, No. 366, eff. 7-1-86; r. (28), Register, January, 1987, No. 373, eff. 2-1-87; emerg. am. (19), eff. 9-25-87; r. and recr. (24), Register, October, 1987, No. 382, eff. 1-1-88; am. (19), Register, December, 1987, No. 384, eff. 1-1-88; cr. (3m), (3s), (5m), (7m), (9m) and (31), r. (11), Register, July, 1988, No. 391, eff. 8-1-88; cr. (1h), (6m), (23m) and (25m), Register, October, 1988, No. 394, eff. 11-1-88; emerg. am. (5m) and (9m), eff. 9-15-89; emerg. cr. (25e), eff. 10-16-89; am. (5m) and (9m), Register, March, 1990, No. 411, eff. 4-1-90; cr. (25e), Register, May, 1990, No. 413, eff. 6-1-90; cr. (10m), Register, July, 1990, No. 415, eff. 8-1-90; cr. (9e), Register, September, 1990, No. 417, eff. 10-1-90; cr. (5r) and (5t), Register, June, 1991, No. 426, eff. 7-1-91; am. (10) Register, May, 1993, No. 449

and (23m), Register, October, 1991, No. 430, eff. 11-1-91; am. (1), cr. (3t), Register, May, 1993, No. 449, eff. 6-1-93.

**NR 10.01 Open and closed seasons.** A closed season is established year-round for each species of wild animal named in this section, except during the specified open season. Seasons open to legal hunting and trapping apply to the entire locality described, except as otherwise provided in chs. NR 11 and 15. Whenever open and closed season areas are defined by highways, the boundary shall be the highway center line. No person may hunt, take, catch or kill any animal specified in this section except during the specified open season.

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9. Steeljawed traps. It shall be unlawful for any person to set, place or operate any steel jaw trap with a spread width of more than 8 inches.

10. Toothed traps. No person may set, place or operate any steel jawed trap with teeth unless it is located completely underwater at all times.

11. Minimum wateset. Except when the muskrat and mink season is open, no person may set, place or operate any wateset smaller than 5½" jaw spread for steel jaw traps and 6¾" x 6¾" for killer traps of the conibear type.

12. Trap placement. Set, place or operate any killer trap of the conibear type greater than 6" x 6" or any snare regardless of the size of the noose 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.

13. Snare specifications. Set, place or operate any snare unless the noose cable and noose attachments conform to the following specifications:

a. Noose. Five feet or less of non-stainless steel metal cable or wire with a diameter not exceeding ¼".

b. Noose attachments. All snares shall include a relaxing mechanical lock, anchor swivel and stop device to prevent the mechanical lock from closing the noose loop to a diameter less than 2.5". In addition, all snares shall be tagged with a metal tag stamped or enscribed with the name and address of the owner.

(2) MOLESTING. While hunting or trapping, no person shall:

(a) *Raccoon*. Molest any raccoon den or den trees.

(b) *Mink*. Molest any mink den.

(c) *Muskrat and beaver*. Molest any muskrat house, muskrat feeding house, or beaver dam. However, beaver dams may be altered by persons removing beaver causing damage under s. NR 12.10.

(3) TRAPPING HOURS. (a) *Legal time period*. The trapping hours shall be from 6:00 a.m. to 7:00 p.m. (CST).

(b) *Illegal time period*. No person may set or reset any trap or traps or attend any trapline from 7:00 p.m. to 6:00 a.m. (CST).

(c) *Special checking period*. All dry land sets shall be checked and animals therein removed at least once each day.

History: 1-2-56; am. (1), Register, August, 1962, No. 80, eff. 9-1-62; r. and recr. (1) and (3), Register, August, 1964, No. 104, eff. 9-1-64; r. and recr. (3), Register, August, 1966, No. 128, eff. 9-1-66; renum. to be NR 10.13; am. (3), Register, June, 1970, No. 174, eff. 7-1-70; am. (1), Register, July, 1971, No. 187, eff. 8-1-71; am. (3), Register, August, 1975, No. 236, eff. 9-1-75; emerg. am. (1), eff. 4-3-76; r. and recr. Register, September, 1979, No. 285, eff. 10-1-79; r. and recr. (1) (b) 5., Register, October, 1980, No. 298, eff. 11-1-80; am. (1) (b) 2., Register, May, 1983, No. 329, eff. 6-1-83; am. (1) (intro.) and (b) 2., Register, September, 1983, No. 333, eff. 10-1-83; (1) (b) 6. to 12. renum. from NR 10.14 (2) to (8), Register, September, 1984, No. 345, eff. 12-1-84; am. (1) (a) and r. and recr. (1) (b) 5., Register, August, 1986, No. 368, eff. 9-1-86;

r. and recr. (1) (a), am. (1) (b) 4., 5., 11. and (2) (c), Register, June, 1988, No. 390, eff. 7-1-88; am. (1) (b) 8. and 10., Register, July, 1989, No. 403, eff. 8-1-89; am. (1) (a) 2., (b) 1., 3. to 6., 8., 12. intro., (2) (c) and (3) (b), cr. (1) (b) 13., Register, May, 1990, No. 413, eff. 6-1-90; am. (1) (b) 8., 12. intro. and 13. b., Register, October, 1991, No. 430, eff. 11-1-91.

**NR 10.145 Bobcat, fisher and otter.** No person may hunt or trap, or attempt to hunt or trap, any bobcat, fisher or otter unless having first applied for and received from the department a permit and any associated carcass tags.

(1) **HARVEST QUOTAS.** The number of bobcat, fisher and otter permits issued annually shall be determined by the department. The department shall base its determination upon:

- (a) Population estimates and trends.
- (b) The population goals established in subs. (2).
- (c) Trends in hunter or trapper success rates.

(2) **POPULATION GOALS.** (a) *Fisher.* The overwinter population goal for each management zone listed under s. NR 10.01 (4) is one fisher per 4 square miles of fisher range.

(b) *Bobcat.* The overwinter population goal north of state highway 64 is one bobcat per 10 square miles of bobcat range.

(3) **APPLICATION AND ISSUANCE PROCEDURES.** (a) *Forms.* Applications for permits shall be made on forms provided by the department.

(b) *Deadlines.* All permit applications shall be postmarked no later than the deadline dates indicated on the form or received by the department license section no later than 4:30 p.m. on those dates to be considered for selection. The annual application deadlines may not be sooner than July 1.

*Note:* The department conducts extensive publicity on the application deadlines beginning several months prior to any deadline. Application deadline dates are published in news releases, license outlet handouts, and pertinent regulation pamphlets. The license section address is 101 South Webster, Box 7926, Madison, WI 53707.

(c) *Application limit.* No person may apply for more than 1 permit for each species.

(d) *Random selection.* If the number of applications for permits exceeds the number of permits available, successful applicants shall be randomly selected.

(e) *Carcass tag issuance.* The department shall issue carcass tags to successful permit applicants as follows:

1. **Oversubscribed zones.** If the number of applications for permits is equal to or more than the number of permits available, each successful applicant shall be issued a carcass tag.

2. **Undersubscribed zones.** If the number of applications for permits is less than the number of permits available, the department may:

- a. Randomly issue successful applicants additional carcass tags; or
- b. Make available to any person the remaining permits on a first-come, first-served basis; or
- c. Use both procedures described in subpars. a and b.

(4) **TAGGING REQUIREMENTS.** (a) *Field tagging.* When a bobcat, fisher or otter is killed and before it is carried by hand or transported in any manner, the permittee shall immediately attach and seal the carcass tag to the animal in the manner indicated by the department. Failure to attach and seal the carcass tag invalidates the permit.

(b) *Transportation and possession.* No person may transport or possess a bobcat, fisher, otter, or a raw pelt of these species unless it has been tagged in accordance with par. (a).

(c) *Tag retention.* The carcass tag shall remain attached to the pelt until removed by a fur dresser or taxidermist at time of preparation.

(5) **RECORDING OF HARVEST.** (a) *Exhibition requirements.* Unless otherwise authorized by the department, each person who has killed a bobcat, fisher or otter shall exhibit the pelt to an authorized department representative in the county in which the animal was killed, or in an adjoining county, no later than 5 days after the close of the season.

(b) *Carcass collection.* The department may require each person exhibiting a bobcat, fisher or otter pelt to exhibit and provide the skinned carcass to the department.

(c) *Department tagging.* The department shall inspect the pelt, attach and lock a registration tag to the head of all lawfully taken and possessed bobcat, fisher and otter.

(d) *Mounting.* Persons who intend to have a fisher or bobcat mounted by a taxidermist may exhibit the fisher or bobcat to the department for registration in whole carcass condition without separating the pelt and need not surrender the skinned carcass to the department until after the taxidermist has separated the pelt.

(6) **POSSESSION AND TRANSFER RESTRICTIONS.** No person may:

(a) *Possession.* Possess raw bobcat, fisher or otter pelts after the 5th day following closure of the open season for each species and the respective opening date of the next trapping or hunting season without a registration tag attached and locked to the head of the animal.

(b) *Transfer.* Transfer, give, trade, sell or purchase any fisher or otter pelt without a registration tag being attached and locked to the head of the pelt.

**History:** Cr. Register, August, 1973, No. 212, eff. 9-1-73; am. Register, March, 1975, No. 231, eff. 3-1-75; am. Register, May, 1976, No. 245, eff. 8-15-76; r. and recr., Register, April, 1980, No. 292, eff. 5-1-80; renum. (1) to (3) to be (3) to (5) and cr. (1) and (2), Register, October, 1980, No. 298, eff. 11-1-80; renum. from NR 10.201, Register, September, 1983, No. 333, eff. 10-1-83; am. (1) (b), Register, October, 1983, No. 334, eff. 11-1-83; r. and recr. (3), Register, September, 1985, No. 357, eff. 10-1-85; r. and recr. (1) (b), Register, August, 1986, No. 368, eff. 9-1-86; r. and recr. (1) (c), Register, July, 1989, No. 403, eff. 8-1-89; r. and recr. Register, February, 1993, No. 446, eff. 3-1-93.

**NR 10.15 Horicon national wildlife refuge.** (1) **PROHIBITED METHODS.** (a) *Firearm and bow possession.* Except as provided in this section, it shall be unlawful for any person to hunt or trap any wild animal or have in possession or under control any firearm unless the same is unloaded and enclosed within a carrying case or any bow and arrow unless the same is unstrung or enclosed in a carrying case, upon the area known as the Horicon national wildlife refuge.

(b) *Unprotected animal control.* Nothing in this section shall prohibit, prevent, or interfere with the U.S. fish and wildlife service, its deputies, agents, or employes in the destruction of unprotected wild animals as listed in s. NR 10.04.

(2) **SHOTGUN SEASON.** A shotgun season shall be established for hunting deer except for posted closed areas, pursuant to NR 10.01 (3).

(3) **BOW AND ARROW SEASON.** An open season for hunting deer with bow and arrow in areas designated by posted notice shall be established pursuant to s. NR 10.01 (3).

(4) **SMALL GAME SEASON.** (a) *Game birds and rabbits.* The open season for hunting upland game birds and rabbits shall begin as established by NR 10.01 (2) and (3), and continue through the end of the pheasant season each year pursuant to NR 10.01 (2) (c), and shall be subject to all other rules covering hunting set forth in this chapter.

(b) *Season closure.* With the written approval of the department, such season may be closed at any time upon request by the U.S. fish and wildlife service.

(5) **TRAPPING.** (a) *Furbearers.* With the written approval of the department, an open season may be declared for trapping fur bearing animals.

(b) *Permits.* If permits are required, they shall be issued by the U.S. fish and wildlife service.

(c) *Trap limits.* The legal number of traps allowed for each trapper shall be prescribed by the U.S. fish and wildlife service.

(d) *Other restrictions.* All other rules covering trapping are set forth in this chapter.

(6) **WATERFOWL SEASON.** No person may place a hunting blind within 75 yards of the Horicon national wildlife refuge boundary during the open season for hunting waterfowl.

*History:* 1-2-56; am. (2) (a) and r. (2) (b) to (e), Register, September, 1971, No. 189, eff. 10-1-71; am. (5), (6) and (7), Register, May, 1976, No. 245, eff. 8-15-76; am. (6), Register, Janu-

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