

Chapter NR 10

GAME AND HUNTING

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(Sections 29.085 and 29.174, Wis. Stats.)

NR 10.001 Definitions. (1) "Department" means the department of natural resources.

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

History: Cr. Register, October, 1975, No. 238, eff. 11-1-75; cr. (2), Register, May, 1977, No. 257, eff. 6-1-77.

NR 10.01 Open and closed seasons. A closed season is established for each species of wild animal and bird named herein extending during all the time of each year except the open season period embraced within the specified dates both inclusive. Such open season shall apply to all of the area described in each locality except as otherwise provided in Wis. Adm. Code chapters NR 11 and NR 15. Except as otherwise expressly provided, no person shall take, catch, kill, hunt, pursue, shoot, or trap any wild animal or bird at any time other than the open season and the established hunting hours therefor, nor in the open season in excess of the daily bag limit designated for each species, nor have any such protected wild animal or bird in his possession or under his control in excess of the possession limit. Whenever open and closed seasons are defined by highways, the boundary shall be the center line of the highway except as otherwise provided.

(1) MIGRATORY BIRDS AND WATERFOWL.

Kind of animal	Locality	Open season (both dates inclusive)	Daily bag limit	Possession limit
(a) <i>Canvasback and redhead duck</i>	The following lakes including a strip of land 100 yards wide adjacent to the shorelines thereof: Lakes Winneconne	No open season	None	None

Kind of animal	Locality	Open season (both dates inclusive)	Daily bag limit	Possession limit
(b) 1. <i>All species of wild duck</i>	and Butte des Morts in Winnebago county including the connecting waters thereof, Lake Poygan in Winnebago and Waushara counties, and all that part of the state lying west of the Burlington Northern railway and extending southerly from Prescott in Pierce county to the Wisconsin-Illinois line (Mississippi river).	October 1 at 12:00 noon through October 10, and October 16 through November 24.	The daily bag limit is reached when the point value of the last bird taken plus the total value of birds already taken during that day equals or exceeds 100 points.	The possession limit is the maximum number of species and sex which could have legally been taken in 2 days.
<i>Point Values</i> 100 points, canvasback, redhead, black duck and hen mallard.	70 points, wood duck, hooded merganser and drake mallard.	October 1 at 12:00 noon through October 10.		
25 points, ringneck, ruddy duck, goldeneye, bufflehead, wigeon and all other ducks not otherwise listed.	15 points, pintail, blue-wing teal, green-wing teal, gadwall, shoveler, scaups and other mergansers.			
<i>Point Values</i> 100 points, canvasback, redhead and black duck.	70 points, hen mallard, wood duck and hooded merganser.	October 16 through November 24.		
25 points, drake mallard, ringneck,				

Kind of animal	Locality	Open season (both dates inclusive)	Daily bag limit	Possession limit
<p>ruddy duck, goldeneye, bufflehead, wigeon and all other ducks not otherwise listed.</p> <p>15 points, pintail, blue-wing teal, green-wing teal, gadwall, shoveler, scaups and other mergansers.</p>				
2. Scaup (special season)	Lake Michigan, Shawano lake, lake Pepin, the waters of the Mississippi river in Grant county, that part of the state north of hwy. 64; and beyond 500 feet from the shoreline in the waters of Green Bay, lake Superior and lake Winnebago.	November 25 through December 10.	5	10
(c) Coot	Entire state.	October 1 at 12:00 noon through October 10, and October 16 through November 24.	15	30
(d) <i>Sora and Virginia rails</i>	Entire state.	October 1 at 12:00 noon through October 10, and October 16 through November 24.	25	25
1. Gallinules	Entire state.	October 1 at 12:00 noon through October 10, and October 16 through November 24.	15	30
(e) <i>Wilson's snipe</i>	Entire state.	October 1 at 12:00 noon through December 10.	8	16
(f) <i>Woodcock</i>	Entire state.	Beginning on the Saturday nearest September 15 and continuing for 65 consecutive days.	5	10
(g) <i>Geese</i>				
1. Canada geese and its subspecies	Horicon zone as established.	October 30 through November 24.	1	1 (season limit)
	Burnett county zone as established under (l)	None	—	—
	Brown county zone	October 1 at 12:00	1	2

Kind of animal	Locality	Open season (both dates inclusive)	Daily bag limit	Possession limit
	as established under (m)	noon through October 10, and October 16 through November 24.		
	New Auburn zone as established under (n).	None	—	—
	Rock Prairie zone as established under (o).	October 1 at 12:00 noon through October 10, and October 16 through October 31.	1	2
	Remainder of the state.	October 1 at 12:00 noon through October 10, and October 16 through November 24.	1	2
2. All other species	Entire state.	October 1 at 12:00 noon through October 10, and October 16 through November 24.	A total of 5, including not more than 1 Canada goose or its subspecies and 1 white-fronted goose, or 2 white-fronted geese.	A total of 5, including not more than 2 Canada geese or its subspecies (only 1 in the Horicon zone) or 1 Canada goose and 1 white-fronted or 2 white-fronted geese.

(h) The daily bag limit on Canada geese statewide is not more than that permitted in any one zone within the state and no person may possess or transport more than the daily bag limit or aggregate daily limit, whichever applies, or migratory game birds, tagged or not tagged, at or between the place where taken and either the person's personal abode or temporary or transient place of lodging; or a commercial preservation facility.

(i) The following described area is established as the Horicon Intensive Management Zone:

All that part of the counties of Dodge and Fond du Lac enclosed by a line beginning at the junction of state highway 26, with the east-west center line of sections 9, 10, 11 and 12 in township 12 north, range 15 east, thence eastward along said center line and continuing eastward along the east-west center of sections 7, 8, 9 and 10 in township 12 north, range 16 east to its junction with county highway TW, thence north and east on said highway TW to its junction with county highway Y, thence northerly on said highway Y to its junction with county highway YY, thence northerly on said highway YY to its junction with county highway Y, thence northerly on said highway Y to its junction with county highway B, thence southwesterly on said highway B to its junction with county highway D, thence westerly on said highway D to its junction with highway AS, thence westerly on said highway AS to its junction with U.S. highway 151, thence southwesterly on said highway 151 to its junction with the C.M.St.P. and Pacific railroad, thence southerly along said C.M.St.P. & Pacific railroad to its junction with state highway 26, thence north on said highway 26 to its junction with the east-west centerline of sections 9, 10, 11 and 12 in township 12 north, range 15 east, which is the point of beginning.

(j) The following described area is established as the Horicon Zone:

The Horicon Zone is bounded on the east by U.S. highway 45 from Oshkosh to Fond du Lac, and then state highway 175 to Addison; on the south by state highway 33 from Addison to Beaver Dam and then U.S. highway 151 to Columbus; on the west by state highway 73 from Columbus to its intersection with state highway 23 east of Princeton; on the north by state highway 23 from the intersection with state highway 73 to Ripon then state highway 44 to Oshkosh.

(k) Horicon zone Canada goose hunting permit and tag:

1. It is unlawful to hunt Canada geese in the Horicon zone without being in possession of a special combined goose hunting permit, metal goose tag and report card and valid state hunting license.

Each person desiring to hunt Canada geese in the Horicon zone shall apply for a special combined goose hunting permit, metal tag and report card. Only holders of the current valid hunting license may apply. Application forms supplied by the department shall be completed and submitted to the department of natural resources by September 20 of each year. It shall be unlawful for any person to submit more than one application per year or an application containing false information. Applications will be available at most department stations and county clerks' offices.

2. If two or more persons wish to hunt together in the Horicon zone, each must fill out an application form and submit them together in one envelope clearly marked "group application" on the outside. Group applications will be considered in the selection as one application.

3. Random selection shall be used to determine successful applicants. Preference for permits shall be given to unsuccessful applicants from the previous year who did not receive a permit.

Unsuccessful applications shall be marked and returned to the applicant. The following year, the applicant shall send a new application, along with the previous year's marked application, and in that manner establish eligibility for preference.

Preference in 1976 shall be established by requiring the applicant to answer questions on the application which will indicate whether the applicant received a permit in 1975 and whether the applicant applied unsuccessfully for a permit in 1975.

4. To be valid, the permit, tag and report card shall remain attached together until a Canada goose is killed. When a Canada goose is killed and before it is carried by hand or transported in any manner, the metal tag with the permit remaining attached shall be locked through the nostrils of the goose. The permit shall then be validated by tearing or cutting out notches designating the month, day and time of kill. Failure to follow the validation procedure in this manner invalidates the permit. Any permit, tag and report card which is detached prior to the kill is an invalid permit.

The permit and tag shall remain attached to the Canada goose until it reaches the abode of the permit holder. The Canada goose shall be transported in a motor vehicle in such a manner that the permit and tag attached to the goose cannot be handled or manipulated by any occupant of the vehicle. The permit, tag and report card are not transferable or replaceable and shall not be reused.

5. Each person hunting in the Horicon zone shall report tag use or nonuse on the report card provided within 12 hours after a Canada goose is killed or the close of the period, whichever occurs first.

6. In the Horicon zone, the hunting period and number of valid permits and tags issued will be as follows:

Hunting Period	Number of Permits and Tags Issued
October 30 - November 24.....	33,000

(l) The following described area is established as the Burnett county zone:

All that part of Burnett county lying westerly of a line beginning at the junction of state highway 87 with the south boundary of said county, thence northerly along said highway to its junction with state highway 48, thence northerly along said highway to its junction with state highway 70, thence easterly along said highway to its junction with county highway N, thence northerly along said highway to its junction with county highway D, thence northerly along said highway and continuing northerly along a town road to the south line of section 16, township 39 north, range 17 west, town of Lincoln, thence westerly along a town road to the southwest corner of said section 16, thence northerly along a town road on the west line of said section 16 and continuing northerly along the west line of section 9, township 39 north, range 17 west to the west bank of the Clam river, thence westerly along the west bank of said river to its intersection with the west boundary of said county.

(m) The following described area is established as the Brown county zone: All that part of Brown county lying north of state highway 29.

(n) The following described area is established as the New Auburn zone: All those parts of Chippewa, Barron and Rusk counties enclosed by a line beginning at the intersection of state highway 40 and state highway 64 in Chippewa county, thence westerly on said highway 64 to its intersection with U.S. highway 53, thence northerly on said highway 53 to its intersection with county highway D in Barron county, thence easterly on said highway D to its intersection with state highway 40 in Rusk county, thence southerly on said highway 40 to the point of beginning.

(o) The following described area is established as the Rock Prairie zone: All those part of Rock and Walworth counties enclosed by a line beginning at the intersection of interstate 90 and the Illinois state line in Rock county, thence northerly on said interstate 90 to its intersection with county highway A, thence easterly on said highway A to the intersection with U.S. highway 12, thence southerly on said highway 12 to its intersection with state highway 50, thence southwesterly on said highway 50 to its intersection with state highway 120, thence southerly on said highway 120 to its intersection with the Illinois state line, thence westerly to the point of beginning.

(p) No person shall hunt migratory waterfowl, coot, rails or gallinules in open water except as provided in NR 10.12 (2) (b), Wis. Adm. Code, in the waters of the Mississippi river lying westerly of the Burlington Northern railway wherein it borders on Vernon county during the period beginning October 15 and continuing through the end of the duck season.

(2) UPLAND GAME BIRDS

Kind of animal and locality	Open season (both dates inclusive)	Bag limit
(a) Ruffed grouse (partridge)		
1. In the counties of Buffalo, Columbia, Crawford, Grant, Iowa, La Crosse, Lafayette, Monroe, Pepin, Pierce, Richland, Sauk, Trempealeau and Vernon	Beginning on the Saturday nearest October 1 and continuing through January 31	5 each day 10 possession
2. Remainder of the state except Waukesha county	Beginning on the Saturday nearest October 1 and continuing through December 31	5 each day, 10 possession
3. Waukesha county	None	None
(b) Sharp-tailed grouse		
1. All that part of Wisconsin lying northerly of a line beginning at the junction of state highway 64 extending westerly to the west boundary of said state thence easterly along said highway 64 to its junction with state highway 13 thence southerly along said highway 13 to its junction with state highway 29, thence easterly along said highway 29 ending in the city of Green Bay	Beginning on the Saturday nearest October 1 and continuing for 23 consecutive days	3 each day 6 possession
In all other parts of the state	None	None
(c) Pheasants		
1. In all counties of the state	Cocks only Beginning on the Saturday nearest October 27, at 12:00 noon and continuing for	The bag limit for the first 2 days of the season is one each day with a possession limit of 2; thereafter the bag limit

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Kind of animal and locality	Open season (both dates inclusive)	Bag limit
	44 consecutive days	in 2 each day with a possession limit of 4.
(d) Hungarian partridge		
1. All that part of Wisconsin lying southerly and easterly of a line beginning at the junction of the Mississippi and Wisconsin Rivers, thence upstream along said Wisconsin River to its junction with state highway 64, thence easterly along said highway 64 to its junction with the east boundary of the state	Beginning on the Saturday nearest October 27 at 12:00 noon and continuing for 44 consecutive days	3 each day, 6 possession
2. Remainder of the state	None	None
(e) Bobwhite quail		
1. In the counties of Columbia, Crawford, Grant, Iowa, Richland and Sauk	Beginning on the Saturday nearest October 27 at 12:00 noon and continuing for 14 consecutive days	2 each day, 4 possession
2. Remainder of the state	None	None

(3) UPLAND GAME ANIMALS

Kind of animal and locality	Open season (both dates inclusive)	Bag limit
(a) Gray and fox squirrels		
In all counties of the state	Beginning on the Saturday nearest October 1 and continuing through January 31	Bag limit means total of both species. 5 each day, 10 possession
(b) Raccoon (hunting and trapping)		
1. All that part of Wisconsin lying north of U.S. highway 10 from Prescott to Waupaca and state highway 54 from Waupaca to Algoma	Beginning on the Saturday nearest October 1 and continuing through January 31.	None
2. In all other parts of the state.	Beginning on the Saturday nearest October 15 and continuing through January 31.	None
(c) Cottontail, jackrabbit and snowshoe hare		
1. Snowshoe hare in all counties of the state	All year	None
2. Cottontail		
All that part of Wisconsin lying north of U. S. highway 10 from Prescott to Waupaca and state highway 54 from Waupaca to Algoma	Beginning on the Saturday nearest	3 each day, 6 possession

Kind of animal and locality	Open season (both dates inclusive)	Bag limit
	October 1, through January 31	
In all other parts of the state	Beginning on the Saturday nearest October 27, at 12:00 noon and continuing through January 31	3 each day, 6 possession
In addition there shall be an open season for hunting cottontails, except with use of firearms, snares and poison in Milwaukee county	All year	None
3. Jackrabbit in all counties of the state, except Clark, Lincoln, Marathon, Taylor and Wood counties	Beginning on the Saturday nearest October 1 through October 31	3 each day, 6 possession
(d) Wildcats (bobcats)		
Hunting season and trapping in all counties of the state	Beginning on the Saturday nearest October 15 and continuing through February 28	None
(e) Deer		
Gun season		
<i>Firearm season:</i>		
There shall be an open season for hunting deer with rifle and with smoothbore, muzzle-loading muskets of not less than .45 caliber, rifled muzzle-loading muskets of not less than .40 caliber, and shotguns loaded with single slug or ball, in described zones during the period designated "firearm season."		
<i>Shotgun season:</i>		
There shall be an open season for hunting deer with smoothbore, muzzle-loading muskets of not less than .45 caliber, rifled muzzle-loading muskets of not less than .40 caliber, and shotguns loaded with single slug or ball, in described zones during the period designated "shotgun season".		
1. ZONE "A"		
In all portions of the state not otherwise listed in the following described season zones, "B" through "G".		
a. In the counties or parts of counties of Brown, Buffalo (north of U.S. highway 10), Calumet, Chippewa (south of state highway 64 and west of U.S. highway 53), Dane (west of state highway 78 and north of U. S. highway 18), Dodge, Door, Dunn (south of state highway 64), Fond du Lac, Kewaunee, Manitowoc, Outagamie, Pepin (north of U.S. highway 10), Pierce (north of U.S. highway 10), St. Croix (south of state highway 64), Sheboygan, Shawano (south of state highway 29), Waupaca and Winnebago.		

History: 1-2-56; am. (3) (c) 3.; renum. (3) (e) and am.; am. (3) (g) 2., Register, August, 1974, No. 224, eff. 9-1-74; am. (3) (e) 8. and am. (4) (c) and (d), Register, October, 1974, No. 226, eff. 11-1-74; emerg. am. (3) (g) 1, eff. 8-2-74; am. (3) (g) 1, Register, December, 1974, No. 228, eff. 1-1-75; emerg. am. (4) (d) and cr. (4) (f), eff. 3-26-75; am. (3) (f), Register, March, 1975, No. 231, eff. 4-1-75; am. (2) (a), (2) (e) 1, (3) (b) 1, (3) (f) 1, and (4) (a) 2, Register, August, 1975, No. 236, eff. 9-1-75; emerg. am. (1) (a) to (e) and (g) (1) and cr. (1) (0), eff. 9-24-75; am. (3) (e) 7., (4) (c) and (d), r. and recr. (3) (e) 8., Register, October, 1975, No. 238, eff. 11-1-75; emerg. am. (3) (e) 8, eff. 11-1-75, emerg. cr. (4) (f), eff. 4-3-76; am. (1) (b), (c), (d), (e), (l) 1. and 3 and cr. (1) (0), (eff. 6-1-76), am. (3) (b), (3) (e) (intro.), (3) (e) 2, (3) (f) and (4) (a), Register, May, 1976, No. 245, eff. 8-15-76; am. (1) (a) to (e), (g), (l) and (o), Register, June, 1976, No. 246, eff. 7-1-76; am. (3) (c) 2, 3, 6, 7 and 8 and r. and recr. (4) (c) and (d), Register, November, 1976, No. 251, eff. 12-1-76; r. and recr. (1), (3) (e) 6 and 8, Register, January, 1977, No. 253, eff. 2-1-77; am. (2) (a) 2, (3) (e) 1 a, (4) (a) 3 and (4) (b), r. (2) (c) 2, and recr. (2) (d) 2, Register, May, 1977, No. 257, eff. 6-1-77; am. (3) (e) 1. a., 2., 7., (4) (c) and (d); r. (3) (e) 6. b.; cr. (3) (e) 9. and r. and recr. (3) (e) 8.; Register, October, 1977, No. 262, eff. 11-1-77

Note: For a complete history of NR 10.01 see history of NR 10.01 as it appeared in Register, November, 1973, No. 215.

NR 10.02 Wild animals protected at all times. (1) There shall be no open season on Canada lynx, timber wolf, badger, moose, elk, marten, fisher, wolverine, flying squirrel, or white deer. White deer are

History: 1-2-56; am. (3) (c) 3.; renum. (3) (e) and am.; am. (3) (g) 2., Register, August, 1974, No. 224, eff. 9-1-74; am. (3) (e) 8. and am. (4) (c) and (d), Register, October, 1974, No. 226, eff. 11-1-74; emerg. am. (3) (g) 1, eff. 8-2-74; am. (3) (g) 1, Register, December, 1974, No. 228, eff. 1-1-75; emerg. am. (4) (d) and cr. (4) (f), eff. 3-26-75; am. (3) (f), Register, March, 1975, No. 231, eff. 4-1-75; am. (2) (a), (2) e 1, (3) (b) 1, (3) (f) 1, and (4) (a) 2, Register, August, 1975, No. 236, eff. 9-1-75; emerg. am. (1) (a) to (e) and (g) (1) and cr. (1) (0), eff. 9-24-75; am. (3) (e) 7., (4) (c) and (d), r. and recr. (3) (e) 8., Register, October, 1975, No. 238, eff. 11-1-75; emerg. am. (3) (e) 8, eff. 11-1-75, emerg. cr. (4) (f), eff. 4-3-76; am. (1) (b), (c), (d), (e), (l) 1. and 3 and cr. (1) (0), (eff. 6-1-76), am. (3) (b), (3) (e) (intro.), (3) (e) 2, (3) (f) and (4) (a), Register, May, 1976, No. 245, eff. 8-15-76; am. (1) (a) to (e), (g), (l) and (o), Register, June, 1976, No. 246, eff. 7-1-76; am. (3) (c) 2, 3, 6, 7 and 8 and r. and recr. (4) (c) and (d), Register, November, 1976, No. 251, eff. 12-1-76; r. and recr. (1), (3) (e) 6 and 8, Register, January, 1977, No. 253, eff. 2-1-77; am. (2) (a) 2, (3) (e) 1 a, (4) (a) 3 and (4) (b), r. (2) (c) 2, and recr. (2) (d) 2, Register, May, 1977, No. 257, eff. 6-1-77; am. (3) (e) 1. a., 2., 7., (4) (c) and (d); r. (3) (e) 6. b.; cr. (3) (e) 9. and r. and recr. (3) (e) 8.; Register, October, 1977, No. 262, eff. 11-1-77

Note: For a complete history of NR 10.01 see history of NR 10.01 as it appeared in Register, November, 1973, No. 215.

NR 10.02 Wild animals protected at all times. (1) There shall be no open season on Canada lynx, timber wolf, badger, moose, elk, marten, fisher, wolverine, flying squirrel, or white deer. White deer are only those deer which are monocolored white. Partially white deer are not included in the protected classification.

(2) There shall be no open season on prairie chicken, Canada spruce grouse (spruce hen), mourning doves, swans, cranes, bitterns, eagles, plovers, kingfishers, cormorants, great blue herons, sandpipers, and all species of hawks and owls except as provided in subsection (3) or on any other song birds or wild birds not specified in this chapter.

History: 1-2-56; am. (2), Register, August, 1956, No. 8, eff. 9-1-56; am. (1), Register, August, 1957, No. 20, eff. 9-1-57; am. (1) and (2), Register, August, 1958, No. 32, eff. 9-1-58; am. (1) emerg. eff. 9-20-58; am. (1), Register, August, 1959, No. 44, eff. 9-1-59; am. (2), cr. (3), Register, September, 1965, No. 117, eff. 10-1-65; am. (2), Register, March, 1966, No. 123, eff. 4-1-66; am. (1), Register, August, 1967, No. 140, eff. 9-1-67; renum. to be NR 10.02; am. (2), Register, June, 1970, No. 174, eff. 7-1-70; am. (1), Register, September, 1972, No. 201, eff. 10-1-72; r. (3), Register, December, 1977, No. 264, eff. 1-1-78.

NR 10.03 Wild animals protected with exceptions. (2) There shall be no open season on hen pheasants unless otherwise expressly provided in this chapter.

(3) There shall be no open season on woodchuck except as provided in section 29.24, Wis. Stats.

History: 1-2-56; am. Register, August, 1956, No. 8, eff. 9-1-56; am. Register, August, 1966, No. 128, eff. 9-1-66; r. and recr., Register, August, 1967, No. 140, eff. 9-1-67; renum. to be NR 10.03; r. (1), Register, June, 1970, No. 174, eff. 7-1-70.

NR 10.04 Unprotected wild animals and birds causing depredation. (1) There shall be no closed season on coyotes, opossum, skunk, weasel, and all other wild mammals not specifically mentioned in this chapter.

(2) There shall be no closed season on starlings, English sparrows, coturnix quail and chukar partridge.

(3) The following named birds have been determined by the department to be birds committing depredation or about to commit depredation at all times to and upon ornamental or shade trees, agricultural crops, livestock or wildlife, and when concentrated in large numbers that they may constitute a health hazard or other nuisance: red-winged blackbirds, grackles, crows and cowbirds. Such birds may be taken at all times without need for either a federal or

state permit. Any person taking such birds shall at all reasonable times, including during actual operations, permit any federal or state game or deputy game agent, warden, protector or other game law enforcement officer, free and unrestricted access over the premises over which such operations have been or are being conducted; and shall furnish promptly to such officer whatever information may be required about said operation. Further, none of said birds killed pursuant to this subsection, nor their plumage shall be sold or offered for sale but may be possessed, transported, and otherwise disposed of or utilized.

History: 1-2-56; am. (1) Register, August, 1957, No. 20, eff. 9-1-57; am. (2), Register, August, 1958, No. 32, eff. 9-1-58; renum. to be NR 10.04; am. (1) and (2), Register, June, 1970, No. 174, eff. 7-1-70; am. (1), Register, August, 1972, No. 200, eff. 9-1-72; r. and recr. Register, November, 1976, No. 251, eff. 12-1-76.

NR 10.05 Highways. (1) While hunting it shall be unlawful except by permittees under section 29.09 (9), Wis. Stats., to discharge any firearm or bow and arrow from or across any public road surfaced with concrete, blacktop or gravel or to hunt within 50 feet from the centerline of such roads or to the fenceline, whichever distance is shorter. Public roads are defined as those roads shown on the official county highway map.

(2) It shall be unlawful to hunt waterfowl from any railroads including the respective rights-of-way along or within the area described in Wis. Adm. Code section NR 10.01 (1) (j).

Note: On June 7, 1977 the joint committee for review of administrative rules suspended "or gravel" in subsection (1).

History: 1-2-56; am. (1) and (2), Register, August, 1956, No. 8, eff. 9-1-56 am. (1) and (2), Register, August, 1957, No. 20, eff. 9-1-57; r. (1) and (2) and recr. (1), Register, August, 1958, No. 32, eff. 9-1-58; cr. (2), Register, September, 1960, No. 57, eff. 10-1-60; cr. (3), Register, August, 1963, No. 92, eff. 9-1-63; r. and recr. (2), Register, September, 1966, No. 129, eff. 10-1-66; emerg. am. (2), eff. 9-1-67; emerg. am. (2), eff. 9-30-68; emerg. am. (2), eff. 8-30-69; am. (2), Register, November, 1969, No. 167, eff. 12-1-69; renum. to be NR 10.05; cr. (4) and (5), Register, June, 1970, No. 174, eff. 7-1-70; emerg. am. (2), eff. 9-19-73; emerg. am. (2), eff. 9-24-75; am. (2), Register, May, 1976, No. 245, eff. 6-1-76; r. and recr. (1) am. (2) and r. (3), (4) and (5), Register, May, 1977, No. 257, eff. 6-1-77.

NR 10.06 Hunting hours. (1) All hunting hours, when specified in this chapter, mean Central Standard Time, and the daily opening (a.m.) and closing (p.m.) hours listed shall apply to the entire state.

(2) (a) General hunting hour zones are established as follows:

Zone

- A—all that part of the state lying east of 88°-00' longitude
- B—all that part of the state lying between 88°-00' and 89°-00' long.
- C—all that part of the state lying between 89°-00' and 90°-00' long.
- D—all that part of the state lying between 90°-00' and 91°-00' long.
- E—all that part of the state lying between 91°-00' and 92°-00' long.
- F—all that part of the state lying west of 92°-00' longitude.

(b) The hunting hours for small game in Zone A are listed in the following table in (e). Hunting hours in Zone B are established by adding 4 minutes to the a.m. and p.m. columns for Zone A for each day; for Zone C by adding 8 minutes to the a.m. and p.m. columns for Zone A; for Zone D by adding 12 minutes to the a.m. and p.m. columns for Zone A; for Zone E by adding 16 minutes to the a.m. and p.m. columns for Zone A; and for Zone F by adding 20 minutes to the a.m. and p.m. columns for Zone A.

(c) It shall be unlawful for any person to hunt or shoot any species of game except deer and bear on which an open season is established on any day during the open season before the time established by the a.m. column or after the time established by the p.m. column in any hunting hour zone, except as provided in Wis. Adm. Code section NR 10.25. There are no hunting hour restrictions for fox, raccoon and all wild animals for which no closed season is established, except during the gun deer season when the general hunting hours shall apply.

(d) The opening time for waterfowl hunting shall be the same as for small game hunting as determined in (b) above. Rails, gallinule and jacksnipe are included in this subsection.

(e) **GENERAL HUNTING HOURS C.S.T..**

	September		October		November		December		January	
	A.M.	P.M.	A.M.	P.M.	A.M.	P.M.	A.M.	P.M.	A.M.	P.M.
1.....	4:42	6:27	5:18	5:31	5:57	4:40	6:36	4:12	6:57	4:21
2.....	4:43	6:26	5:19	5:30	5:59	4:38	6:37	4:11	6:57	4:22
3.....	4:45	6:24	5:20	5:28	6:00	4:37	6:39	4:11	6:57	4:23
4.....	4:46	6:22	5:21	5:26	6:01	4:36	6:40	4:11	6:57	4:24
5.....	4:47	6:20	5:22	5:24	6:03	4:34	6:41	4:11	6:57	4:25
6.....	4:48	6:18	5:24	5:22	6:04	4:33	6:42	4:10	6:57	4:26
7.....	4:49	6:16	5:25	5:21	6:05	4:32	6:43	4:10	6:57	4:27
8.....	4:50	6:15	5:26	5:19	6:07	4:31	6:44	4:10	6:56	4:28
9.....	4:52	6:13	5:27	5:17	6:08	4:29	6:45	4:10	6:56	4:29
10.....	4:53	6:11	5:29	5:15	6:10	4:28	6:46	4:10	6:56	4:30
11.....	4:54	6:09	5:30	5:13	6:11	4:27	6:47	4:10	6:55	4:31
12.....	4:55	6:07	5:31	5:12	6:12	4:26	6:47	4:10	6:55	4:32
13.....	4:56	6:05	5:32	5:10	6:14	4:25	6:48	4:10	6:55	4:34
14.....	4:57	6:03	5:34	5:08	6:15	4:24	6:49	4:11	6:54	4:35
15.....	4:59	6:01	5:35	5:06	6:16	4:23	6:50	4:11	6:54	4:36
16.....	5:00	6:00	5:36	5:05	6:18	4:22	6:50	4:11	6:53	4:37
17.....	5:01	5:58	5:38	5:03	6:19	4:21	6:51	4:11	6:53	4:39
18.....	5:02	5:56	5:39	5:01	6:20	4:20	6:52	4:12	6:52	4:40
19.....	5:03	5:54	5:40	5:00	6:22	4:19	6:52	4:12	6:51	4:41
20.....	5:04	5:52	5:41	4:58	6:23	4:18	6:53	4:13	6:51	4:42
21.....	5:06	5:50	5:43	4:56	6:24	4:18	6:54	4:13	6:50	4:44
22.....	5:07	5:48	5:44	4:55	6:25	4:17	6:54	4:13	6:49	4:45
23.....	5:08	5:46	5:45	4:53	6:27	4:16	6:55	4:14	6:48	4:46
24.....	5:09	5:45	5:47	4:52	6:28	4:15	6:55	4:15	6:47	4:48
25.....	5:10	5:43	5:48	4:50	6:29	4:15	6:55	4:15	6:46	4:49
26.....	5:12	5:41	5:49	4:49	6:30	4:14	6:56	4:16	6:46	4:51
27.....	5:13	5:39	5:51	4:47	6:32	4:14	6:56	4:17	6:45	4:52
28.....	5:14	5:37	5:52	4:46	6:33	4:13	6:56	4:17	6:44	4:53
29.....	5:15	5:35	5:53	4:44	6:34	4:13	6:57	4:18	6:43	4:55
30.....	5:16	5:33	5:55	4:43	6:35	4:12	6:57	4:19	6:42	4:56
31.....			5:56	4:41			6:57	4:20	6:40	4:58

(3) It shall be unlawful for any person to hunt or shoot any deer and bear during the open season on any day during the open season before the time listed in the a.m. column, and after the time listed in the p.m. column in the following table:

HUNTING HOURS Big Game

Period	C.S.T	
	A.M.	P.M.
September 1-17.....	5:00	6:15
September 18-October 1.....	5:15	6:00
October 2-9.....	5:30	5:45
October 10-16.....	5:30	5:30
October 17-25.....	5:45	5:15
October 26-November 6.....	6:00	5:00
November 7 through the day before the gun deer season.....	6:15	4:45
First day of gun deer season through December 31.....	6:30	4:30

History: 1-2-56; am. (2); cr. (2m), Register, August, 1956, No. 8, eff. 9-1-56; am. (2m), Register, August, 1957, No. 20, eff. 9-1-57; am. (2), (2m) and (3), Register, August, 1958, No. 32, eff. 9-1-58; r. and recr. Register, August, 1959, No. 44, eff. 9-1-59, am. (2), cr. (2m) Register, Sept. 1959, No. 45, eff. 10-1-59; am. (2) and r. (2m), Register, September 1960, No. 57, eff. 10-1-60; am. (2), cr. (2m), Register, September, 1961, No. 69, eff. 10-1-61; r. and recr. (2) and (2m), Register, August, 1962, No. 80, eff. 9-1-62; r. and recr. Register, August, 1965, No. 116, eff. 9-1-65; am. (3), emerg. eff. 9-5-65; am. (2), Register, March, 1966, No. 123, eff. 4-1-66; r. and recr. Register, August, 1966, No. 128, eff. 9-1-66; r. cr. (2); cr. (4) Register, September, 1966, No. 129, eff. 10-1-66; r. and recr. (2) and (3), Register, August, 1967, No. 140, eff. 9-1-67; renum. to be NR 10.06; r. (4), Register, June, 1970, No. 174, eff. 7-1-70; am. (3), Register, August, 1971, No. 188, eff. 9-1-71; am. (3), Register, September, 1972, No. 201, eff. 10-1-72; am. (2), (3), Register, August, 1973, No. 212, eff. 9-1-73; am. (2), Register, September, 1973, No. 213, eff. 10-1-73; am. (3), Register, March, 1975, No. 231, eff. 4-1-75; emerg. am. (2) (d), eff. 9-24-75; am. (3), Register, October, 1975, No. 238, eff. 11-1-75; am. (2) (d) (eff. 6-1-76), am. (2) (c), Register, May, 1975, No. 245, eff. 8-15-76; am. (2) (d) and (3), Register, November, 1976, No. 251, eff. 12-1-76; am. (2) (a), Register, May, 1977, No. 257, eff. 6-1-77.

NR 10.07 Hunting, prohibited methods. (1) (a) No person shall hunt game with any means other than the use of a gun discharged from the shoulder or a bow and arrow or by falconry, except that .22 rimfire handguns and pellet guns of .177 caliber or larger may be used in the same manner and for the same purposes and subject to the same restrictions as .22 rimfire rifles.

Note: See chapter NR 18 for rules on falconry.

(c) Definitions. 1. Bow shall be defined as any bow, drawn and held by and through the effort of the person releasing it, but does not include crossbow.

2. Crossbow shall be defined as any device using a bow which once drawn is held solely by other means than the effort of the person firing it.

(2) (a) No person shall hunt game with the aid of an airplane, including the use of an airplane to spot, rally or drive game for hunters on the ground.

(b) No person shall place, operate or attend, spread, or set any net, pitfall, snare, spring gun, pivot gun, swivel gun, or other similar contrivance for the purpose of catching or which might catch, take or ensnare game.

(3) No person shall have in possession or under control any firearm, bow and arrow or crossbow in or on any vehicle or automobile while shining any area inhabited by wild animals.

(4) It shall be unlawful for any person to shoot into or molest or destroy the nest of any squirrel at any time of the year.

(5) No person shall take, catch, kill, pursue, hunt, shoot, or shoot at any upland game bird, or migratory game bird with a rifle or with a shotgun loaded with single ball or slug or shot larger than No. BB at any time.

(7) (a) No person shall use or have in his possession or under his control any ferret while hunting, except as provided in this subsection. The owner or occupant of any land where rabbits are found to be doing damage may request from the department a permit to use a ferret for hunting rabbits thereon.

(b) No person shall have in his possession or under his control use; for hunting rabbits, any snare, trap or any device or contrivance designed or used for the purpose of driving rabbits out of their holes or dens.

(8) It shall be unlawful for any person to fail to make every reasonable effort to retrieve all game birds killed or crippled by him; and until such effort is made, such game birds shall be included in his daily bag.

(9) No person shall place, use or hunt over any area containing paper, plastic, glass, metal or wood containers, or other nondegradable materials or salt. This applies to hunting any species of wild animals or birds at any time.

(10) During the period beginning on the Saturday 3 weeks prior to the opening of the bear season established by Wis. Adm. Code section NR 10.01 (3) (g) 2. and continuing through the end of such season, no person shall place or use bait or hunt any species of wildlife over any bait, including honey, in that portion of the state north of highway 29.

Note: NR 10.07 (8) requiring hunters to make reasonable efforts to retrieve game birds killed or injured, does not exempt a person from criminal prosecution under sec. 943.13 (1) (b), Stats., for trespassing upon posted lands to retrieve birds shot from outside the posted area. OAG 69-75.

History: 1-2-56; am. (2), Register, August, 1957, No. 20, eff. 9-1-57; am. (5), Register, August, 1958, No. 32, eff. 9-1-58; r. and recr. (1) and (3), Register, August, 1960, No. 56, eff. 9-1-60; cr. (8), Register, September, 1961, No. 69, eff. 10-1-61; am. (1), Register, September, 1965, No. 117, eff. 10-1-65; r. (6), am. (7) (a), Register, August, 1966, No. 128, eff. 9-1-66; r. and recr. (2), Register, August, 1968, No. 152, eff. 9-1-68; renum. to be NR 10.07; am. (1), Register, June, 1970, No. 174, eff. 7-1-70; am. (2) (a), r. and recr. (3) and cr. (9) (a) and (b), Register, July, 1971, No. 187, eff. 8-1-71; am. (3) (a) and (b) and (9) (b), Register, August, 1971, No. 188, eff. 9-1-71; am. (1), (2) (b), and (9) (a), Register, August, 1972, No. 200, eff. 9-1-72; am. (9) (b), Register, August, 1973, No. 212, eff. 9-1-73; emerg. r. and recr. (9), eff. 8-2-74; r. and recr. (9), Register, December, 1974, No. 228, eff. 1-1-75; am. (3) (a), Register, January, 1975, No. 229, eff. 2-1-75; am. (7) (a), Register, October, 1975, No. 238, eff. 11-1-75; cr. (10), Register, May, 1976, No. 245, eff. 8-15-76; renum. (1) to be (1) (a), cr. (1) (b), r. (3) (a) to (c), renum. (3) (d) to be (3) and am. (9), Register, November, 1976, No. 251, eff. 12-1-76; renum. (1) (b) to be (1) (c) and am., am. (3) and r. and recr. (10), Register, May, 1977, No. 257, eff. 6-1-77; am. (1) (a), Register, December, 1977, No. 264, eff. 1-1-78.

NR 10.09 Guns and ammunition. (2) It shall be unlawful for any person to carry or have in his possession or under control while hunting or pursuing any game birds, game animals or other wild animals any shotshells loaded with single slug or ball except during the open firearm season for deer or bear or any shell, cartridge or ammunition known as tracer shells, burning tracer shells or any incendiary shells or cartridges which may be discharged from any shotgun, rifle or other firearms, except hunter distress flares.

(3) No person shall have in possession any rifle larger than .22 rimfire in territory wherein there is an open season for hunting deer with shotgun only during such open season unless such rifle is unloaded and enclosed within a carrying case, except that smooth-bore, muzzle-loading muskets of not less than .45 caliber and rifled muzzle-loading muskets of not less than .40 caliber may be possessed and used for the hunting of deer during such open season.

(4) During the 24-hour period prior to the opening date for hunting deer with firearms, no person shall have in possession any firearm in any area wherein there is an open season for deer with firearms, unless the firearm is unloaded and enclosed within a carrying case, except that target shooting at established ranges shall be permitted and waterfowl hunters shall be permitted to hunt waterfowl continually during the open season and hunting on licensed game farms and shooting preserves shall be permitted.

(5) During the period beginning June 1 and ending December 31 it shall be unlawful for any person to carry in any manner or have in possession or under control shot larger than No. BB while hunting.

(6) It shall be unlawful for any person to take, capture or kill or wound or shoot at any deer or bear with any .22 rimfire rifle, 5 mm rimfire rifle, .17 caliber centerfire rifle, .410 bore shotgun or any rifle using caseless ammunition except as expressly provided.

History: 1-2-56; am. (6), Register, August, 1956, No. 8, eff. 9-1-56; am. (3), (4), (5), (6), Register, August, 1957, No. 20, eff. 9-1-57; am (4) and (5), Register, August, 1958, No. 32, eff. 9-1-58; r. and recr. (4), (5), (6), and r. (7), Register, August, 1959, No. 44, eff. 9-1-59; am. (2), Register, August, 1960, No. 56, eff. 9-1-60; am. (2), Register, August, 1961, No. 68, eff. 9-1-61; r. (1); am. (3); r. and recr. (5), Register, August, 1963, No. 92, eff. 9-1-63; am. (3), Register, August, 1966, No. 128, eff. 9-1-66; renum. to be NR 10.09; am. (6), Register, June, 1970, No. 174, eff. 7-1-70; am. (4) and (5), Register, August, 1973, No. 212, eff. 9-1-73; am. (4), Register, August, 1975, No. 236, eff. 9-1-75; am. (6), Register, May, 1976, No. 245, eff. 8-15-76.

NR 10.10 Deer and bear hunting. (1) No person, while hunting or in possession of firearms, bow and arrow or crossbow, shall have in possession or under control any light used for the purpose of shining deer.

(2) No person shall hunt deer or bear with a dog or dogs, except that dogs may be used for hunting bear in that portion of the state lying northerly of a line beginning with U.S. highway 8 on the western boundary of the state, thence easterly along said highway 8 to its junction with state highway 27, thence southerly along said highway 27 to its junction with state highway 64, thence easterly along said highway 64 to its junction with state highway 13, thence northerly along said highway 13 to its junction with U.S. highway 8, thence easterly along said highway 8 to its junction with U.S. highway 45, thence southerly along said highway 45 to its junction with state highway 64, thence easterly along said highway 64 to the eastern boundary of the state during the seasons established under Wis. Adm. Code section NR 10.01 (3) (g) 2.

(3) No person shall hunt deer or bear with the aid of artificial light.

(4) No person shall hunt or shoot a bear in a den.

(7) No person shall place any liquid scent used to attract bear at any time other than during the period beginning on the Saturday 3 weeks prior to the opening of the bear seasons established under Wis.

Adm. Code section NR 10.01 (3) (g) and continuing through October 15.

(8) No person shall place, use or hunt bear over bait. No liquid scent used for attracting bear shall be placed within 50 yards of any trail, road or campsite used by the public.

(10) The training of dogs by pursuing bear is prohibited except during the period August 1 through the day immediately preceding the beginning of the baiting period established under NR 10.10 (7).

(11) No person shall hunt or pursue bear with a dog or dogs unless such dog or dogs are tattooed or wear a collar with the owner's name and address attached to permit identification of the owner.

Note: Subsection (1) requires for conviction 2 elements: (1) that the person charged be hunting or in possession of firearms or bow and arrow; and (2) that he also have in possession or under control any light used for the purpose of shining deer. If these 2 elements are found, it is not a defense that the accused failed to encounter any deer. *State v. Erickson*, 52 W. (2d) 150.

History: 1-2-56; am. (2), Register, August, 1963, No. 92, eff. 9-1-63; am. (2), Register, August, 1966, No. 128, eff. 9-1-66; renum to be NR 10.10, Register, June, 1970, No. 174, eff. 7-1-70; r. and recr. Register, August, 1972, No. 200, eff. 9-1-72; emerg. am. (2), and cr. (6) to (11), eff. 8-2-74; am. (2), cr. (6) to (11), Register, December, 1974, No. 228, eff. 1-1-75; am. (7) and r. (9), Register, May, 1976, No. 245, eff. 8-15-76; am. (1), (7) and (8), r. (5) and (6), Register, May, 1977, No. 257, eff. 6-1-77.

NR 10.11 Bow and arrow hunting. (2) Any deer killed during the open season for hunting deer with bow and arrow showing evidence that it was shot with a firearm shall be an illegal deer and it shall be unlawful for any person to have such deer in his possession.

(3) No person shall use or have in their possession or under their control while hunting any wild animal or bird any poisoned or drugged arrow, arrow with explosive tips, or any crossbow as defined in this chapter. Arrows used for hunting deer or bear shall have well-sharpened metal broad-head blades not less than seven-eighths of an inch in width, and not more than one and one-half inches in width.

(4) No person shall hunt deer or bear with a bow having a pull of less than 30 pounds.

(5) No person may possess a bow while in, on, or traversing areas inhabited by deer during the open season for hunting deer from one-half hour after the close of hunting hours established in Wis. Adm. Code section NR 10.06 (3) to one-half hour before opening of hunting hours unless such bow is unstrung or enclosed within a carrying case.

History: 1-2-56; r. (1); am. (2), Register, August, 1963, No. 92, eff. 9-1-63; am. (3) and cr. (5), Register, August, 1965, No. 116, eff. 9-1-65; am. (5), Register, August, 1966, No. 128, eff. 9-1-66; renum. to be NR 10.11, Register, June, 1970, No. 174, eff. 7-1-70; am. (2), Register, August, 1972, No. 200, eff. 9-1-72; am. (3), Register, November, 1976, No. 251, eff. 12-1-76.

NR 10.115 Deer hunting party permit. (1) The natural resources board finds, pursuant to section 29.107, Wis. Stats., that the population of deer is such that an additional harvest is reasonably necessary to manage the deer herd properly in the state in balance with the available range and natural food supply, and there shall be open seasons for deer hunting by deer hunting parties of not less than 4 persons, pursuant to section 29.107, Wis. Stats., as established by Wis. Adm. Code section NR 10.01 (3) (e) 1. and designated as quota areas.

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(2) It shall be unlawful for any member of a deer hunting party to hunt deer under the authority of such permit unless he is in possession of the deer tag and permit and is wearing the arm band on the sleeve of his outermost garment. The arm band shall be surrendered to the officer at the time the hunting party permit deer is presented for registration.

(3) It shall be unlawful for any member of the deer hunting party to hunt deer under the authority of such permit except in the specified quota area for which such permit is issued.

(4) Permits may be issued only to persons duly applying, on application blanks furnished by the conservation commission, who are in possession of a valid Wisconsin deer hunting license. Application stubs from the license of each member of the deer hunting party must accompany the application.

(5) First preference for permits shall be given to residents who applied for but were not issued permits in the preceding year. An application for first preference must include validated application stubs from the license of each member of the deer hunting party from the preceding year along with application stubs from the license of each member of the deer hunting party for the current year. Validation of application stubs from the preceding year shall consist of stamping with the department seal. First preference application must be postmarked no later than the first Friday in October.

(6) Second preference for permits shall be given to all other residents duly applying by applications postmarked no later than the third Friday in October.

(7) Validation of applications will be made by random selections from all eligible applications received for each quota area.

(8) All permits remaining unissued for any designated quota area after all applications filed pursuant to subsections (5) and (6) have been processed may be issued by the department on a first-come, first-served basis to deer hunting parties duly applying therefor.

History: Cr. Register, October, 1957, No. 22, eff. 11-1-57; r. (1), (2) and (3) and recr. (1) and (2), Register, August, 1958, No. 32, eff. 9-1-58; am. (2), Register, August, 1959, No. 44, eff. 9-1-59; r. Register, August, 1962, No. 80, eff. 9-1-62; recr. Register, August, 1963, No. 92, eff. 9-1-63; am. (1), (2), (5) and (6), Register, August, 1964, No. 104, eff. 9-1-64; emergency rule cr. (7), eff. 10-17-64; am. (1), (5) and (6); cr. (7), Register, August, 1965, No. 116, eff. 9-1-65; am. (5) and (6), Register, August, 1966, No. 128, eff. 9-1-66; emerg. am. (5), eff. 9-1-67; am. (5) and (6) Register, August, 1968, No. 152, eff. 9-1-68; am. (1), (5) and (6), Register, August, 1969, No. 164, eff. 9-1-69; renum. to be NR 10.115, Register, June, 1970, No. 174, eff. 7-1-70; r. (5), and am. (7), Register, August, 1971, No. 188, eff. 9-1-71; cr. (5) and (8), r. and recr. (6) and (7), Register, November, 1976, No. 251, eff. 12-1-76.

NR 10.12 Migratory waterfowl. (1) **PROHIBITED METHODS.** (a) No person shall hunt any wild ducks, geese, coot (mudhen), rails or gallinules by shooting it or at it from any boat, canoe, raft, blind, contrivance or device in open water except as otherwise provided in this section, or from any boat or craft other than such as are propelled by paddle, oars or pole, or with the use of any decoys beyond 200 feet from the blind or covering in which the hunter is located, or leave any decoys in the water unattended, or hunt any game bird with the use of a rifle.

(b) No person shall shoot or shoot at migratory waterfowl from any pier, dam, dock, or similar structure or by the use or aid of recorded

bird calls or sounds or recorded or electrically amplified imitations of bird calls or sounds.

(c) No person shall take waterfowl or coot by means, aid or use of cattle, horses or mules.

(d) No person shall use in any manner any water, air or motor-driven land conveyance for the purpose of or resulting in the concentrating, driving, rallying or stirring up of waterfowl and coots.

(e) It shall be unlawful for any person to use in any manner any sink boat or similar blind that is or can be submerged under the water in any manner for the purpose of hunting, taking, catching, killing, molesting or shooting at any wild ducks, wild geese, coot, or any other aquatic or migratory game birds, nor shall any person leave any waterfowl decoys unattended in the water during the open waterfowl hunting season, nor leave such decoys in the water after 20 minutes after the closing time prescribed for hunting or killing such birds or before one hour before the opening time for shooting such birds.

(f) It shall be unlawful to hunt waterfowl except from a blind during the open season for Canada geese within the area described in Wis. Adm. Code NR 10.01 (1) (i), and not more than 2 persons shall occupy any blind at one time, nor shall any person hunt waterfowl from a blind placed within 200 yards of any other blind occupied by one or more waterfowl hunters or within 100 yards of the boundary of the property on which such blind is located. It is unlawful for any person or persons to hunt from or to permit any other person or persons to hunt from any blind situated on any 20-acre parcel of land, or residuary parcel thereof of less than 20 acres and more than 10 acres, owned, leased, occupied, or controlled by him, while any other person or persons, whether with or without permission, are hunting from any other blind situated on the same 20-acre parcel of land or on the same residuary parcel thereof. However, the owner, occupant or lessee of a tract of land which is too small to meet the foregoing spacing requirements and which was partitioned by an instrument executed and recorded before January 1, 1961, may place one blind on such tract at the approximate center thereof. No blind shall be placed within 75 yards of the boundary of the Horicon National Wildlife Refuge. Retrieving downed birds will be permitted outside blinds. For the purpose of this paragraph, "blind" means any framed enclosure or pit not more than 15 feet in its greatest dimension and camouflaged to provide concealment to hunters within.

(g) No person shall possess any live or crippled migratory game bird reduced to possession by means of hunting. Such bird shall be immediately killed and become a part of the daily bag limit.

(2) OPEN WATER; EXCEPTIONS. (a) "Open water" is any water beyond a natural growth of vegetation rooted to the bottom and extending over the water surface. Dead stumps and dead trees in water do not constitute a natural growth of vegetation.

(b) Blinds in Buffalo, Crawford, La Crosse, Pepin, Pierce, St. Croix, Trempealeau and Vernon counties. In any of the waters of the Mississippi river, the St. Croix river, and Lake St. Croix, and their bays, bayous and sloughs wherein they border on the counties of Buffalo, Crawford, La Crosse, Pepin, Pierce, St. Croix, Trempealeau and Vernon and in any of the inland lakes of these counties, it shall

be lawful for any person to use blinds for the purpose of taking, catching, killing and shooting at wild ducks, wild geese or other aquatic fowl that are set, placed or located not more than 100 feet from any shoreline during the open season for such game birds. Such blinds shall in all instances be securely anchored to the place or spot where they are to be used.

(c) It shall be lawful for any person to hunt wild ducks, wild geese and other aquatic fowl during the open season thereof in open water in any of the outlying waters of Lake Superior and Lake Michigan including Green Bay under the jurisdiction of the state of Wisconsin except the water area within 500 feet of any shoreline of said lakes and except the water area within 500 feet of any natural growth of vegetation rooted to the bottom and extending over the water surface.

(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 it shall be lawful for any person to use blinds that are set, placed or located more than 500 feet from any shoreline, including islands for the purpose of taking, catching, killing and shooting at wild ducks, wild geese or other aquatic fowl. Such blinds may include any boat, canoe, raft or similar device which shall in all instances be securely anchored to the place or spot where they are to be used, and shall be removed from such location at the conclusion of the hunting hours each day.

(e) Blinds in Grant county and Lake Pepin. In any waters of the Mississippi river, wherein they border Grant county and in Pepin, Pierce and Buffalo counties wherein they border Lake Pepin, it shall be lawful for any person to use blinds that are set, placed or located beyond the natural growth of vegetation rooted to the bottom and extending over the water surface for the purpose of taking, catching, killing and shooting at wild ducks, wild geese or other aquatic fowl. Such blinds may include any boat, canoe, raft, or similar device which shall in all instances be securely anchored to the place or spot they are to be used, and shall be removed from such location at the conclusion of the hunting hours each day.

(3) BAITING. (a) It shall be unlawful for any person to hunt, catch or kill any waterfowl or migratory game birds under any circumstances by the aid or use of salt or shelled or shucked or unshucked corn, wheat or other grains or other feed or means of feeding similarly used to lure, attract or entice such birds to, on, or over the area where hunters are attempting to take them.

(b) This subsection shall not be construed to apply to propagating, scientific or other operations in accordance with the terms of lawfully issued state and federal permits, or to the taking of birds over salt blocks, properly shocked corn, standing crops, (including aquatics), grains found scattered solely as a result of normal agricultural practices, flooded standing crops or flooded harvested crop lands, or to the feeding of migratory game birds at any time not in connection with hunting.

(4) LIVE DECOYS. It shall be unlawful in the hunting of any migratory waterfowl to use directly or indirectly any live duck or live goose decoys, regardless of the distance intervening between any such live decoys and the position of the hunter.

(5) GUNS AND AMMUNITION. (a) It shall be unlawful for any person to take, catch, kill, or pursue any migratory bird or waterfowl with any shotgun of a larger bore than a No. 10 gauge, nor shall any person take, catch, kill, hunt, pursue or shoot at any migratory birds or waterfowl with any automatic-loading or hand-operated repeating shotgun capable of holding more than 3 shells the magazine of which has not been cut off or plugged with a one-piece filler incapable of removal without disassembling the gun so as to reduce the capacity of said gun to not more than 3 shells at one time in the magazine and chamber combined nor by any means other than a shotgun fired from the shoulder or a bow and arrow, or by falconry.

Note: See chapter NR 18 for falconry rules.

History: 1-2-56; am. (2) (c), (3) (a), (4), (5) (c), Register, August, 1956, No. 8, eff. 9-1-56; am. (1) (e) and (2) (c) and r. (5) (b), Register, August, 1958, No. 32, eff. 9-1-58; am. (1) (b); r. and recr. (1) (d); cr. (1) (f) and (g); am. (5) (a), Register, September, 1960, No. 57, eff. 10-1-60; r. and recr. (1) (f), Register, August, 1961, No. 68, eff. 9-1-61; r. and recr. (1) (f), Register, September, 1963, No. 93, eff. 10-1-63; r. (5) (c) Register, August, 1965, No. 116, eff. 9-1-65; am. (5) (a), Register, September, 1965, No. 117, eff. 10-1-65; am. (1) (f), Register, September, 1966, No. 129, eff. 10-1-66; am. (2) (b); cr. (2) (d), (e) and (f), Register, August, 1967, No. 140, eff. 9-1-67; emerg. am. (1) (f), eff. 9-1-67; am. (2) (b) and (e), Register, August, 1968, No. 152, eff. 9-1-68; emerg. am. (1) (f), eff. 9-30-68; emerg. am. (2) (c), eff. 10-11-68, emerg. am. (1) (f) and (2) (c), eff. 8-30-69; am. (1) (f) and (2) (c), Register, November, 1969, No. 167, eff. 12-1-69; renum. to be NR 10.12, Register, June, 1970, No. 174, eff. 7-1-70; am. (2) (d) and (e), and r. (f), Register September 1970, No. 177, eff. 10-1-70; am. (2) (b), Register, September, 1971, No. 189, eff. 10-1-71; emerg. am. (1) (f) eff. 10-10-72; emerg. am. (2) (a), eff. 9-24-75; am. (2) (a), Register, June, 1976, No. 246, eff. 7-1-76; am. (2), Register, January, 1977, No. 253, eff. 2-1-77; am. (5), Register, December, 1977, No. 264, eff. 1-1-78.

NR 10.13 Fur-bearing animals; method of taking. (1) No person shall hunt: any raccoon during the special season for trapping only; any mink, muskrat, beaver or otter with the aid of any spear, gun, or dog; or disturb or molest any raccoon den or den trees; or disturb or