

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.

(3) "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.

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

(5) "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)).

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

(7) For the purpose of hunting bear:

(a) "Hunter" means any person shooting, shooting at, taking, catching, killing or pursuing a bear and any person who aids, assists, abets or acts in concert with such a person in the pursuit of the bear whether or

not such person possesses a weapon or other means capable of reducing a bear to possession.

(b) "Pursuit" means the activity by a person or persons in concert designed or for the purpose of overtaking and reducing a bear to possession.

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

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

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

(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.

(12) "Shotgun season" means an open season for hunting with either of the following firearms loaded with a single slug or ball: muzzle-loader or shotgun.

(13) 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.

(14) 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.

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

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

(17) "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.

(18) "Water" in non-toxic shot zones means lakes, ponds, marshes, swamps, rivers, streams, and drainage ditches except for temporary sheet water. All county boundary waters and lakes partially within a non-toxic shot zone are totally included except the open water of Green Bay and Lake Michigan and the Wisconsin river outside Columbia county.

(19) "Non-toxic shot" means steel shot.

(20) "Goose zones and areas" means those established in s. NR 10.01 (1) (i) through (t).

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.

Register, March, 1982, No. 315

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 chs. NR 11 and 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 GAME BIRDS.

Kind of animal	Locality	Open season (both dates inclusive)	Daily bag limit	Possession limit
(a) <i>Canvasback duck</i>	The following lakes including a strip of land 100 yards wide adjacent to the shorelines thereof: Lakes Winneconne 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 state line.	None	None	None
(d) <i>Coot and gallinules</i>	Entire state	Concurrent with the open season for ducks as established in par. (b)	15	30
(e) <i>Sora and Virginia rails</i>	Entire state	Concurrent with the open season for ducks as established in par. (b)	25	25
(f) 1. <i>Common snipe (jacksnipe)</i>	Entire state	Concurrent with the opening season for ducks as established in par. (b)	8	16
2. <i>Woodcock</i>	Entire state	September 13 through November 16	5	10

Note: Migratory bird rules, including seasons, limits, hours and areas where authorized, are established by emergency rule procedure in September of each year. The emergency rules will be published in their entirety in the official state newspaper and published in summary form in the current year migratory bird regulation pamphlet. Copies of the emergency rules may be obtained by contacting: State of Wisconsin Department of Natural Resources, Bureau of Wildlife Management, P.O. Box 7921, Madison, Wisconsin 53707.

(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: All that part of the counties of Fond du Lac, Green Lake, Washington and Dodge enclosed by a line beginning at the intersection of state highway 175 and state highway 23 in Fond du Lac county, then southerly on state highway 175 to its intersection with state highway 33, then westerly on state highway 33 to the city of Beaver Dam, then northerly on state highway 33 to its intersection with county highway A, then northerly on county highway A to its intersection with county highway S, then easterly on county highway S and continuing easterly on county highway AS to its intersection with county highway E, then northerly on county highway E to its intersection with state highway 23, then easterly on state highway 23 to the point of beginning.

(k) The following described area is established as the Central zone:

All that part of Fond du Lac, Winnebago, Green Lake, Marquette, Columbia and Dodge counties enclosed by a line beginning in Winnebago county at the intersection of state highway 21 and U.S. highway 45, then southerly on U.S. highway 45 to its intersection with state highway 175, then southerly on state highway 175 to its intersection with state highway 23, then westerly on state highway 23 to its intersection with

county highway E, then southerly on county highway E to its intersection with county highway AS, then westerly on county highway AS and continuing westerly on county highway S to its intersection with county highway A, then southerly on county highway A to its intersection with state highway 33, then southeasterly on state highway 33 to its intersection with U.S. highway 151, then southwesterly on U.S. highway 151 to its intersection with state highway 73, then northerly on state highway 73 to its intersection with state highway 33, then westerly on state highway 33 to its intersection with state highway 22, then northerly on state highway 22 to its intersection with state highway 23, then northeasterly on state highway 23 to its intersection with state highway 49, then northerly on state highway 49 to its intersection with state highway 116, then easterly on state highway 116 to state highway 21, then easterly on state highway 21 to the point of beginning.

(1) *Horicon and Central zone restrictions.* 1. Canada goose permit and tag requirement. It is unlawful to hunt Canada geese without being in possession of a current Canada goose hunting permit, Canada goose tags and valid state hunting license. Permits and tags are valid only in the zone and time period of issue.

2. Permit application procedures. Application forms supplied by the department shall be completed and submitted by the applicant. Applications must be received by the department no later than September 30 of each year.

a. It shall be unlawful for any person to submit more than one application per year or an application containing false information.

b. In the Horicon zone, applicants may indicate preference for one of 2 time periods:

1) Beginning on the first day of the season established in par. (g) and continuing through October 31.

2) Beginning on November 1 and continuing through the last day of the season established in par. (g).

Note: See note following par. (f).

c. If 2 or more persons wish to hunt together, each must fill out an application form and submit them together in one envelope clearly marked "group application" on the outside. A group application will be considered one application.

3. Permit and tag issuance procedures. a. Permits and tags are not transferable or replaceable and shall not be reused, altered or defaced.

b. If applications for permits received prior to September 10 exceed the number of permits available, successful applicants will be randomly selected and priority given to persons who applied for a permit but were unsuccessful the previous year pursuant to s. 29.174, Stats.

c. If applications for permits received prior to September 10 are less than the number of permits available, permits will be issued on a first-come, first-served basis.

d. Applications for permits received after September 10 will be issued on a first-come, first-served basis, if permits are still available.

e. If applications for permits are still less than the number of permits available, at least one permit per applicant shall be issued and a random selection of applicants will be made for the remaining permits.

f. Unsuccessful applications will be retained by the department and notice will be mailed to such applicant in advance of the following year's season. The notice will establish application priority for issuance of permits and di tags for that season.

5. 1981 permits issued. a. Horicon zone—22,300. b. Central zone—19,200. c. MVP area—unlimited.

6. 'Tagging requirements.' When a Canada goose is killed, captured or taken in any lawful manner and before it is carried by hand or transported in any manner the hunter shall:

a. Completely attach and seal the paper tag, utilizing its own adhesive, to the neck of the goose.

b. Validate the permit by tearing or cutting out notches on the tag designating the month, day and time of kill. Failure to follow the validation procedure in this manner invalidates the permit.

c. No person may possess or transport a Canada goose unless it is tagged with a validated tag.

7. Transportation restrictions. The hunter shall:

a. Transport the goose in a motor vehicle in such a manner that the tag attached to the goose cannot be handled or manipulated by any occupant of the vehicle.

b. Keep the tag attached to the goose until it reaches the personal abode of the person taking it.

8. Reporting requirements. Permit holders may be required to provide the department a goose hunting report. Such report forms will be mailed only to certain hunters. The selected hunter shall be required to complete the report and mail such report within 24 hours of receipt.

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

All that part of Burnett county lying northerly and westerly of a line beginning at the junction with state highway 70 with the west boundary of said county, 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, thence northerly along a town road on the west line of said section 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.

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

(o) 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.

(p) 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.

(q) The following described area is established as the MVP (Mississippi valley population) goose management area: Adams, Calumet, Columbia, Dodge, Fond du Lac, Green Lake, Jefferson, Juneau, Manitowoc, Marquette, Outagamie, Sheboygan, Washington, Waushara, Winnebago and Wood counties except those portions described in pars. (j) and (k).

(r) MVP goose management area restrictions. 1. 'Canada goose permit requirement.' It is unlawful to hunt or possess Canada geese without being in possession of a Canada goose hunting permit and valid state hunting license.

2. 'Permit application procedures.' The application portion of the form supplied by the department shall be completed and submitted to the department by the applicant prior to hunting Canada geese. The self-completed permit portion of the application shall be retained by the applicant.

3. 'Permit procedures.' The self-completed permit is not transferable and may not be altered or defaced.

4. 'Reporting requirements.' Permit holders may be required to provide to the department a goose hunting report. Such report forms will be mailed only to selected hunters. The selected hunter shall be required to complete and mail the report within 24 hours of receipt.

(s) The following described area is established as the Mississippi river zone: All that part of the state lying west of the Burlington Northern railway and extending southerly from Prescott in Pierce county to the state line.

(q) No person shall hunt migratory waterfowl or coot in open water, except as provided in NR 10.12, 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 waterfowl season.

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b. In all other parts of the state, the opening date for trapping otter shall be concurrent with the season on beaver and continuing through the first Sunday in March.

2. Season bag limit. a. Zone "A" - 2

b. Zone "B" - 2

c. Zone "C" - one

d. It is unlawful for any person to take more than a total combined season bag limit of 2 otter in all the open season zones in the state.

3. Tagging and permits. a. No person shall trap or attempt to trap any otter unless having first applied for and received, from the department, a special otter trapping permit and tag(s).

b. Applications for otter permits and tags must be received by the department no later than the third Friday in October each year.

c. Such permit shall be attached to each person's trapping license before trapping any otter.

d. Each permit shall be numbered to correspond to the applicant's current trapping license and show the applicant's name and otter tag number(s).

4. Tagging procedure. a. Each person shall immediately upon possessing an otter, affix a valid tag, issued by the department, through the opening of the mouth to the opening of the eye, immediately beneath the skin.

b. No person shall have an otter pelt in possession or under control unless the person trapping such otter attaches such tag as required by this chapter.

c. Such tag shall remain attached to the pelt until removed by a fur dresser or taxidermist at time of preparation.

(e) *Registration of beaver and otter pelts.* 1. Exhibition required. Each person who has trapped a beaver or otter during the established open season for such animals shall exhibit each pelt to an authorized representative of the department in the county in which such animal was trapped, or in the adjoining county, but within the area included within the open season in which such animal was trapped, not later than 5 days after the close of said season.

2. Registration. The department representative shall inspect the pelt and attach and lock a registration tag to all lawfully taken and possessed animals.

3. Possession and transfer restrictions. a. It shall be unlawful for any person to possess raw pelts from such animals beginning 6 days after the close of the season to the opening date of the following seasons without a registration tag attached and locked.

b. No person shall transfer, give, trade, sell or purchase any such pelts without a registration tag being attached and locked to the head of each pelt.

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.

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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. -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) (i) and cr. (1) (g), 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), (i) 1. and 3 and cr. (1) (g), (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), (i) 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) 8 and 8, Register, January, 1977, No. 253, eff. 2-1-77; am. (2) (a) 2, (3) (a) 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; r. and recr. (1) (b) to (e), (g), (j) and (k), renum. (1) (l) to (p) to be (1) (m) to (q), cr. (1) (l), Register, February, 1978, No. 266, eff. 3-1-78; am. (1) (m) and (q), (2) (a) 1, (3) (d) and (f), r. and recr. (2) (e) 1, Register, May, 1978, No. 269, eff. 6-1-78; r. and recr. (4) (d) and (e), Register, August, 1978, No. 272, eff. 9-1-78; r. and recr. (3) (e) 9. and (4) (c), Register, October, 1978, No. 274, eff. 11-1-78; r. and recr. (1) (b), (g) and (i) and am. (4) (a) 3., Register, December, 1978, No. 276, eff. 1-1-79; r. and recr. (2) (b) and (3) (a), Register, March, 1979, No. 279, eff. 4-1-79; r. and recr. (2) (e) 1., (3) (e) (intro.) and (4) (d) 1. and am. (3) (e) 1., Register, August, 1979, No. 284, eff. 9-1-79; am. (3) (c) 2., (3) (e) 3. and (4) (d) 4., r. and recr. (3) (e) 6., 7. and 9. e., (4) (c), (4) (d) 1. and 3., Register, September, 1979, No. 285, eff. 10-1-79; emerg. cr. (4) (c) 1. c., eff. 3-24-80; r. (1) (b) to (g), (1) (i) 3. b. intro. and 3. c., r. and recr. (1) (j), (k), (l) intro. 1., 2. and 3., (2) (a) 1. and (3) (b), am. (1) (i) 5. and 6. b, renum. (1) (i) 3. b. 1) to 5) to be (1) (i) 3. b. to f., Register, April, 1980, No. 292, eff. 5-1-80; r. and recr. (3) (e) 9. a. to d., Register, August, 1980, No. 298, eff. 9-1-80; emerg. am. (1) (a), (1) (l) 1., 2. b. and 5.; cr. (1) (b) to (g), eff. 9-12-80; r. and recr. (3) (d), (3) (g) 9. e. and (4) (c), a. (3) (h); am. (4) (d) 2. b. and 3. b., renum. (4) (d) 2. c. to be 2. d. and cr. (4) (d) 2. c., Register, October, 1980, No. 298, eff. 11-1-80; am. (1) (a), (1) (i) 1., 2. b. and 5; cr. (1) (b) to (g), Register, June, 1981, No. 306, eff. 7-1-81; am. (3) (e) 1. a. and b., r. and recr. (3) (e) 2. a., c. and d., am. (3) (h) 2., Register, August, 1981, No. 308, eff. 9-1-81; r. and recr. (3) (e) 9. e., and cr. (4) (c) 4., Register, October, 1981, No. 310, eff. 11-1-81; emerg. am. (1) (b) 2., 5. and 7., (1) (c), (1) (f) 2., (1) (i) 2. b. and 5., renum. (1) (q) to be (1) (t), cr. (1) (q) to (s), r. and recr. (1) (g) and (e) 6., eff. 9-12-81; r. (1) (b), (c) and (g), am. (1) (l) 5., r. and recr. (1) (l) 6., renum. (1) (q) to be (1) (t), cr. (1) (q) to (s), Register, March, 1982, No. 315, eff. 4-1-82.

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 Protected wild animals. (1) Canada lynx, timber wolf, badger, moose, elk, marten, fisher, wolverine and flying squirrel.

(2) Endangered or threatened species listed in ch. NR 27, Wis. Adm. Code

(3) White deer (monocolored).

(4) Woodchuck except as provided in s. 29.24, Stats.

(5) Prairie chicken, Canada spruce grouse (spruce hen), mourning doves, swans, cranes, bitterns, plovers, kingfishers, cormorants, herons, sandpipers and grebes.

(6) Eagles, hawks, falcons, and owls except as provided in ch. NR 18, Wis. Adm. Code.

(7) Hen pheasants except as expressly provided in this chapter.

(8) Any other wild bird 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; r. and recr. Register, August, 1979, No. 284, eff. 9-1-79.

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NR 10.03 Birds causing depredation. (1) APPLICATION. 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 many constitute a health hazard or other nuisance:

- (a) Red-winged blackbirds.
- (b) Grackles.
- (c) Crows.
- (d) Cowbirds.

(2) **PERMITS.** Such birds may be taken at all times without need for either a federal or state permit.

(3) **INSPECTION OF PREMISES.** Any person taking such birds shall at all reasonable times, including during actual operation, permit any federal or state game law enforcement officer, free and unrestricted access on 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.

(4) **DISPOSITION.** Birds killed pursuant to this subsection and their plumage shall not be sold or offered for sale.

History: 1-2-56; am. Register, August, 1956, No. 8, eff. 9-1-56; am. Register, August, 1956, No. 128, eff. 9-1-56; 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; r. and recr. Register, August, 1979, No. 284, eff. 9-1-79.

NR 10.04 Unprotected wild animals. (1) Opossum, skunk and weasel.

(2) Starlings, English sparrows, coturnix quail and chukar partridge.

(3) Any other wild animal not specified in this chapter.

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; r. and recr. Register, August, 1979, No. 284, eff. 9-1-79; am. (1), Register, October, 1980, No. 298, eff. 11-1-80.

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

(2) It shall be unlawful to hunt waterfowl or coot from any public roads or railroads including the respective rights-of-way along or within the area described as the Horicon zone in s. NR 10.01 (l) (j).

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. 9-24-76; am. (2), Register, May, 1976, No. 245, eff. 6-1-76; r. and recr. (1) am. (2)

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and r. (3), (4) and (5), Register, May, 1977, No. 257, eff. 6-1-77; am. (2), Register, February, 1978, No. 266, eff. 3-1-78; am. (1), Register, September, 1978, No. 285, eff. 10-1-79.

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.

(g) *Decoy use.* By the use or aid of decoys which are placed beyond 200 feet from the blind or cover in which the hunter is located. In addition, it is unlawful to:

- a. Place in the water prior to one hour before opening hunting time.
- b. Leave in the water unattended.
- c. Leave in the water more than 20 minutes after the close of hunting time.

(h) *Baiting.* 1. By the use or aid 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.

2. 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.

(2) **POSSESSION.** 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.

(3) **OPEN WATER RESTRICTIONS.** No person shall hunt waterfowl or coot in open water from any blind which may include any boat, canoe, raft, contrivance or similar device except:

(a) Blinds 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, provided such blinds are set, placed or located not more than 100 feet from any shoreline. Such blinds 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 hunting hours each day.

(b) Blinds in any of the waters of Big Green Lake in Green Lake county and the outlying waters of Lake Superior and Lake Michigan including Green Bay under the jurisdiction of the state of Wisconsin beyond 500 feet of any shoreline of said lakes and beyond 500 feet of any 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.

(c) Blinds in any waters of the Mississippi river, wherein they border Grant county and Lake Pepin wherein they border Pepin, Pierce and Buffalo counties. Such blinds 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.

(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:

1. Fifteen hundred feet from any shoreline, including islands, for the purpose of taking, catching, killing and shooting at migratory game birds during the season prescribed in s. NR 10.01 (1) (b).

2. Five hundred feet from any shoreline, including islands, for the purpose of taking, catching, killing and shooting at scaup ducks during the season prescribed in s. NR 10.01 (1) (c).

3. 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.

(4) **HORICON INTENSIVE ZONE RESTRICTIONS.** (a) 1. It shall be unlawful to hunt waterfowl except from a blind during the open season for Canada geese within the area described in s. NR 10.01 (1) (i).

2. No more than 2 hunters 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.

3. 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 said person, 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.

4. No blind shall be placed within 75 yards of the boundary of the Horicon national wildlife refuge.

5. Retrieving downed birds shall be permitted outside blinds.

6. For the purpose of this subsection, "blind" means any framed enclosure or pit not more than 15 feet in its greatest dimension and camouflaged to provide concealment to hunters within.

(5) **GUNS AND AMMUNITION RESTRICTIONS.** No person shall hunt any migratory bird:

(a) With any shotgun of a larger bore than a no. 10 gauge.

(b) 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.

(c) By any means other than a shotgun fired from the shoulder or a bow and arrow, or by falconry.

(d) *Non-toxic shot requirements.* 1. While hunting waterfowl and coot within any area described in part 2 of this subsection, no person may:

a. Take, catch, kill or pursue waterfowl and coot with any shotshells loaded with any metal other than non-toxic shot.

b. Possess any shotshell loaded with any metal other than non-toxic shot.

2. Non-toxic shot zones. a. Mississippi river. In that portion of the state lying west of the Burlington Northern railway in Buffalo, Crawford, Grant, La Crosse, Pepin, Pierce, Trempealeau and Vernon counties and all federal lands posted by the U.S. fish and wildlife service lying east of the railway in these same counties.

b. Eastern Wisconsin. In the Horicon and Central zones, shotshells containing non-toxic shot shall be required wherever hunting waterfowl and coot. Outside of these 2 zones, shotshells containing non-toxic shot shall be required on all waters and all areas within 150 yards of these waters in the counties of Calumet, Columbia, Dodge, Fond du Lac, Green Lake, Jefferson, Manitowoc, Marquette, Milwaukee, Outagamie, Ozaukee, Racine, Sheboygan, Walworth, Washington, Waukesha, Waupaca, and Winnebago.

c. Green Bay. The west 500 feet of Green Bay waters, all Brown county islands in Green Bay, all waters in Brown county northwest of the Fox river and east of U.S. highway 141, all waters of Oconto and Marinette counties east of U.S. highway 41 and all areas within 150 yards of these waters.

d. State wildlife areas. Within the zones described in subpars. b. and c., shotshells containing non-toxic shot are required for hunting waterfowl and coot anywhere on state-owned wildlife areas and on the following state wildlife areas: Mead in Marathon, Wood and Portage counties; Wood County and Sandhill in Wood county; and Meadow Valley in Juneau and Monroe counties.

History: 1-2-56; am. (2) (c), (3) (a), (4), (5) (c), Register, August, 1956, No. 8, eff. 9-1-56; am. (1) (c) 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, 1966, No. 116, eff. 9-1-66; am. (5) (a), Register, September, 1966, No. 117, eff. 10-1-66; 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; emer. 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. 284, eff. 1-1-78; r. (2) (a), r. and recr. (2) (c), and cr. (5) (b), Register, February, 1978, No. 266, eff. 3-1-78; r. and recr. (1) to (4) and (5) (a), cr. (5) (intro.), renum. (5) (b) to be (5) (d), Register, May, 1978, No. 269, eff. 6-1-78; r. and recr. (3) (d) and (5) (d) 2., Register, December, 1978, No. 276, eff. 1-1-79; r. and recr. (1) (g), Register, August, 1979, No. 284, eff. 9-1-79; r. and recr. (3) (b), Register, April, 1980, No. 292, eff. 5-1-80; am. (3) (d) 1. and 2., Register, June, 1981, No. 306, eff. 7-1-81; emerg. r. and recr. (5) (d), eff. 9-12-81; r. and recr. (5) (d), Register, March, 1982, No. 315, eff. 4-1-82.

NR 10.13 Fur-bearing animals. (1) PROHIBITED METHODS. No person shall:

(a) *Hunting.* Hunt any mink, muskrat, beaver, or otter with the aid of any spear, gun or dog.

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(b) *Trapping*. 1. Traps. Set out or place traps, whether set or sprung, during the closed season.

2. Bait or scent. Set out or place any bait or scent for attracting fur-bearing animals during the closed season.

3. Trap limit. Set, place or operate more than 75 traps of any kind for the purposes of capturing furbearing animals.

4. Water sets. Take, capture or kill, or attempt to take, capture, or kill any furbearing animals at any time by means of water sets except during that period when and in those areas where there is an open season for trapping muskrat, beaver, or otter.

5. Trap placement. Set any trap or traps at any time within 50 feet of any beaver house or beaver dam except during the regular or special season for beaver, when it shall be lawful to set traps for beaver not less than 15 feet from any beaver house or beaver dam.

(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, beaver house or beaver dam.

(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*. It shall be unlawful for any person to 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.

NR 10.14 Trapping, prohibited methods. (2) It shall be unlawful for any person to set, place, operate or possess while on or adjacent to waters of this state, any trap other than a steel-jawed trap or live traps for the purpose of taking, capturing, or killing fur-bearing animals. Such live traps shall be constructed so that not more than one animal can be taken or captured in any single trap setting.

(3) No person shall construct or place on the ice of any of the waters of this state any artificial house or den for the purpose of taking, catching, or killing any fur-bearing animals, or place or set therein any trap or traps of any kind which might take, catch, or kill fur-bearing animals.