

Chapter NR 10

GAME AND HUNTING

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(ss. 29.085 and 29.174, Stats.)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

History: Cr. Register, October, 1975, No. 238, eff. 11-1-75; cr. (2), Register, May, 1977, No. 257, eff. 6-1-77; cr. (3) to (5), Register, February, 1978, No. 266, eff. 3-1-78; cr. (6) and (7), Register, May, 1978, No. 269, eff. 6-1-78; renum. 10.07 (1) (c) to be (8) and (9), Register, August, 1978, No. 272, eff. 9-1-78; cr. (10) to (16), Register, August, 1979, No. 284, eff. 9-1-79; cr. (17), Register, September, 1979, No. 285, eff. 10-1-79; emerg. cr. (18), eff. 9-12-81; cr. (18), (19) and (20), Register, March, 1982, No. 315, eff. 4-1-82; am. (11), Register, April, 1982, No. 316, eff. 5-1-82; cr. (22), Register, September, 1982, No. 321, eff. 10-1-82; cr. (21), Register, October, 1982, No. 322, eff. 11-1-82; cr. (23), Register, November, 1982, No. 323, eff. 12-1-82; cr. (24), Register, May, 1983, No. 329, eff. 6-1-83; cr. (25), Register, September, 1983, No. 333, eff. 10-1-83; cr. (26) and (27), Register, October, 1984, No. 346, eff. 11-1-84; am. (23), Register, March, 1985, No. 351, eff. 4-1-85; renum. (1), (3) to (18), (20) to (27) to be (8), (20), (30), (15), (14), (12), (4), (6), (16), (10), (24), (17), (18), (7), (22), (29), (28), (11), (9), (27), (3), (25), (13), (5) and (1) and r. and recr. (7) and (22), cr. (21), (23) and (26), Register, September, 1985, No. 357, eff. 10-1-85; cr. (1m) and r. (12), Register, June, 1986, No. 366, eff. 7-1-86; r. (28), Register, January, 1987, No. 373, eff. 2-1-87; emerg. am. (19), eff. 9-25-87; r. and recr. (24), Register, October, 1987, No. 382, eff. 1-1-88; am. (19), Register, December, 1987, No. 384, eff. 1-1-88; cr. (3m), (3s), (5m), (7m), (9m) and (31), r. (11), Register, July, 1988, No. 391, eff. 8-1-88; cr. (1h), (6m), (23m) and (25m), Register, October, 1988, No. 394, eff. 11-1-88; emerg. am. (5m) and (9m), eff. 9-15-89; emerg. cr. (25e), eff. 10-16-89; am. (5m) and (9m), Register, March, 1990, No. 411, eff. 4-1-90; cr. (25e), Register, May, 1990, No. 413, eff. 6-1-90; cr. (10m), Register, July, 1990, No. 415, eff. 8-1-90; cr. (9e), Register, September, 1990, No. 417, eff. 10-1-90; cr. (5r) and (5t), Register, June, 1991, No. 426, eff. 7-1-91; am. (10) and (23m), Register, October, 1991, No. 430, eff. 11-1-91.

NR 10.01 Open and closed seasons. A closed season is established year-round for each species of wild animal named in this section, except during the specified open season. Seasons open to legal hunting and trapping apply to the entire locality described, except as otherwise provided in

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chs. NR 11 and 15. Whenever open and closed season areas are defined by highways, the boundary shall be the highway center line. No person may hunt, take, catch or kill any animal specified in this section except during the specified open season.

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Kind of animal	Locality	Open season (all dates inclusive)	Limit
4.	Zone D as described in s. NR 10.35.	Beginning on the day following the close of the open season for ducks as established under sub. (1) (b) 1. and continuing through March 15.	None
(d) Otter trapping.			
1.	North zone — All that part of Wisconsin north of state highway 64	Beginning on the first Saturday in December and continuing through the first Sunday in March	2 per season by permit
2.	South zone — All that part of Wisconsin south of state highway 64	Beginning on the first Saturday in December and continuing through the first Sunday in March	One per season by permit
(dm) Fisher trapping.			
1.	Management zone A - Units 1, 2, 3, 4, 5, 8, 9, 10, 11, 12 and 17 as described in s. NR 10.28	December 1-11	One per season by permit
2.	Management zone B - Units 6, 7, 13, 14, 18, 19, 20, 25, 28, 29A and 30 as described in s. NR 10.28	December 1-11	One per season by permit
3.	Management zone C - Units 29B, 31, 32, 34, 35, 36, 37 and 52 as described in s. NR 10.28	December 1-11	One per season by permit
4.	Management zone D - Units 38, 39, 40, 42, 43, 44, 45, 49 and 50 as described in s. NR 10.28	December 1-11	One per season by permit
5.	Remainder of the state	None	None

History: 1-2-56; am. (3) (g), Register, August, 1985, No. 356, eff. 9-1-85; r. and recr. (intro.), (1) (n), (2) (b), (3) (d) 2. c. and (3) (e) 7., am. (2) (f) 1. and 2., (3) (e) 2. intro. and d. and 9. e., Register September, 1985, No. 357, eff. 10-1-85; emerg. r. and recr. (1) (g) 1.a, cr. (1) (g) 1. am., eff. 10-19-85; r. and recr. (4) (a) 4., am. (2) (f), Register, January, 1986, No. 361, eff. 2-1-86, except (4) (a) 4. eff. 3-1-86; r. and recr. (1) (b), (g), (l) 2. b. and 5., (tm) 3., am. (1) (u) 1., Register, April, 1986, No. 364, eff. 5-1-86; r. and recr. (3) (g), Register, June, 1986, No. 366, eff. 7-1-86; am. (1) (l) 2. and 3. b., (3) (e) (intro.) and (4) (e) 4., r. and recr. (3) (e) 2. and 6., (3) (em) and (4) (e) 1. b., r. (4) (d) 3. to 5., Register, August, 1986, No. 368, eff. 9-1-86; emerg. r. and recr. (1) (a), (b), (g), (l) 2. b. and 5., (tm) 3. and (u) 1., cr. (1) (e) 3. c., eff. 9-12-86; r. and recr. (3) (e) intro. and 1. to 6., am. (3) (e) 9. e. and (4) (e) 2. intro., Register, October, 1986, No. 370, eff. 11-1-86; r. and recr. (1) (a), (b), (g), (l) 2. b. and 5., (tm) 3., (u) 1., cr. (1) (l) 3. c., Register, January, 1987, No. 373, eff. 2-1-87; am. (2) (f) 1. and r. and recr. (2) (f) 2., Register, February, 1987, No. 374, eff. 3-1-87; cr. (4) (e) 8., Register, March, 1987, No. 375, eff. 4-1-87; r. (1) (q) and (r), r. and recr. (3) (g) and (4) (c), Register, July, No. 379, eff. 8-1-87; emerg. r. (1) (a), r. and recr. (1) (b), (c) 2., (g), (l) 2. b. and 5., (tm) 2., 3. and 4., (u) 1., eff. 9-25-87; am. (2) (f) 1. and 2., (3) (e) 9. e., r. and recr. (3) (h) 1. and (4) (e) 2., cr. (3) (h) 3., Register, October, 1987, No. 382, eff. 11-1-87; r. (1) (a), r. and recr. (1) (b), (c) 2., (g), (l) 2. b., and 5., (tm) 2. to 5., and (u) 1., Register, December, 1987, No. 384, eff. 1-1-88; r. and recr. (2) (f) 2., Register, January, 1988, No. 385, eff. 2-1-88; r. and recr. (4) (b), am. (4) (c), Register, June, 1988, No. 390, eff. 7-1-88; renun. (1) (h) to be NR 10.125 (6), r. (1) (i) to (tm), (3) (e) 7. and 9., am. (1) (u) 1., r. and recr. (2) (b) 2., Register, July, 1988, No. 391, eff. 8-1-88; emerg. cr. (1) (a), r. and recr. (1) (b), (c) and (g) eff. 9-21-88; am. (intro.) and (2) (c) 1., Register, October, 1988, No. 394, eff. 11-1-88. cr. (2) (f) 3., Register, October, 1988, No. 394, eff. 1-1-89; cr. (1) (a), r. and recr. (1) (b), (c) and (g), Register, January, 1989, No. 397, eff. 2-1-89; r. and recr. (2) (f) 1. and 2., Register, March, 1989, No. 399, eff. 4-1-89; am. (3) (e) (intro.), r. (4) (e) 1. d., Register, July, 1989, No. 403, eff. 8-1-89; am. (2) (b) 1., (3) (e) 1. intro. and a., 2. intro., a., b., and e., r. and recr. (2) (d), (4) (dm) and (e) 2. d., renun. (3) (e) 1. d. to be 1. e., cr. (3) (e) 1. d., 2. f., 6. and 7., Register, October, 1989, No. 406, eff. 11-1-89; emerg. am. (1) (g) 1. a. and f., eff. 11-26-89; r. and recr. (2) (f) 1. and 2., Register, January, 1990, No. 409, eff. 2-1-90; r. and recr. (1) (b), (c) and (g), Register, March, 1990, No. 411, eff. 4-1-90; am. (4) (b) and (c),

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Register, May, 1990, No. 413, eff. 6-1-90; r. and recr. (2) (f) 2. and 3., cr. (1) (g) 1. m., Register, July, 1990, No. 415, eff. 8-1-90; am. (3) (f), Register, September, 1990, No. 417, eff. 10-1-90; r. and recr. (2) (a) and (c) 2., am. (3) (e) 2. intro., a. and e., r. (3) (e) 6., renum. (3) (e) 7. to be 6., Register, October, 1990, No. 418, eff. 11-1-90; emerg. r. and recr. (3) (e) and (3) (h) 1. a., eff. 11-15-90; r. and recr. (2) (f) 2., Register, January, 1991, No. 421, eff. 2-1-91; r. and recr. (1) (b) and (g), Register, March, 1991, No. 423, eff. 4-1-91; and recr. (4) (c), Register, May, 1991, No. 425, eff. 6-1-91; r. and recr. (2) (f), Register, June, 1991, No. 426, eff. 7-1-91; r. and recr. (3) (em) and (g), Register, August, 1991, No. 428, eff. 9-1-91; emerg. r. and recr. (1) (b), (g) and (u) 1., eff. 9-16-91; r. and recr. (3) (h) 2., Register, September, 1991, No. 429, eff. 10-1-91; r. and recr. (2) (b) and (3) (e) 2., am. (2) (c) 2. and (f) 2., cr. (3) (es), Register, October, 1991, No. 430, eff. 11-1-91; except (2) (c) 2. and (f) 2., eff. 3-1-92; r. and recr. (1) (b), (g) and (u) 1., Register, April, 1992, No. 436, eff. 5-1-92; am. (2) (c) 2. g. and h., r. and recr. (2) (f), Register, June, 1992, No. 438, eff. 7-1-92; r. (1) (g) 1. i. and j., renum. (1) (g) 1. k. to be i, r. and recr. (3) (e), (em) and (es), Register, August, 1992, No. 440, eff. 9-1-92; emerg. r. and recr. (1) (b), (g) and (u) 1., eff. 9-1-92; r. and recr. (1) (b), (g), (u) 1., (2) (c) 1. and (3) (h) 1. a., r. (4) (e), Register, February, 1993, No. 446, eff. 3-1-93.

Note: For a complete history of s. NR 10.01 from 1-2-56 through 11-30-73 see the history note following s. NR 10.01 published in November 1973, Register. For a complete history of s. NR 10.01 from 12-1-73 through 7-31-85 see the history note following s. NR 10.01 published in the July, 1985 Register.

NR 10.02 Protected wild animals. The following wild animals are designated protected. No person may take, attempt to take, transport or possess any protected wild animal at any time unless expressly authorized by the department.

- (1) Cougar, badger, moose, elk, wolverine and flying squirrel.
- (2) Endangered or threatened species listed in ch. NR 27.
- (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.
- (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; am. (1), Register, September, 1983, No. 333, eff. 10-1-83; am. (1), Register, July, 1985, No. 355, eff. 8-1-85; cr. (intro.) Register, September, 1985, No. 357, eff. 10-1-85.

NR 10.04 Unprotected wild animals. The following wild animals are designated unprotected. No closed season, bag limit, size limit or possession limit applies to these 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.

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$$\text{Success rate} = \frac{\text{Number of bear harvested}}{\text{Number of permits issued}}$$

(d) *Population goals.* The fall pre-hunt black bear population goal is as follows:

<u>Zone</u>	<u>Population Goal</u>
A	4,100
B	1,900
C	400

(2) **APPLICATION PROCEDURE.** Application for harvest permits shall be on forms provided by the department. Applicants shall indicate their black bear hunting zone preference. Applications shall be postmarked no later than the Friday nearest January 15 or received by the department license section, 101 South Webster, P.O. Box 7924, Madison, WI 53707 no later than 4:30 p.m. on that Friday each year.

(3) **PERMIT ISSUANCE.** The department shall select successful applicants and issue permit approval notices no later than February 15 of each year. The department may reissue a permit if the permit is returned undelivered by the postal authorities or if the applicant fails to or cannot comply with s. 29.1085, Stats. Selection shall be by random drawing.

(4) **FEEES.** A successful applicant shall submit the appropriate permit fee established by s. 29.092 (2) (kg) or (kr), Stats., to the department before receiving a harvest permit. The fees shall be mailed and postmarked no later than the Friday nearest March 1 or received by the department license section, 101 South Webster, P.O. Box 7924, Madison, WI 53707 no later than 4:30 p.m. on that Friday each year.

(5) **PERMIT ATTACHMENT.** The bear harvest permit shall be attached to the bear hunting license by the applicant immediately upon receipt.

(6) **BEAR PURSUIT.** No licensee may pursue a bear by any method unless that person holds a valid bear harvest permit or is assisting a person who holds a valid bear harvest permit issued under s. 29.1085, Stats.

History: Cr. Register, June, 1986, No. 366, eff. 7-1-86; am. (1) (a) to (d), Register, July, 1987, No. 379, eff. 8-1-87; am. (1), Register, June, 1988, No. 390, eff. 7-1-88; r. and recr. (1) (a), renum. (1) (b) to (e) and (2) to be (2) to (6), Register, October, 1988, No. 394, eff. 1-1-89; am. (1) (b), Register, September, 1991, No. 429, eff. 10-1-91; am. (1) (d), Register, February, 1993, No. 446, eff. 3-1-93.

NR 10.103 Deer hunting. (1) **TAGS.** A one-piece back and carcass tag shall be issued with each hunting license and shall remain intact until the hunter kills a deer while hunting. While hunting, no person may possess a validated carcass tag unless it is attached to a legally killed deer.

(2) **VALIDATION.** Any person who kills a deer shall immediately separate the issued carcass tag from the back tag and validate the carcass tag by slitting the mark designating the month, day, time of kill and type of deer. Failure to completely validate the carcass tag renders possession of the deer illegal and the carcass tag invalid.

Note: The carcass tag attachment procedures are also provided in s. 29.40 (2), Stats.

History: Cr. Register, Register, September, 1983, No. 333, eff. 10-1-83; r. and recr. Register, September, 1985, No. 357, eff. 10-1-85; renum. from NR 10.102, Register, June, 1986, No. 366, eff. 7-1-86; am. (1), Register, October, 1991, No. 430, eff. 11-1-91.

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NR 10.104 Deer hunting permits. (1) **FINDING.** The natural resources board finds that an additional harvest of deer is necessary to reduce the deer herd to the overwinter population goals established in s. NR 10.01 (3) (e) 9. e. and properly manage the deer herd in the state.

(2) **APPLICATION PROCEDURE.** Permits shall be issued to any person in possession of a valid license authorizing the hunting of deer. All applications shall be on department forms and no person may submit more than one application.

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

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

(b) **Group applications.** Group applications up to and including 4 hunters will be honored for deer hunting established in s. NR 10.01 (3) (e) 3. provided each applicant completes the application form and all forms are submitted in one envelope marked "group application" on the outside.

(3) **PERMIT ISSUANCE.** Upon receipt of proper application, the department shall issue permits in the following manner:

(a) **Initial permit.** Successful applicants for hunter's choice or antlerless permits shall be determined by random selection from all eligible applications received for each deer management unit. Permits remaining unissued for any deer management unit after all initial applications have been processed may be issued by the department on a first-come, first-served basis, in accordance with any statutorily established landowner preference permit issuance system, or as established by par. (b).

(b) **Second permit.** If the number of hunters choice or antlerless permits in any management unit exceeds the number of applications for such permits, the department may issue the remaining permits available for that unit as antlerless deer hunting permits only to its successful initial deer hunting permit applicants. Permittees to be issued the second permit shall be randomly selected in accordance with any statutorily established landowner preference permit issuance system.

(c) **Unallotted permits.** The department may issue any remaining antlerless deer permits to interested permit applicants and on a first-come, first-served basis to persons who possess a valid deer hunting license.

(4) **PERMIT AUTHORITY.** No person may hunt antlerless deer in deer management units described as such in s. NR 10.01 (3) (e) unless he or she possesses a current validated deer hunting permit.

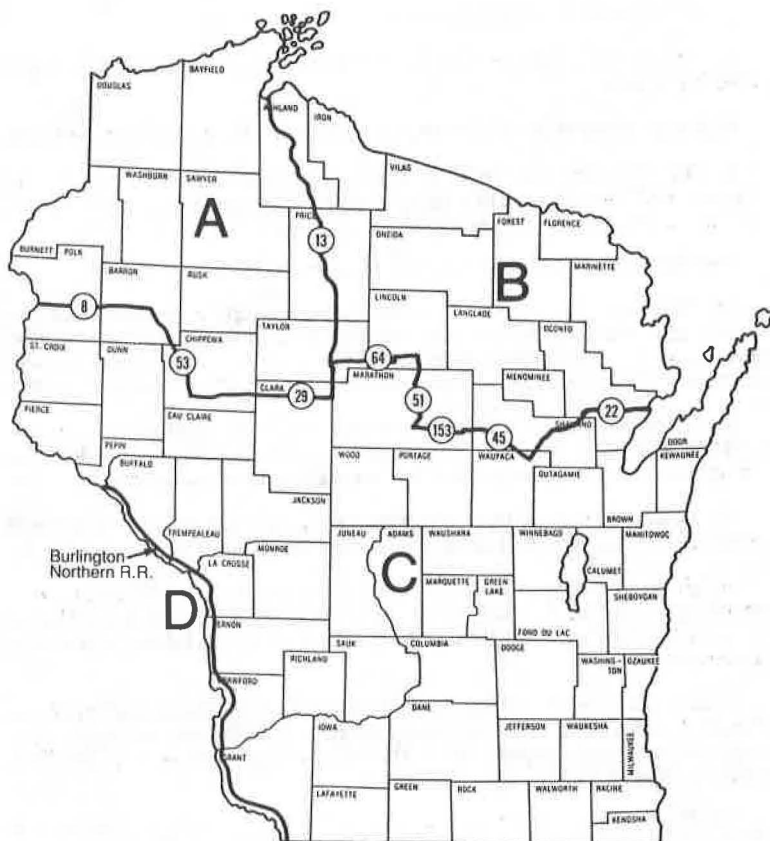
(5) **BAG LIMIT.** Each issued deer hunting permit shall authorize the use of the holder's current valid Wisconsin deer hunting license, back tag and carcass tag for the killing of one deer in the deer management unit designated on the permit as follows:

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(a) *Hunter's choice deer hunting permit.* Valid for the taking of one deer of either sex or age, except on Chambers Island in Door County where

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NR 10.35 Beaver management zones.



History: Cr. Register, May, 1991, No. 425, eff. 6-1-91.

NR 10.40 Disabled hunters; special hunt authorizations. (1) **PURPOSE.** Pursuant to s. 29.174 (2) (f), Stats., the natural resources board establishes this section to provide additional recreational hunting opportunities to the citizens of Wisconsin and to establish procedures for conducting special hunts that will encourage greater hunting participation by persons with physical and visual disabilities.

(2) **DEFINITION.** "Special gun deer hunt" means a department authorized local firearm season for deer conducted outside the regular gun deer hunting seasons established under s. NR 10.01 (3) (e).

(3) **SPECIAL GUN DEER HUNTS.** (a) *Application requirements.* 1. All applications to conduct a special gun deer hunt shall be on department Register, February, 1993, No. 446

forms and be submitted to the designated department office for the county within which the hunt will be conducted by June 1.

2. All applications shall include:

a. The authorization of the host landowner to conduct a special gun deer hunt; and

b. A legal description of the lands on which the hunt is to be conducted.

3. The applicant shall provide a final list of the names, addresses and Class A or C permit numbers of all participating hunters and the names of their designated assistants to the department by September 1.

Note: Application forms may be obtained at department district and area offices.

(b) *Participation limits.* No person may participate in more than one special gun deer hunt in the same calendar year and all participants must possess a valid gun deer license and either a Class A or C permit as defined in s. 29.09 (9), Stats., that was issued on or after August 9, 1989.

(c) *Participant selection.* No person may be refused participation based on their age, race, religion, color, handicap, sex, physical condition, development disability, creed, sexual orientation or national origin.

(d) *Dates.* All special gun deer hunts shall be conducted during the 9 consecutive day period that begins on the Saturday nearest October 1.

(e) *Hunter participation limits.* The department may not authorize a special gun deer hunt if the number of participating hunters is less than 5 or if the hunter density will exceed 2 per 40 acres of land described on the application.

(f) *Rule compliance.* Unless otherwise provided by the department, all disabled hunters and accompanying persons shall comply with all hunting rules and laws applicable to the regular gun deer season specified under s. NR 10.01 (3) (e).

Note: Firearms are limited to those approved for use during the regular gun deer season in that county as specified under s. NR 10.01 (3) (e) and blaze orange clothing meeting the requirements of s. 29.22 (2), Stats., must be worn by all disabled hunters and accompanying persons. Participants must use their regular gun deer season license, backtag and carcass tag.

(g) *Authorizations to assistant.* The designated assistant of the special gun deer hunt participant may use a firearm while retrieving a deer shot by a participant.

(h) *Other hunting prohibited.* Within the dates specified under par. (d), no person other than the special gun deer hunt participant may hunt on the lands described on the application during the big and small game hunting hours specified under s. NR 10.06.

(i) *Posting requirement.* The applicant shall post, at intervals not to exceed 100 yards, the boundary of all lands open to public hunting at least 7 days prior to the start of the hunt with a notice that indicates the dates on which the special gun deer hunt will be conducted on those lands and the dates and hours during which hunting by nonparticipants is prohibited. All such notices shall be removed by the applicant within 2 days of the close of the special gun deer hunt.

(j) *Reports.* If requested by the department, the applicant shall complete a special gun deer hunt report on forms supplied by the department.

(k) *No fees.* The landowner or applicant shall not charge any form of a fee to a person participating in a special gun deer hunt.

(4) **SPECIAL SPRING TURKEY HUNTS IN STATE PARKS.** (a) *Authorized parks.* The following state parks are authorized to conduct special spring turkey hunts for disabled hunters possessing a Class A or Class C permit: Belmont Mound (Lafayette county), Natural Bridge (Sauk county), Nelson Dewey (Grant county), New Glarus Woods (Green county) and Rocky Arbor (Juneau county).

(b) *Application requirements.* 1. All applications shall be on department forms and shall be postmarked no later than December 10 or received by the department license section no later than 4:30 p.m. on that day.

2. All applications shall include the applicant's Class A or C permit number.

Note: The Licence section address in 25 South Webster, Box 7926, Madison, WI 53707.

(c) *Participant selection.* If the number of applications for permits exceeds the number of permits, successful applicants shall be determined by random selection.

(d) *Assistant identification.* All successful applicants shall provide the park supervisor the name and address of their designated assistants at least 1 week prior to hunting.

(e) *Dates.* All special spring turkey hunts shall be conducted during season dates established in s. NR 10.01 (2) (f) 3.

(f) *Regulation compliance.* All disabled hunters and their assistants shall comply with all hunting rules and laws applicable to the regular spring turkey season specified under s. NR 10.01 (2) (f) 1 unless otherwise exempted through written authorization by the department.

(g) *Authorizations to assistants.* The designated assistant of the special spring turkey hunt participant may use a firearm while retrieving a turkey shot by a participant.

(h) *Reports.* If requested by the department, the applicant shall complete a special spring turkey hunt report on forms supplied by the department.

History: Cr. Register, July, 1990, No. 415, eff. 8-1-90; cr. (4), Register, June, 1991, No. 426, eff. 7-1-91.