



CR 91-40

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny
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STATE OF WISCONSIN)
)
DEPARTMENT OF NATURAL RESOURCES) ss

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Bruce B. Braun, Deputy Secretary of the Department of Natural Resources and custodian of the official records of said Department, do hereby certify that the annexed copy of Natural Resources Board Order No. WM-18-91a was duly approved and adopted by this Department on May 23, 1991. I further certify that said copy has been compared by me with the original on file in this Department and that the same is a true copy thereof, and of the whole of such original.

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IN TESTIMONY WHEREOF, I have here-
unto set my hand and affixed the
official seal of the Department at
the Natural Resources Building in
the City of Madison, this 23rd
day of July, 1991.


Bruce B. Braun, Deputy Secretary

(SEAL)

9-1-91



ORDER OF THE STATE OF WISCONSIN NATURAL RESOURCES BOARD
AMENDING, REPEALING AND RECREATING, AND CREATING RULES

.....
IN THE MATTER of amending ss. NR 10.06(2)(b),
(3)(title), (a), (b)(title) and (8)(b)(note.), and
10.09(1)(c)1.a; repealing and recreating ss. NR 10.01.
(3)(em) and (g) and 10.106(2)(d); and creating ss. . WM-18-91a
NR 10.104(3)(c) and 10.11 of the Wisconsin
Administrative Code pertaining to the 1991 deer and
bear hunting seasons
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Analysis Prepared by the Department of Natural Resources

Statutory authority: ss. 29.174(2)(a) and (b) and 227.11(2)(a), Stats.

Statutes interpreted: ss. 29.107(1), 29.174(2), Stats.

The proposed rules:

1. Establish the procedures and conditions by which the department may authorize bowhunters to harvest a second deer.
2. Establish the procedures for department issuance of unallotted antlerless gun deer permits.
3. Modify the 1991 bear hunting season dates. Two rule modifications are proposed. The first proposal combines the "other methods" season with the bait-only season in the dog hunting portions of bear management zones A and B. The second proposal changes the starting date for the bait-only season in the "non-dog" portions of Zone A, B and C to the second Saturday in September.

SECTION 1. NR 10.01(3)(em) is repealed and recreated to read:

NR 10.01(3)(em) Deer bow season.

Statewide.

Beginning on the third
Saturday in September and
continuing through the Sunday
immediately prior to the
opening of the deer gun
season. Reopening on the
Saturday immediately
following the close of the
gun deer season and
continuing through December
31.

One deer of either sex or
2 deer as authorized
under s. NR 10.11

SECTION 2. NR 10.01(3)(g) is repealed and recreated to read:

NR 10.01(3)(g) Black bear (gun and bow seasons).

1. Those portions of bear management zones A and B as described in s. NR 10.30 where the use of dogs for bear hunting is authorized as described in s. NR 10.10(1)(b).

With aid of dogs only, beginning on the second Saturday in September and continuing for 21 consecutive days in odd-numbered years and beginning on the third Saturday in September for 21 days in even-numbered years.

One adult bear per permit issued under s. NR 10.102.

All methods not utilizing the aid of dogs, beginning on the second Saturday in September and continuing for 21 consecutive days in even-numbered years and beginning on the third Saturday in September for 21 days in odd-numbered years.

One adult bear per permit issued under s. NR 10.102.

2. Those portions of bear management zones A, B and C as described in s. NR 10.30 where the use of dogs for bear hunting is prohibited as described in s. NR 10.10(1)(b).

All methods not utilizing the aid of dogs, beginning on the second Saturday in September and continuing for 28 consecutive days.

One adult bear per permit issued under s. NR 10.102.

SECTION 3. NR 10.06(2)(b) is amended to read:

NR 10.06(2)(b) General prohibition. Except as provided in subs. (4), (5), (6), (7) and (8), no person may hunt or shoot any game species on which an open season is prescribed on any day during the open season before the a.m. times or after the p.m. times established in sub. (3).

SECTION 4. NR 10.06(3)(title),(a) and (b)(title) are amended to read:

NR 10.06(3)(title) Bear, bow deer and small game hunting. (a) Formula. The hunting hours for pursuing ~~big game~~ bear, deer with a bow or small game in Zone A are listed in par. (b). The hunting hours for other zones are obtained by adding minutes to the Zone A a.m. and p.m. columns as follows:

Zone - Adjustment

- B - Add 4 minutes
- C - Add 8 minutes
- D - Add 12 minutes
- E - Add 16 minutes
- F - Add 20 minutes

(b)(title) Bear, bow deer and small game hunting hours (zone A Milwaukee; CST)

SECTION 5. NR 10.06(8)(b)(note) and 10.09(1)(c)1.a. are amended to read:

NR 10.06(8)(b) Note: ~~During an extended gun deer season, the~~ The big game hunting hours do not apply to persons hunting coyote, fox, raccoon or other wild animals for which no closed season has been established during the muzzle-loader season or an extended gun deer season.

NR 10.09(1)(c)1.a. ~~Muzzle-loaders~~ Muzzleloaders may be used for hunting ~~as defined in s. NR 10.004 (17) and (18),~~ except that any muzzleloader used in the muzzleloading season described in s. NR 10.01(3)(es) shall have an exposed outside hammer and may not include a telescopic sight.

SECTION 6. NR 10.104(3)(c) is created to read:

NR 10.104(3)(c) Unallotted permits. The department may issue any remaining antlerless deer permits as follows:

1. First step. Issue an additional antlerless permit to interested hunter's choice permit applicants; and may
2. Second step. Issue any remaining permits on a first-come, first-served basis to applicants who possess a valid gun deer hunting license and appear in person at designated department offices.
3. Antlerless permit limit. The department may not issue any applicant more than 2 antlerless deer permits in total.

SECTION 7. NR 10.106(2)(d) is repealed and recreated to read:

NR 10.106(2)(d) Bow killed deer. 1. Time deadline. A deer killed under an archery deer license shall be registered no later than 5:00 P.M. on the third day after it was killed.

2. Registration station restrictions. Except as provided under subd. 3, bow killed deer may be registered at any department designated registration station.

3. Second deer restrictions. All persons authorized to kill a second antlerless deer shall register it within the deer management unit designated on the deer carcass tag.

SECTION 8. NR 10.11 is created to read:

NR 10.11 BOW DEER SEASON BAG LIMIT. The department may authorize a 2 deer bag limit for licensed bowhunters in deer management units meeting the requirements of this section.

(1) BOWHUNTER ELIGIBILITY. Eligibility to harvest a second deer is restricted to those bowhunters that legally kill a deer in a deer management unit meeting the requirements of sub. (3) and register that

deer at a registration station within a deer management unit designated under sub. (3) without transportation of the deer outside that management unit.

(2) **CONDITIONS OF AUTHORIZATION.** Authorization to harvest a second deer is limited to eligible bowhunters that apply for and receive a second deer carcass tag issued by the department. All persons authorized to harvest a second deer shall comply with the following conditions:

(a) Type of deer. Unless authorized by the department, only antlerless deer may be killed. The department shall authorize the harvest of a deer of either sex if the applicant's first deer was antlerless and was killed in a management unit designated under sub.(3).

(b) Location. All deer shall be killed within the deer management unit indicated on the permit, except that hunters authorized to take a deer of either-sex may harvest a deer in any portion of the state. Hunters issued an antlerless tag may only hunt in the unit specified on the tag.

(3) **UNIT DESIGNATION.** The department may authorize a 2 deer bag limit in any deer management unit meeting the following conditions:

(a) Population estimate. The deer population estimate is at least 20% greater than the overwinter population goals established in s. NR 10.104(7)(d); and

(b) Bonus gun deer tags. In units where hunter's choice permits are issued, all of the anticipated number of hunter's choice applicants will receive a hunter's choice permit. For purposes of determination, the department shall use the number of hunter's choice applications received in the previous year as the anticipated number of hunter's choice applications.

(4) **APPLICATION PROCEDURE FOR SECOND CARCASS TAG.** (a) Limit. No person may submit more than one application.

(b) Forms and fees. All applications shall be submitted complete on forms supplied by the department and be accompanied by payment of any statutorily established fees. All applications shall include the portion of first carcass tag that was detached by the deer registration station personnel.

(c) Deadlines and locations. Applications shall be mailed or delivered to any department office designated on the application form.

Note: Normal business hours are Monday through Friday from 7:45 A.M. to 4:30 P.M.

(5) **ISSUANCE PROCEDURE.** Upon receipt of a complete and valid application, the department shall designate the type of deer authorized for harvest and issue the applicant a second carcass tag and registration stub.

(6) PUBLIC NOTICE. The department shall provide public notice of any deer management units which meet the requirements of sub. (3) and to which this section applies by publication in the official state newspaper prior to July 1 of each year.

The foregoing rules were approved and adopted by the State of Wisconsin Natural Resources Board on May 23, 1991.

The rules shall take effect on the first day of the month following publication in the Wisconsin administrative register as provided in s. 227.22(2)(intro.), Stats.

Dated at Madison, Wisconsin July 23, 1991.

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

By Carroll D. Besadny
Carroll D. Besadny, Secretary

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