

Chapter NR 19

MISCELLANEOUS GAME FUR AND FISH

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(Sections 23.09 and 29.573, Wis. Stats.)

NR 19.01 Guns and ammunition. (1) It shall be unlawful for any person to carry in any manner or have in possession or under control any rifle other than a .22 rim-fire or any shotgun loaded with shot larger than No. BB, divided or cut shells of any variety, or any shells loaded with single ball or bullet, or have in their possession or under their control any shotgun shells loaded with shot larger than No. BB or any divided or cut shells or shells loaded with single ball or bullet from June 1 of each year through the following December 31, both dates inclusive, while being in or on or traversing any forest, fields, or other areas frequented or inhabited by deer in the counties of Adams, Ashland, Barron, Bayfield, Burnett, Chippewa, Clark, Columbia, Door, Douglas, Eau Claire, Florence, Forest, Green Lake, Iron, Jackson, Juneau, Langlade, Lincoln, Marathon, Marinette, Marquette, Monroe, Oconto, Oneida, Outagamie, Polk, Portage, Price, Rusk, Sauk, Sawyer, Shawano, Taylor, Vilas, Washburn, Waupaca, Waushara, and Wood, except that when an open season for deer or bear occurs in any of the before-mentioned counties, any person may carry lawful firearms and ammunition into and onto areas frequented or inhabited by deer or bear during the period of time beginning 5 days prior to the opening of the deer season or bear season, as the case may be, and ending at midnight of the third day following the closing of such season when such firearms are unloaded and enclosed within a carrying case.

(2) Nothing in the provisions of this section shall prohibit any person during each day of the actual open season for the hunting or killing of deer or bear from carrying any lawful firearms or ammunition in any manner either loaded or unloaded in all counties mentioned in subsection (1), as long as all other provisions of the statutes and of department orders dealing with fish and game are complied with.

(4) Nothing in the provisions of this section shall permit any person to transport or carry any firearms prohibited by this section in any of the counties named in subsection (1) during the open deer or bear season established for bow and arrow hunting in said counties.

(5) The department is authorized to issue free of cost to any person eligible to secure a license to hunt under the laws of the state of Wisconsin, a permit to carry specified firearms and ammunition into and onto any such deer-frequented or inhabited areas mentioned in this section when the applicant for such permit can show there is good

and sufficient reason for the issuance of such permit to him. Applications for such permits may be made to the department, its conservation wardens, forest rangers, or other designated agents of the department and shall state thereon the purpose for which they are required, the county or counties in which the permit is to be used, and such other information as may be deemed necessary by the department.

(6) Nothing in the provisions of this section shall apply to the armed forces of the United States, the national guard or peace officers in the performance of their duties as such, or any person summoned by such peace officers to assist them in making an arrest or to preserve the peace while such person or persons are so engaged or to any department employes or agents in the performance of their duties as such.

(7) Nothing in the provisions of this section shall apply to the lawful possession or transportation of unloaded and encased rifles or restricted ammunition as merchandise by manufacturers or merchants, or persons engaged in the business of gun collecting or repair, or those persons traveling directly to and from their place of abode to an established target range as long as such firearms are packed and transported in such manner so that they cannot be handled or manipulated by any person while being so transported.

(8) Nothing in the provisions of this section shall apply to the use of the restricted rifles and ammunition at established target ranges.

History: 1-2-56; (1) am. and (3) r. Register, August, 1956, No. 8, eff. 9-1-56; r. and recr. (1), (2) and (4). Register, August, 1960, No. 56, eff. 9-1-60; am. (1); r. and recr. (7); cr. (8), Register, August, 1961, No. 68, eff. 9-1-61; renum. from WCD 19.01 to be NR 19.01 and am. (2), (5) and (6), Register, April, 1971, No. 184, eff. 5-1-71; am. (1), Register, August, 1973, No. 212, eff. 9-1-73.

NR 19.03 Control of muskrats on cranberry marshes. (1) The owner or lessee of any improved cranberry marsh area may at any time and in any manner take, catch, or kill muskrats which are injuring his dams, dikes, reservoirs, ditches, or outlets, but shall not sell, offer to sell, barter or give to any person or persons, or have in possession or under his control, except upon such improved cranberry marsh lands, the skin of any muskrat unless each such muskrat skin has been tagged or stamped. Such tag or stamp shall be furnished and attached without charge by the department.

(3) The provisions of this section shall not apply to any person or persons who own or are interested in a cranberry marsh situated in the same area wherein said owners are the licensees of a muskrat farm or in which such person or persons have an interest.

(4) The department or its authorized agents may assist any owner or operator of improved cranberry marsh areas with the removal of muskrats from areas that have been damaged, or are being damaged by such muskrats, wherein they believe that the muskrats can be taken alive and removed to other localities deemed advisable by the department.

(5) Any such cranberry marsh areas where muskrats are being controlled as provided in this section shall be open to the inspection of the department or its authorized agents at any time.

History: 1-2-56; r. (2), Register, August, 1966, No. 128, eff. 9-1-66; renum. from WCD 19.03 to be NR 19.03, and am. (1), (4) and (5), Register April, 1971, No. 184, eff. 5-1-71.

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animal, bird or fish, no person shall remove any such carcass or part thereof from an Indian reservation without such a tag being attached and locked. No person shall remove the tag prior to consumption of the animal, bird or fish carcass tagged. No endangered species shall be tagged. No person other than a conservation warden or designated tribal member shall have unused tags in his or her possession.

History: Cr. Register, April, 1976, No. 244, eff. 5-1-76.

19.13 Disposition of deer accidentally killed by a motor vehicle.

(1) The driver of a motor vehicle involved in a vehicle-deer collision may have first priority to the deer killed. However, if the driver does not want to take possession of the deer it may be given to another party at the scene of the accident by the department or its agents.

(2) If a driver collides with and kills 2 or more deer at one time, the driver is eligible to receive as many of these deer as the driver wishes.

(3) No such deer, or any parts thereof, may be sold, bartered or given by the individual to any other person at any time, except the head or hide, which may be disposed of pursuant to section 29.40 (3), Wis. Stats.

(4) Possession of vehicle-killed deer shall be limited to 90 days.

(5) Spotted fawns and white deer may not be released by the department.

(6) No deer shall be retained until it has been tagged with a metal seal provided by the department and a permit has been issued.

(7) Permits shall be issued and metal seals attached by the department or its agents for each deer released.

(8) The permit shall contain the following information: (a) Name and address of permittee.

(b) Vehicle license number if deer given to driver involved in the collision.

(c) Date of accident.

(d) Date of issuance.

(e) Number of metal seal used.

(f) Identification of permittee as driver of vehicle, or other.

(g) Sex of deer and approximate weight.

(h) Location of kill as to county.

(i) Name of officer who issued permit and metal seal and the name and address of the officer's agency.

(j) Statement that permit valid for a period of 90 days after date of issuance.

(9) One copy of permit shall be issued to permittee, one copy sent to the department, and one copy retained by issuing agency.

(10) Provisions of permit and restrictions shall be printed on the back of the permit form.

(11) If a deer is not released pursuant to subsection (1), it may be sold by the department at the highest price obtainable or otherwise disposed of.

(12) The entrails or any other parts of deer killed in vehicle-deer collisions shall not be disposed of on the highway right-of-way.

History: Cr. Register, June 1976, No. 246, eff. 7-1-76.