



**CR-11-030, 2011 Wildlife Management Housekeeping Rule
Assembly Committee on Natural Resources**

Remarks of Scott Loomans

Chair Mursau and committee members:

Clearinghouse Rule CR-11-030 is wildlife management's annual "housekeeping rule" that makes language updates, corrects cross-references, and other changes that we consider minor in nature. This year our housekeeping rule:

Clarifies that the definitions of "animal part or animal byproduct" and "carcass" are general definitions not limited to deer baiting regulations.

This rule would clarify that the definition of "animal part or animal byproduct" and "carcass" apply to bear and other baiting regulations as well as for deer. There is only one definition of these terms in our administrative code chapters and it is used universally so the reference to deer baiting is not needed. These proposals also establish that eggs are included in the definition of carcass and establish, by note, that milk is not, consistent with current interpretations of both. These two provisions will reduce questions from field staff. Finally, this proposal clarifies that the term carcass includes domestic as well as wild animal carcasses.

Relaxing deer registration requirements in the CWD management zone.

Deer harvested in a CWD Management Zone currently must be registered by 5:00 p.m. on the day after harvest. This allows hunters less time than in other areas because the department was interested in obtaining fresh samples for disease testing. The shorter deadline is no longer seen as needed because there are no summer deer hunting seasons and there have been few problems with collecting viable samples.

Eliminate the April 10 elk permit application deadline to allow more time for people to submit applications.

Under current rules, there will not be sufficient time between making the population estimate that triggers the first season and the application deadline. A new deadline will not be established by rule but is expected to be June 1.

Allow the use of no. 8 gauge shotguns for waterfowl hunting when the gun is modified for no. 10 gauge cartridges.

Federal regulations prohibit hunting waterfowl ammunition larger than no. 10 gauge. Shotguns larger than no. 10 gauge, when fitted with chamber inserts for no. 10 gauge ammunition, are legal under federal rules. This proposal will allow the use of some antique firearms and make Wisconsin consistent with federal regulations.

Repeals a trap tagging requirement that is unnecessary because there is a specific statutory requirement.

This repeal is also needed because the existing language is not consistent with 2009 ACT 38 which allowed use of a department issued customer identification number instead of name and address information.

Corrects the location information of Vernon Marsh Wildlife Management area in Waukesha County. This section includes acreage that is in an additional township.

Clarifies that the prohibition on the placement of personal property on department lands also applies to items left out to mark or "reserve" trap locations if the season is not open.

Currently, no person may place or use structures or store personal property on department managed lands unless the objects are removed daily. The department interprets this prohibition to include items used to pre-stake trapping locations when the season is not open. This proposal explicitly states that personal property includes items used to mark trapping locations if they are placed prior to the season opener or are not accompanied by a legally placed and set trap. Trappers, who requested this change through the Conservation Congress spring hearing process, hope to reduce territorialism over trapping locations which results in conflict and dispute in the field. For some people, this conflict detracts from enjoyment of the activity and discourages new trappers. Pre-staking is done by some trappers in hopes that others will avoid trapping in those locations. Stakes used as markers are often cut willow poles that are carried onto department lands, placed to mark a future trap site and are left out overnight.

If approved, this prohibition would apply only to department managed lands. Expanding the prohibition to public lands that are not managed by the DNR would require a legislative change to state statute.

Public Hearings and Written Comments

The department held a hearing in Madison on June 28, 2011. There were no appearances at the hearing and no correspondence was received during the comment period.

Legislative Council Rules and Clearinghouse Report

All comments the department received from Legislative Council Clearinghouse have been incorporated.

Wisconsin Wildlife Federation

September 27, 2011

To: Chair Mursau and Members of the Assembly Natural Resources Committee
From: George Meyer, Executive Director, Wisconsin Wildlife Federation
Subject: Positions on Bills/Rules Before the Committee on September 28, 2011

The Wisconsin Wildlife Federation will not be at your September 28, 2011 Committee Hearing and Executive Session because of a conflict with the Natural Resources Board Meeting being held in Kenosha at the same time. Please consider the following positions on the matters before you at the hearing.

Executive Session. The Wildlife Federation supports Amendment 1 to AB 165, the lawn fertilizer display bill. This is a reasonable solution to the differing positions on the bill and will allow the state to go forward in reducing unwanted fertilizer in our lakes and streams.

Public Hearing:

1. **Clearinghouse Rule 11-030**----These rule changes are very minor and technical in nature and there is no known sportsmen's opposition to the changes. The Committee should be aware that in the future even these minor, uncontroversial and needed changes will take between two and three years to adopt because of the complexity and red tape built into Act 21, the new administrative rule law.
2. **Clearinghouse Rule 11-031**----The Federation has no position on this rule.
3. **Clearinghouse Rule 11-032**----The Federation strongly supports this rule, which are the regulations for the 2011 Waterfowl Season in Wisconsin. The DNR had extensive hunter involvement in the rule. These regulations need to be done by Emergency Rule since the US Fish and Wildlife Federation does not set the season framework until early August. The waterfowl season is currently underway in the state.
4. **Assembly Bill 231**----The Wildlife Federation strongly supports this bill. Bird hunting preserves play a major hunting role for Wisconsin sportsmen for species such as pheasants, partridge and quail which have faced diminished wild populations. Often new housing developments move to within sound distance of such facilities and the new neighbors then try to curtail the use of such facilities because of noise and other considerations. The Federation believes that the same

protections that we have for shooting ranges in Wisconsin should be extended to shooting preserves.

5. **Assembly Bill 234**----The Wildlife Federation also strongly supports this bill. Urban areas that do not allow hunting have become refuges for deer in this state causing property damage and auto accidents. Also not allowing hunting in these areas results in the inability of DNR to maintain the deer population within the prescribed goals for the area. Often communities engage in expensive methods of controlling the deer population. This bill provides hunting opportunities for Wisconsin sportsmen and women and does so in a manner that is safe for urban populations.

Thank you for the opportunity to provide the input of the Wisconsin Wildlife Federation to these hunting policy changes.