400214

Title: Albino and White Deer – New Legal Definition

The Problem:

Conservation wardens are having illegally shot white deer cases dismissed because judges feel the legal definition of white deer is too vague.

Wisconsin Administrative Code Chapter NR 10.02(3) Protected wild animals describes protected deer as "Albino or white deer which are white except for the hooves, tarsal glands, head or parts of the head."

According to the DNR Administrative Warden, the Department interprets this to mean "if a white deer has a small patch of brown hair--outside of the head, hooves, or tarsal glands--they may be harvested."

White deer are being shot because their coats are just dirty (i.e., mud, stains) – which was the case with several recent illegally shot deer.

Resolution:

Be it resolved that the Conservation Congress at its annual meeting held in _____ County on April 14, 2014, recommends that the Conservation Congress work with the Department to take action to correct this problem by introducing rule changes as follows:

Change the legislative definition of albino and white deer to read: "...if the natural coat hair coming from the deer's skin is white over 75% or more of its body, the deer is protected."

Iowa Definition - 1987 Iowa Code 481A.124 defines white deer as "predominantly white" (more than fifty percent). According to the DNR Legislative Liaison, Iowa has not had issues with hunters understanding this definition.

Illinois Definition – 520ILCS5/2.24 states, "totally white" deer are protected. The DNR Duty Officer stated it is unenforceable - deer get dirty, judges say they aren't totally white.

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