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**Testimony on SB 147 before the Senate Committee on Sporting Heritage, Mining, and Forestry,  
October 28, 2015**

Mr. Chairman and members of the committee, thank you for holding this hearing on SB 147.

This bill would allow private property owners to leave unattended decoys in a body of water as long as it is self-contained, has no public access, and is entirely surrounded by their own property. Generally, this will apply to ponds and other small bodies of water. Current law declares all unattended decoys in the water as being public nuisances which means that they may be confiscated by DNR wardens. It is legal to leave decoys unattended on dry land in Wisconsin currently.

At the 2011 spring hearing the Conservation Congress adopted a resolution supporting changing the rules to allow unattended decoys to be left in water surrounded by private lands. It was again voted on by the Conservation Congress in 2015 and approved with 75% of the counties in support of the idea.

This bill will bring the law into conformity with other states in the region. Decoys are commonly used to hunt waterfowl in Wisconsin and other states located in their migration path, also called the flyway. Unattended decoys are allowed on private property in most other flyway states, including neighboring states Minnesota, Michigan, Iowa, and Illinois.

Because this bill only applies to bodies of water with no public access, there will never be a concern about one hunter unfairly reserving a spot and excluding another. Only the owner would ever be able to utilize the area, so there can be no conflict. Ultimately, this bill is about allowing a land owner to use their own property in a way that would not interfere with anyone else.

Thank you again for holding this hearing on SB 147.



**Committee on Sporting Heritage, Mining and Forestry**  
*2015 SB 147*  
*Unattended Decoys in Private Waters*

Good morning Chair Tiffany and committee members. Thank you for the opportunity to testify for informational purposes on SB 147.

Under current law, decoys cannot be left unattended in any Wisconsin waterbody. This proposal creates a special authorization for the placement of unattended decoys where the decoys are placed on a body of water that is self-contained, has no public access, and is located on and entirely surrounded by land privately owned by the same person. The “self-contained” language seems to mean that navigable waters would not qualify under this bill, eliminating the complication of making navigability determinations.

Under current administrative code, NR10.12(1)(g), a person may not hunt migratory birds by the use or aid of decoys which are, or have been, any of the following:

- Placed beyond 200 feet from the blind or cover in which the hunter is located.
- Placed in the water more than one hour before the open hunting time.
- Left in the water more than 20 minutes after the close of hunting time.
- Left in the water unattended.

Currently, decoys found unattended by a conservation warden are investigated to determine ownership and compliance with the above provisions, including early or late *hunting hour violations*. Under this proposal, a *limited* subset of decoys could be lawfully left unattended, and could provide added complication to *hunting hour* investigations initiated solely by the presence of decoys outside lawful decoy hours.

The presence of decoys is one component wardens utilize in detecting *hunting hour violations*. However, it is just one component, enforcement would still be possible in a manner similar to waterfowl hunting situations on dry land where decoys can currently be left unattended on private property.

I hope you find this information helpful, and would be happy to address any questions you may have.