

**State of Wisconsin**  
DEPARTMENT OF NATURAL RESOURCES  
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September 6, 2024

Senator Stephen L. Nass, Senate Co-Chair  
Joint Committee for Review of Administrative Rules  
Room 10 South, State Capitol  
Post Office Box 7882  
Madison, WI 53707-7882

Representative Adam Neylon, Assembly Co-Chair  
Joint Committee for Review of Administrative Rules  
Room 204 North, State Capitol  
Post Office Box 8952  
Madison, WI 53708

Subject: Petition for Authorization to Repeal Rule s. NR 20.05 (2), Wis. Adm. Code

Dear Senator Nass and Representative Neylon:

On behalf of the Department of Natural Resources (DNR), I submit this petition for your consideration to authorize the department to repeal s. NR 20.05 (2), Wis. Adm. Code, which prohibits a person from possessing or controlling any firearm, gun or similar device that might be used for fishing while on the waters, banks or shores of the state. A copy of the proposed rule is enclosed. Pursuant to s. 227.26(4)(b)1., Stats., the department has determined that s. NR 20.05 (2), Wis. Adm. Code is unauthorized and should be repealed, as specified below and in the attached proposed rule order. The unauthorized code section and rationale to repeal are as follows:

Section NR 20.05 (2), Wis. Adm. Code was written into its present form during a comprehensive rule review of ch. NR 20 in 1999. However, the prohibition on carrying guns while fishing existed in administrative code as early as the 1950s and was intended to prevent the illegal shooting of fish. More recent concealed carry laws (2011 Wisconsin Act 35) render s. NR 20.05 (2), Wis. Adm. Code obsolete because a licensed person can legally possess and control a concealed firearm on public lands and waters.

If this rule is repealed, fish would remain protected from firearm harvest under s. NR 20.05 (1), Wis. Adm. Code, which generally prohibits the take of fish by methods other than hook and line unless specifically regulated under ch. NR 20 and related chapters of administrative code. The department requests expedited repeal of s. NR 20.05 (2), Wis. Adm. Code, because it is no longer authorized due to statutory firearm carry provisions.

Thank you for your consideration of this request.

Sincerely,

Steven Little  
Deputy Secretary  
Department of Natural Resources