Clearinghouse Rule 26-042

DRAFT 06/24/26

The statement of scope for this rule, SS 050-25 was approved by the Governor on August 12, 2025, published in Register No. 836A3 on August 18, 2025, and approved by the Natural Resources Board on December 10, 2025. This rule was approved by the Governor on [insert date].

ORDER OF THE STATE OF WISCONSIN NATURAL RESOURCES BOARD
REPEALING, AMENDING, AND CREATING RULES

The Wisconsin Natural Resources Board proposes an order to **repeal** NR 20.03 (39m), 20.05 (15), 20.18, and 20.19 (2) (a); to **amend** NR 20.03 (31), 20.16 (1) (b) 1., 20.19 (1) (intro.) and table, 20.20 (intro.), 20.36 (3) (a), 21.04 (16), and 23.05 (5) (intro.) and table header, 23.055 (3) (a); and to **create** NR 23.05 (4m) relating to fish possession limits and affecting small business.

FH-10-25

Analysis Prepared by the Department of Natural Resources

1. Statute Interpreted:

Sections 29.014 (1), 29.041, and 29.053 (2), Stats., have been interpreted as authorizing the department to conserve and regulate the fish supply in waters of the state while continuing to provide opportunities for good fishing.

2. Statutory Authority:

Sections 29.014 (1), 29.041, 29.053 (2), 29.403 (1g), Stats., authorize this rule.

3. Explanation of Agency Authority:

The department is directed under s. 29.014 (1), Stats., to establish and maintain any bag limits and conditions governing the taking of fish that will conserve the fish supply and ensure the citizens of this state continued opportunities for good fishing.

Section 29.041, Stats., provides that the department may regulate fishing on and in all interstate boundary waters and outlying waters.

Section 29.053 (2), Stats., provides that the department may establish conditions governing the taking of fish for the state as a whole, for counties or parts of counties, or for waterbodies or parts of waterbodies.

4. Related Statutes or Rules:

No related statutes or rules apply.

5. Plain Language Analysis:

This rule evaluates statewide fish possession limits and improves consistency in interpretation of possession limits between the boundary waters between Wisconsin and neighboring states and the inland and outlying waters. The current rules are ambiguous as to whether boundary water possession limits and inland water possession limits can be reached simultaneously allowing anglers to possess fish in excess of each respective limit based on where the fish were harvested. The possession limits established for the inland waters do not account for the higher daily bag limits established for some species on the boundary waters, leading to uncertainty as to which possession limits apply when an angler fishes both inland and boundary waters. This rule adjusts the possession limits to apply to all inland, outlying and boundary waters to account for the varying daily bag limits across the state while continuing to protect fish populations.

Current rules are also unclear about whether boundary water possession limits apply to each waterbody or to the boundary waters overall. The current possession limit language in chs. NR 21 to 23 does not specify whether the possession limits apply to each boundary water in its entirety or to each subunit of a boundary water that is managed separately from other subunits (such as the different pools of the Mississippi River). This rule updates the description of possession limits so that it is clear that the possession limit for each specific species applies to all fish of that species harvested from all Wisconsin waterbodies collectively.

In addition, this rule simplifies regulations by eliminating the total daily bag limit and allowance for the possession limit to be twice the daily bag limit. The rule clarifies that each waterbody has a daily bag limit and each species has a possession limit, and there are no other variances of those respective restrictions to confuse anglers.

This rule affects recreational anglers and tournament anglers.

6. Summary of, and Comparison with, Existing or Proposed Federal Statutes and Regulations:

No federal regulations apply. States possess inherent authority to manage the fishery and wildlife resources within their boundaries, except insofar as preempted by federal treaties and laws, including regulations established in the Federal Register.

7. If Held, Summary of Comments Received During Preliminary Comment Period and at Public Hearing on the Statement of Scope:

A preliminary public hearing was held on this statement of scope on October 13, 2025. No members of the public attended and no written comments applicable to this scope statement were received.

8. Comparison with Similar Rules in Adjacent States:

Fisheries management rules are generally similar in the states surrounding Wisconsin. Each bordering state regulates fishing by the use of seasons, bag limits and size limits. Specific seasons and bag and size limits may differ for species among the surrounding states, but the general principles are the same. Michigan, Minnesota, Iowa, and Illinois all have statewide seasons and bag and size limits for fish species, along with special or experimental regulations on individual waters.

9. Summary of Factual Data and Analytical Methodologies Used and How Any Related Findings Support the Regulatory Approach Chosen:

Fishing regulations, such as length and bag limits or season dates, are used as a tool to ensure that good fishing exists in the future. The department has used different types of fishing regulations in order to: control angler impacts on fish populations; maintain numbers and sizes of fish in a lake or stream; provide different types of fishing experiences, such as fishing for dinner or for a trophy fish; and make access to fishing as fair as possible.

This rule includes changes to administrative code that support existing policies and fisheries management goals. The items in this rule have been compiled by fisheries staff across the state, as well as department law enforcement professionals. The regulations from bordering states have also been taken into consideration to be consistent whenever possible.

10. Analysis and Supporting Documents Used to Determine the Effect on Small Business or in Preparation of an Economic Impact Report:

The proposed rule is not expected to have any economic impact on recreational anglers. As with any change in regulations, there will be a requirement for anglers to learn the new rules. However, the majority of these rule changes clarify code to reflect existing policies for which anglers must already comply. The department works to notify the public of new regulations via press releases, the internet, and fishing regulations pamphlets.

The department will conduct an economic impact analysis and comment period to determine if any individuals, businesses, local governments, or other entities will be affected economically.

11. Effect on Small Business (initial regulatory flexibility analysis):

The department expects no economic impact directly related to these rule changes. The proposed rule does not impose any compliance or reporting requirements on small businesses nor are there any design or operational standards contained in the rule.

12. Agency Contact Person: Kari Lee-Zimmermann, 608-316-0080, Kari.LeeZimmermann@Wisconsin.gov

13. Place where comments are to be submitted and deadline for submission:

Comments may be submitted to the department contact person listed above or to DNRAdministrativeRulesComments@wisconsin.gov until the deadline given in the upcoming notice of public hearing. The notice of public hearing and deadline for submitting comments will be published in the Wisconsin Administrative Register and on the department's website, at https://dnr.wisconsin.gov/calendar/. Comments may also be submitted through the Wisconsin Administrative Rules Website at https://docs.legis.wisconsin.gov/code/chr/active

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RULE TEXT

SECTION 1. NR 20.03 (31) is amended to read:

NR 20.03 (31) "Possession limit" means the maximum number of fish total, from both inland and outlying waters of the state, that a person may possess at any location, and includes all fish stored or controlled by a person, regardless of the person's proximity to the location of storage. ~~The possession limit is twice the total daily bag limit specified in s. NR 20.18 except as provided in s. NR 20.19.~~

SECTION 2. NR 20.03 (39m) and 20.05 (15) are repealed.

SECTION 3. NR 20.16 (1) (b) 1. is amended to read:

NR 20.16 (1) (b) 1. The daily bag limit ~~and possession limit~~ for trout is 0.

SECTION 4. NR 20.18, as affected by DNR rule number FH-22-25 (SS 015-26), is repealed.

SECTION 5. NR 20.19 (1) (intro.) and table, as affected by DNR rule number FH-22-25 (SS 015-26), are amended to read:

NR 20.19 Possession limits. (1) POSSESSION LIMIT TABLE. Except as otherwise provided in this chapter, chs. NR 21, 22 and 23, the following possession limits are established.

Species	**Possession Limit**
Catfish	50 in total except that only 2 may be flathead
Cisco (lake herring), whitefish, and their hybrids	20 in total
Lake sturgeon	~~2~~3 in total
Largemouth and smallmouth bass	10 in total
Minnows	As specified in s. NR 20.14
Muskellunge	2 in total
Northern pike	10 in total
Panfish	~~50~~75 in total
Rock bass, white bass, yellow bass, white perch, bullheads, and rough fish	No limit
Ruffe and gobies	1 of each which has been killed and possessed only for immediate delivery to a department service center or regional office
Shovelnose sturgeon	6 in total
Trout and salmon	10 in total from inland waters except that only 4 may be lake trout, and ~~10~~13 in total from outlying waters ~~except that only 4 may be lake trout~~

Walleye, sauger, and their hybrids	10 in total

SECTION 6. NR 20.19 (2) (a) is repealed.

SECTION 7. NR 20.20 (intro.) is amended to read:

NR 20.20 County and statewide table. In this section, subs. (1) through (72) list waters or portions of waters by county and specify authorized methods, open seasons, daily bag limits and size restrictions for the taking of fish that are exceptions to the general rules specified in sub. (73). Daily bag limits identified in this section are individual water limits that apply to the waters or portions of waters specified and may be combined with other waters or portions of waters, but no person may exceed the ~~total daily bag limit in s. NR 20.18 unless authorized by s. NR 20.35 or for a specific water listed in s. NR 20.20, 21.04, 22.04 or 23.05 (5)~~possession limit for a species except as authorized under s. 29.055, Stats., or s. NR 20.19 (2). For the purposes of this section, "open water" means all water conditions that prevent a person from using ice as a platform for fishing.

SECTION 8. NR 20.36 (3) (a) is amended to read:

NR 20.36 (3) (a) Reduced daily bag limits calculated pursuant to this section are individual lake limits and may be combined, but no person may ~~exceed a total daily bag limit of 5 walleyes and no person may~~ possess or have under control more than the possession limit of 10 walleyes.

SECTION 9. NR 21.04 (16) is amended to read:

NR 21.04 (16) A person may not possess or have under control more than ~~2 times the daily bag~~the possession limit of fish as authorized by s. NR 20.19, or more than the possession limit of turtles when not on the waters or ice ~~during the open season for each species~~.

SECTION 10. NR 23.05 (4m) is created to read:

NR 23.05 (4m) As specified in s. NR 20.03 (31), fish taken in the Wisconsin-Michigan boundary waters are included in the possession limits established in s. NR 20.19 (1).

SECTION 11. NR 23.05 (5) (intro.) and table header are amended to read:

NR 23.05 (5) The seasons, size limits and bag ~~and possession~~ limits for hook and line fishing in the Wisconsin-Michigan boundary waters for the species listed in this subsection, except as provided in ss. NR 23.06 and 23.085, are as follows:

Kind of fish and locality	Open season (both dates inclusive)	~~Possession and daily~~Daily bag limit	Minimum length (in.)

SECTION 12. NR 23.055 (3) (a) is amended to read:

NR 23.055 (3) (a) Reduced daily bag limits calculated pursuant to this section are individual lake limits and may be combined, but no person may exceed ~~a total daily bag limit of 5~~the possession limit of 10 walleyes.

SECTION 13. EFFECTIVE DATE. This rule takes effect on April 1, 2027, following publication in the Wisconsin Administrative Register as provided in s. 227.22 (2) (intro.), Stats.

SECTION 14. BOARD ADOPTION. This rule was approved and adopted by the State of Wisconsin Natural Resources Board on [DATE].

Dated at Madison, Wisconsin _____

State of Wisconsin
Department of Natural Resources

BY_____
Steven Little, Deputy Secretary
For Karen Hyun, Ph.D., Secretary