

performance of such judicial duties *and full time judges shall only receive their actual expenses.*

SECTION 3. This act shall take effect upon passage and publication.

Approved May 2, 1933.

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No. 37, A.]

[Published May 3, 1933.

### CHAPTER 97.

AN ACT to create subsection (31) of section 60.29 and section 66.30 of the statutes, relating to powers of town boards.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

SECTION 1. A new subsection is added to section 60.29 and a new section is added to the statutes to read: (60.29) (31) TOWN BOARD MAY BRING ACTIONS. The town board of any town is authorized to institute an action to test the validity of an ordinance attaching or detaching its territory or a part thereof to or from any town, village or city, and any expense incurred by the town board, its agents, attorneys or representatives in such action or proceedings shall be paid by the town.

66.30 TOWN BOUNDARIES, ACTIONS TO TEST ALTERATION. In proceedings whereby territory is attached to or detached from any town, the town is an interested party, and the town board may institute, maintain or defend an action brought to test the validity of such proceedings, and may be interpleaded in any such action.

SECTION 2. This act shall take effect upon passage and publication.

Approved May 2, 1933.

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No. 233, A.]

[Published May 3, 1933.

### CHAPTER 98.

AN ACT to repeal section 29.207, subsections (2d) and (2e) of section 29.28 of the statutes as created by chapter 10, laws of 1933, and paragraphs (ab), (ee), (mm), (n), (oa), (pp), (qa), and (v) of subsection (1) of section 29.28; to repeal and recreate subsection (2) of section 29.28; to amend section 29.191; the introductory paragraph and paragraphs (am), (e),

(k), (l), (o), (u), and (ua) of subsection (1), and subsection (4) of section 29.28; and to create paragraphs (ar), (kl), (mo), (of), and (pq) of subsection (1), and subsections (2e), (2f) and (2g) of section 29.28 of the statutes, relating to ice fishing in several waters in the state.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

SECTION 1. Section 29.207, subsections (2d) and (2e) of section 29.28 of the statutes as created by chapter 10, laws of 1933, and paragraphs (ab), (ee), (mm), (n), (oa), (pp), (qa) and (v) of subsection (1) of section 29.28 of the statutes are repealed.

SECTION 2. Subsection (2) of section 29.28 is repealed and recreated to be numbered and to read: (29.28) (2) There shall be no close season to catch or kill fish, or fish for fish of any variety through the ice on the following named waters, during the open season for said waters; except as otherwise provided:

- (a) Calumet county: All waters.
- (b) Crawford county: All waters.
- (c) Dane county: All waters except Lake Kegonsa.
- (cc) Door county: All inland waters except Clark and Kanguroo lakes.
- (d) Douglas county: Allouez bay, St. Louis bay and river, Superior bay.
- (e) Dunn county: All waters.
- (f) Eau Claire county: Half Moon lake and Beef slough.
- (g) Florence county: All waters; provided, however, that the bag limit shall be five each day for each variety of fish.
- (h) Fond du Lac county: All waters.
- (j) Green Lake county: All waters; provided, however, that the bag limit for pickerel shall be five each day.
- (k) Jefferson county: Lake Koshkonong.
- (l) Juneau county: Lemonweir river.
- (m) La Crosse county: Black river.
- (n) Marathon county: Lake Wausau and Eau Claire river.
- (o) Marquette county: Buffalo lake, Puckaway lake and Montello mill pond; provided, however, that the bag limit for pickerel shall be five each day.
- (p) Oneida county: All waters except Pelican lake; provided, however, that the bag limit shall be five each day for each variety of fish.

(q) Outagamie county: All waters.

(r) Pierce county: Lake St. Croix.

(s) Polk county: All waters.

(t) Portage county: All waters.

(u) Racine county: All waters.

(v) Rock county: Lake Koshkonong.

(vc) St. Croix county: Lake St. Croix and St. Croix river.

(ve) Trempealeau county: All waters; provided, however, in Lake Marinuka no person shall use more than one line or pole or more than one hook.

(vg) Walworth county: Mill pond in the city of Delavan, Delavan lake, Geneva lake and Turtle lake; provided, however, the bag limit for cisco shall be forty each day, but the daily catch shall not exceed twelve pounds.

(vl) Waukesha county: Little Muskego lakes at all times. Beaver lake, Keesus lake, Nagawicka lake, North lake, Oconomowoc lake, Okauchee lake, Upper and Lower Nashotah lakes, Upper and Lower Nemahbin lakes and Pine lake, for ciscos only, providing however, that a hook not larger than number four be used and the bag limit for cisco in these lakes shall be twenty-five per day.

(w) Waupaca county: All waters except Chain O' Lakes in the towns of Dayton and Farmington.

(we) Waushara county: All waters; provided, however, that the bag limit for pickerel shall be five each day.

(wg) Winnebago county: All waters.

(wl) In the waters of the Mississippi river the lakes, bays, bayous and sloughs thereof; the Chippewa river from the southern limits of Jim Falls, to the mouth of said river, including the sloughs and bayous thereof.

SECTION 3. Section 29.191, the introductory paragraph and paragraphs (am), (e), (k), (l), (o), (u) and (ua) of subsection (1), and subsection (4) of section 29.28 of the statutes are amended to read: (29.191) There shall be no close season for hook and line fishing, except for large and small-mouthed bass, sturgeon and trout, in any of the following described waters: In the waters of the Mississippi river, the bays and bayous connected therewith and in the waters of La Fayette and Iowa counties; in the waters of Lake Winnebago in Fond du Lac, Calumet and Winnebago counties; in Buffalo lake, Marquette county; in Puckaway lake in Marquette and Green Lake counties; in Lake Poygan

in Winnebago and Waushara counties; in Lakes Winneconne, Big and Little Butte des Morts in Winnebago county; in the Fox river in Marquette, Green Lake, Waushara, \* \* \* Winnebago \* \* \* and \* \* \* Columbia \* \* \* counties except where it flows through Park lake (in which the general laws shall be applicable); in the Wolf river in Winnebago, \* \* \* Outagamie \* \* \* and Waupaca counties; in the Rock and Crawfish rivers and in Lake Ripley and Lake Koshkonnong in Rock, Jefferson and Dodge counties. \* \* \* There shall be no close season for hook and line fishing in Park lake in Columbia county and in Lake Wisconsin in Columbia and Sauk counties for perch, bluegills, sunfish, crappies and bullheads. There shall be no close season for fishing through the ice with hook and line for fish of any variety in the waters of the Mississippi river, and the lakes, bays, bayous and sloughs \* \* \* thereof, or in the waters of Allouez bay, Superior bay, St. Louis bay and St. Louis river connected with Lake Superior; the quantity and minimum length of fish so taken shall be as prescribed in section 29.19, and such fish shall not be sold \* \* \*. In the Lemonweir river in Juneau county the open season for pickerel, bullheads and sunfish shall begin on April fifteenth.

29.28 (1) No person shall take, catch or kill fish, or fish for fish of any variety through the ice on the following named waters, *except as otherwise provided*:

- (am) Bayfield county: \* \* \* *All waters.*
- (e) Forest county: \* \* \* *All waters.*
- (k) Marquette county: All waters, \* \* \* *except Buffalo lake, Puckaway lake and Montello Mill pond.*
- (l) Oneida county: \* \* \* *Post lake in Langlade and Oneida counties; \* \* \* all waters.*
- (o) Portage county: \* \* \* *All waters except Wisconsin river.*
- (u) Waukesha county: *Brown's lake in section thirty of township five north, range eighteen east; Eagle lake; \* \* \* Phantom and Howett's lakes.*
- (ua) Waupaca county: \* \* \* *Chain O' Lakes in the towns of Dayton and Farmington.*

(29.28) (4) Any person may fish through the ice from January first to the succeeding first day of March in all waters of Lincoln county except trout streams, for perch, suckers, red horse, bullheads and sunfish \* \* \* .

SECTION 4. Five new paragraphs are added to subsection (1) of section 29.28 and three new subsections are added to said section 29.28 of the statutes to read: (29.28) (1)

(ar) Chippewa county: All waters.

(kl) Oconto county: All lakes.

(mo) Price county: All waters.

(of) Rusk county: All waters.

(pq) Shawano county: All lakes.

(2e) No person shall take, catch, or kill fish, or fish for fish of any variety through the ice of any of the inland waters other than those described in subsections (2), (2f) and (2g), from January one to the succeeding April thirtieth.

(2f) If the conservation commission after hearing and investigation shall find that an emergency exists, it may permit ice fishing in such manner and during such period as it shall designate in the following waters:

(a) Bayfield county: All waters.

(d) Chippewa county: All waters.

(f) Dane county: Lake Kegonsa.

(g) Oconto county: All lakes.

(h) Portage county: All waters.

(j) Price county: All waters.

(l) Rusk county: All waters.

(p) Sawyer county: All waters.

(r) Shawano county: All lakes.

(2g) If the conservation commission after hearing and investigation shall find that an emergency exists, it may prohibit ice fishing in such manner and during such period as it shall designate in the following named waters:

(c) Florence county: All waters.

(j) Oneida county: All waters.

(t) Portage county: All waters.

(l) Polk county: All waters.

(o) Waupaca county: All waters.

SECTION 5. This act shall take effect upon passage and publication.

Approved May 2, 1933.