

No. 157, S., Corrected Copy.]

[Published June 30, 1949.  
[Republished July 22, 1949.**CHAPTER 394.**

AN ACT to renumber 29.33 (20) to be 29.63 (1) (h) and to amend 29.33 (1), (2) and (3) and 29.63 (1) (h) as renumbered, of the statutes, relating to net and set hook fishing in outlying waters, and providing a penalty.

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

SECTION 1. 29.33 (1), (2) and (3) of the statutes are amended to read:

29.33 (1) No person *on his own behalf or as agent for another* shall use, set, place or operate in the waters of this state any net, nets \* \* \* or set hooks for which a license is required until \* \* \* a license has been duly issued to him, which \* \* \* authorizes the use of \* \* \* the kinds and amounts of nets or set hooks named in this section, as limited therein, for \* \* \* fishing in \* \* \* outlying waters. Such license shall be issued, subject to the provisions of section 29.09, by the \* \* \* commission to any duly qualified \* \* \* applicant.

(2) In addition to the facts required by section 29.09, each application for such license, and the license issued therefrom, shall state the name or number and kind of vessel, whether with or without a power lifter, \* \* \* the quantity \* \* \* and number and kinds of nets or set hooks to be covered by the license applied for, *and such other facts as the commission requires* and the gross tonnage of each boat as required under subsection (3) of this section.

(3) (a) Each such license shall be effective \* \* \* from the first day of July until the thirtieth day of June of the succeeding year. \* \* \* The fee for each resident license issued \* \* \* shall be \$10 and in addition thereto the following fees shall be paid: \$1 for each \* \* \* 2,000 lineal feet or fraction thereof of a gill net or nets, or set hooks; \* \* \* \$5 for each seine; \* \* \* \$2 for each pound net *pot* and leader; \* \* \* 50 cents for each fyke net *pot* or drop net \* \* \* *pot* \* \* \*.

(b) The nonresident license fee for gill nets or set hooks operated in conjunction with or \* \* \* from any boat \* \* \* of less than 10 tons gross tonnage shall be \$100 and in addition thereto \$1.50 for each 1,000 lineal feet or fraction thereof of gill nets or set hooks; for each \* \* \* boat \* \* \* of 10 or more tons gross tonnage, \$15 for each gross ton or fraction thereof; and in addition thereto \$1.50 for each 1,000 lineal feet or fraction thereof of gill nets or set hooks. \* \* \* For set hooks or gill nets set under the ice by nonresidents without the use of a boat \* \* \*, the fee shall be \$25 for each 2,000 lineal feet or fraction thereof. No nonresident licenses shall be issued for any nets other than \* \* \* gill nets or set hooks as specified in this section.

(c) For the purpose of this section, a nonresident \* \* \* means any person who has not actually resided within \* \* \* this state \* \* \* 2 years immediately prior to the date of application for a license, or, any person applying for a license for the use of a registered boat \* \* \* whose port of record \* \* \* is outside this state or which hails from a port outside this state.

(d) The \* \* \* commission may, upon application \* \* \*, permit the transfer of a license to any similar boat, tug or launch during \* \* \* the time \* \* \* a licensed boat, tug or launch shall be disabled \* \* \* or undergoing repairs or upon the sale of the licensed boat, tug or launch.

(e) Any registered boat used by a resident licensee shall be from a port of record in this state and its hauling port shall be from a port in this state.

SECTION 2. 29.33 (20) of the statutes is renumbered to be 29.63 (1) (h) and is amended to read:

29.63 (1) (h) Any violation of \* \* \* section 29.33 or of any commission order regulating commercial fishing in outlying waters shall be punished by a fine of not less

than \$75 nor more than \$500 or by imprisonment \* \* \* for not less than 3 months  
nor more than 9 months, or by both such fine and imprisonment.

Approved July 18, 1949.

---