

No. 290, A.]

[Published June 21, 1961.

## CHAPTER 148

AN ACT to create 30.03 (4) of the statutes, relating to a remedy against infringement of public rights in navigable waters.

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

30.03 (4) of the statutes is created to read:

30.03 (4) (a) Whenever there comes to the attention of the commission a possible violation of the statutes relating to navigable waters, or a possible infringement of the public rights therein, and it appears to the commission that the public interest may not be adequately served by imposition of penalty or forfeiture, the commission may proceed as follows, either in lieu of or in addition to such other relief as may be provided by law. The commission may, upon at least 10 days notice, conduct a hearing respecting such violation or infringement, pursuant to ch. 227 and issue an order directing the parties responsible therefor to perform or refrain from performing such acts as may be necessary to fully protect and effectuate the interests of the public in the navigable waters. If any person fails or neglects to obey such an order while the same is in effect, the commission may request the attorney general to institute proceedings for the enforcement of the commission's order and it is the duty of the attorney general to conduct such proceedings in the name of the state. Such proceedings shall be brought in the manner and with the effect of proceedings under s. 111.07 (7).

(b) No penalty shall be imposed for violation of an order of the commission under this subsection, but violation of a judgment enforcing the order may be punished in civil contempt proceedings.

Approved June 16, 1961.

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