

1971 Assembly Bill 673

Date published:
April 26, 1972

CHAPTER 266, Laws of 1971

AN ACT to repeal 29.53 and 29.62 (2); and to amend 29.01 (3) (a), 29.30 (1) and (2) (e) and (h), 29.343 (1) and 29.47 (6) of the statutes, relating to definition of certain fish, use of nets for commercial fishing and eliminating licensing of certain hatcheries.

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

SECTION 1. 29.01 (3) (a) of the statutes is amended to read:

29.01 (3) (a) "Game" includes all varieties of wild mammals or birds; "game fish" includes all varieties of fish except rough fish and minnows; "rough fish" includes ~~chubs in inland waters only, dace, suckers, carp, goldfish, redhorse, sheepshead, lawyers or eelpout, dogfish~~ freshwater drum, burbot, bowfin, garfish, buffalo fish, and turtles lamprey, alewife, gizzard shad, smelt, goldeye, mooneye, carpsucker and quill back, in all waters and chub in inland waters only; "minnows" includes ~~brook chubs, shiners, suckers, dace, stone rollers, mud minnows, redhorse, bluntnose, fathead, and other small fish which have only one dorsal fin and are commonly used for bait madtom, stonecat, killifish, stickleback, trout-perch, darters, sculpin and all minnow family cyprinids except goldfish and carp.~~

SECTION 2. 29.30 (1) and (2) (e) and (h) of the statutes are amended to read:

29.30 (1) Nets and set lines may be used for the purpose of taking, catching, or killing ~~rough fish and game~~ fish, subject to the conditions, limitations and restrictions prescribed in this chapter; but no person shall set, place or use in any waters of this state any net, trap, snare, set hook, or set line, which is intended to or might take, catch or kill fish of any variety, other than a landing net, dip net, minnow seine or minnow dip net, unless a license therefor has been duly issued to such person.

(2) (e) The licensees of licensed nets or set lines used in outlying waters while engaged in the regular process of lifting nets or set lines shall, on their boats, carry the ~~department, or its wardens, department's agents~~ to and from their nets or set lines when set and, on demand of such officer the agent, shall raise the same for his inspection; and any such ~~officer agent~~ may, in the presence or absence of the licensees, at any time, raise any set line or nets, in any waters, with as little damage as may be, for inspection. If any such licensee shall refuse to carry any ~~such officer agent~~ as herein provided his license shall be revoked and canceled.

(h) All ~~carp, garfish, goldfish, dogfish, smelt, lamprey, eels, lawyers, or eelpout~~ rough fish taken in nets or on set lines in ~~inland waters~~ shall be brought to shore and buried, sold or

otherwise lawfully disposed of, but no rough fish shall be returned to any ~~inland~~ waters.

SECTION 3. 29.343 (1) of the statutes is amended to read:

29.343 (1) Licenses which shall authorize the use of slat nets in the Mississippi river over which this state has jurisdiction between the Minnesota-Iowa boundary line extended and the Wisconsin-Illinois boundary line extended shall be granted for the taking of commercial fish from ~~May 1 to October 1 of each year.~~ Each license issued under this section expires on April 15 following the date of issue. The license fee shall be \$20 and each licensee or crew may operate not to exceed 50 nets, but each net before use must have attached thereto a metal tag stamped to designate the kind of net and the number of the license. Tags shall be furnished to the licensee at the time of the issuing of the license on the payment of a fee of 50 cents for each tag. Tags must remain attached to the nets until replaced by renewal tags. No slat net shall be set within 100 feet of any muskrat or beaver house. Any slat net found in such waters ~~after October 1 during the closed season~~ and any slat net found ~~in such waters or~~ on the Wisconsin banks or shores thereof without a tag and showing evidence of being used in the last 5 months shall be seized and ~~confiscated as provided in~~ held subject to the order of the court or judge under s. 29.05.

SECTION 4. 29.47 (6) of the statutes is amended to read:

29.47 (6) ~~Live minnows of the following varieties~~ No live rough fish except goldfish, dace and suckers shall not be transported into or within the state at any time ~~carp, dogfish, garfish, lawyers or eelpout, lamprey eels and smelt without a permit from the department except any person holding a state contract to remove rough fish pursuant to s. 29.62 may transport rough fish taken by him under the authority of such contract.~~

SECTION 5. 29.53 of the statutes is repealed.

SECTION 6. 29.62 (2) of the statutes is repealed.
