

CHAPTER 84

AN ACT to repeal and recreate 29.33 of the statutes, relating to licenses for net and set hook fishing in outlying waters.

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

29.33 of the statutes is repealed and recreated to read:

29.33 NET AND SET HOOK FISHING IN OUTLYING WATERS.

(1) LICENSE AUTHORIZED. Any person desiring to conduct commercial fishing operations on any of the outlying waters shall first obtain a commercial fishing license. The application for such license shall be made to the conservation commission on a blank provided for that purpose, accompanied by the fee specified in sub. (2). Such application shall state the name and residence of the applicant, the manner in which he proposes to fish, the name or number, over-all length, gross tonnage, and value of his boat, the name of the port from which the boat will operate, and the number and kind of nets and hooks or other gear he intends to use, the value of his real estate used in connection with commercial fishing and such other information as may be required for statistical purposes. "Over-all length" means the minimum distance between the extreme outside end of the bow and the stern using the nearest whole number of feet. The license fee shall be based on the over-all length of the boat if a boat is used. Such license shall be issued, in accordance with s. 29.09 to any duly qualified applicant.

(2) FEES. (a) *Resident.* The fees for commercial fishing licenses for residents of this state shall be:

1. For fishing with set hook lines or nets, with or without a boat not exceeding 16 feet in over-all length, \$16 per year. Any person using more than a single crew consisting of not to exceed 4 men in fishing nets or hooks under the ice shall secure a license for each such crew. The conservation director, upon proper application therefor, shall issue with each license to fish with nets or set hook lines under the ice 4 identification cards bearing the number of the license and the year for which issued. Each member of a single crew engaged in the setting, lifting or pulling of nets, set hook lines or other devices set under the ice under authority of said license shall carry such card on his person while so engaged and upon demand of any conservation officer shall exhibit such card. Minnow seines and dip nets used for taking smelt and minnows are exempt from this subdivision.

2. For each boat used in catching, killing, taking or transporting fish caught with nets or set hook lines, \$1 per foot over-all length and \$1 per ton additional for each ton over 10 gross tons. No license is required for a scow used only in transporting nets. Each license for a boat propelled by sail, steam, gas or other mechanical power shall entitle the licensee to operate a rowboat not exceeding 16 feet in over-all length without additional license. Each such rowboat shall bear the same identification as the boat for which the license is issued and shall be used only while attending said boat. No resident shall pay less than \$16 or more than \$75 per year on any boat.

(b) *Nonresident.* The following fees shall be required from non-residents:

1. Boats 16 feet or less, \$48; boats over 16 feet and up to and including 10 tons gross tonnage, \$3 per foot (over-all length); boats more than 10 tons gross tonnage, \$3 per foot (over-all length) and \$3 per ton in

addition for each ton over 10 gross tons. No license is required for a scow used only in transporting nets. No nonresident person shall pay less than \$48 or more than \$225 per year on any boat.

2. Fishing without a boat or gear set under the ice, \$200.

(c) *Nonresident defined.* For the purpose of this section, the term nonresident shall include any individual who is not a resident under s. 29.01 (8), any individual applying for a license for use of nets on a boat registered or of record at a port outside of the state, or any partnership, association or corporation any of whose stock, boats, nets and fishing equipment has been owned by a nonresident at any time during the 2 years immediately prior to the application for a license.

(d) *Transfer of license.* The commission may upon application permit the transfer of a license to any similar boat during the time a licensed boat is disabled or undergoing repairs or upon the sale of a licensed boat. The fee for transfer of such license is \$5.

(e) *Effective date of licenses.* Each such license shall be effective from July 1 until June 30 of the succeeding year.

(f) *Registered boats.* Any registered boat used by a resident licensee shall be from a port of record in this state and its hailing port shall be a port in this state.

(3) MEANING OF BOAT. In this section the term "boat" includes all types of water craft.

(4) EFFECTIVE DATE CONDITIONED UPON MICHIGAN ACT. This act shall not go into effect unless the state of Michigan enacts substantially similar legislation, providing the same license fees as this act. If the state of Michigan enacts such legislation the conservation director shall certify that fact to the secretary of state, and this act shall take effect on the day after such certification. The revisor of statutes is authorized to insert such effective date in future editions of the statutes.

Approved May 6, 1955.
