

No. 629, A.]

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CHAPTER 561

AN ACT to repeal 29.49 (3); and to amend 29.05 (1), (2) and (7), 29.01 (1), 29.288 and 29.63 (1) (e) of the statutes, relating to the penalties for various game violations.

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

SECTION 1. 29.05 (1), (2) and (7) of the statutes are amended to read:

29.05 (1) The state conservation commission and its deputies are hereby authorized to execute and serve all warrants and processes issued under any law relating to wild animals and ss. 29.221, 346.19, 346.94 (6) and (6m), 940.24, 941.20, 941.22 and 947.03 in the same manner as any constable may serve and execute such process; and to arrest, with or without a warrant, any person detected in the actual violation, or whom such officer has reasonable cause to believe guilty of the violation of any of the provisions of this chapter and ss. 346.19, 346.94 (6) and (6m), 940.24, 941.20, 941.22 and 947.03, and to take such person before any court in the county where the offense was committed and make proper complaint.

(2) Such officers shall, upon receiving notice or information that any provision of this chapter or of ss. 346.19, 346.94 (6) and (6m), 940.24, 941.20 * * *, 941.22 and 947.03 has been violated, as soon as possible make a thorough investigation thereof, and cause proceedings to be instituted if the proofs at hand warrant it.

(7) They shall seize and hold subject to the order of the court or judge located in the county in which the alleged offense was committed, any apparatus, appliance, or any vehicle or device, declared by * * * this chapter to be a public nuisance, or which they * * * have reason to believe is being used in violation of this chapter or ss. 346.94 (6) and (6m), 940.24 * * *, 941.20 and 941.22, and if it * * * is proven that the same is, or has been within 6 months previous to such seizure, used in violation of this chapter or ss. 346.94 (6) and (6m), 940.24 * * *, 941.20 and 941.22, the same shall be confiscated if the court * * * so directs in its order for judgment. Any seizure of perishable property made by the conservation commission or its wardens may be sold at the highest available price, and the proceeds of such sale turned into court to await disposition of such proceeds as the court * * * directs. It is lawful for any conservation warden or other ministerial officers charged with the enforcement of the laws dealing with the conservation of the natural resources of the state, to destroy any dog found running, worrying, or killing any deer, or destroying game birds, their eggs or nests, wherein they deem it advisable and necessary.

SECTION 2. 29.09 (1) of the statutes is amended to read:

29.09 (1) Except as expressly provided, no person shall: (a) hunt any wild animal, or (b) trap any game, or (c) take, catch or kill fish or fish for fish in inland water of this state unless a license therefor has been duly issued to him which shall be exhibited to the conservation commission or its deputies on demand. Such licenses shall be issued to and obtained by only natural persons lawfully entitled thereto, and in case of resident hunting, trapping or fishing licenses, shall be issued only to persons who * * * present to the county clerk or issuing agent definite proof of his identity, and that he is a legal resident of this state.

No more than one of the same series shall be issued to the same person in any year. No person shall transfer his license or * * * tag * * * or permit the use thereof by any other * * * persons, nor shall any person while hunting, trapping or fishing use or carry any license, tag or badge, issued to another. No hunting, *fishing* or trapping license, or * * * tag shall be obtained by any person for another. No hunting license shall be issued to any person under the age of 12 years. Any person between the ages of 12 and 16 years may hunt only when accompanied by a parent or guardian, or by a person over 21 years of age designated by the parent or guardian. Indians hunting, fishing or trapping off Indian reservation lands are subject to *all provisions of this chapter.*

SECTION 3. 29.288 of the statutes is amended to read:

29.288 Whoever deposits, places or throws into any waters within the jurisdiction of the state, or leaves upon the ice thereof, any cans, bottles, debris, refuse or other solid waste material, shall be fined not more than \$100 or imprisoned not more than 30 days, or both. * * *

SECTION 4. 29.49 (3) of the statutes is repealed.

SECTION 5. 29.63 (1) (e) of the statutes is amended to read:

29.63 (1) (e) For the violation of any provision of the statutes or any conservation commission order relating to the hunting or shooting of deer with the aid of artificial light or with the aid of an airplane and the illegal snaring of deer, or for violation of * * * ss. 29.13 (5), *29.48 and 29.49*, by a fine not less than \$100 nor more than \$200, and shall be imprisoned not less than 10 days nor more than 6 months.

Approved October 23, 1959.
