

by resolution of its board of directors fix and \* \* \* *determine the interest rate to be charged on loans, subject to written approval of the commission.*

Approved April 23, 1947.

No. 75, S.]

[Published April 25, 1947.

### CHAPTER 59.

AN ACT to amend 61.33 and 348.28 of the statutes, relating to contracts between the state, counties or municipalities and their officers and providing a penalty.

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

SECTION 1. 61.33 of the statutes is amended to read:

61.33 No trustees shall be in any manner, directly or indirectly interested in any contract with or work or labor done for or material furnished to the village or to any one on its behalf. In case of a violation of this section such trustees or officer shall forfeit not less than \* \* \* \$50 nor more than \* \* \* \$500. But the provisions of this section shall not apply to the designation of public depositories for public funds, nor to the publication of legal notices required to be published by any village, or by any village officer, at a rate not higher than that prescribed by law, nor to the contract for the sale of printed matter or any other commodity, not exceeding \* \* \* \$300 in any one year.

SECTION 2. 348.28 of the statutes is amended to read:

348.28 (1) Any officer, agent or clerk of the state or of any county, town, school district, school board or city therein, or in the employment thereof, or any member of any town board or village board, or any officer, regent, treasurer, secretary, superintendent, clerk or agent of any penal, correctional, educational or charitable institution instituted by or in pursuance of law within this state, or any member of any body or board having charge or supervision of such institution who shall have, reserve or acquire any pecuniary interest, directly or indirectly, present or prospective, absolute or conditional, in any way or manner, in any purchase or sale of any personal or real property or thing in action, or in any contract, pro-

posal or bid in relation to the same, or in relation to any public service, or in any tax sale, tax title, bill of sale, deed, mortgage, certificate, account, order, warrant or receipt made by, to or with him in his official capacity or employment, or in any public or official service, or who shall make any contract or pledge, or contract any indebtedness or liability, or do any other act in his official capacity, or in any public or official service not authorized or required by law, or who shall make any false statement, certificate, report, return or entry in any book of accounts or of records in respect to anything done or required to be done by him officially, or in any public or official service, or who shall ask, demand or exact for the performance of any service or duty imposed upon him by law any greater fee than is allowed by law for the performance of such service or duty, shall be \* \* \* *imprisoned* in the county jail not more than one year, or in the state prison not more than 5 years, or \* \* \* *fined* not exceeding \$500 \* \* \*.

(2) The provisions of this section shall not apply to the designation of public depositories for public funds nor to temporary loans made to any county, town, school district, school board, city or village pursuant to section 67.12, nor to the publication of legal notices required to be published by any town, city, village, school district, school board or county, or by any town, city, village, school district, school board or county officer, at a rate not higher than that prescribed by law, nor to *any* contract \* \* \*, not exceeding \* \* \* \$300 in any one year \* \* \*, nor to any notes, orders, warrants or other instruments representing an interest in, or secured by, any fund consisting in whole or part of taxes in the process of collection, tax sale certificates or tax titles, when such notes, orders, warrants or other instruments shall have been issued in payment of salary or other obligations due to such officer, agent or employe.

(3) Any contract, to which the state or any county, city, village, town, school board or school district is a party, entered into in violation of the provisions of this section, shall be absolutely null and void and the state, county, city, village, town, school board or school district shall incur no liability whatever thereon.

(4) The term "temporary loan" as used in this section

means and includes any loan which matures not more than one year from the date of such loan.

Approved April 23, 1947.

No. 87, S.]

[Published April 25, 1947.]

### CHAPTER 60.

AN ACT to repeal and recreate 29.38 of the statutes, relating to mussel and clam fishing licenses and providing a penalty.

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

29.38 of the statutes is repealed and recreated to read:

29.38 CLAMS AND MUSSELS; LICENSE REQUIRED. (1) No person shall take, catch or kill any mussel or clam during the close season therefor as established by the conservation commission.

(2) Licenses which shall authorize the taking, catching and killing of mussels and clams in such manner as may be determined by the conservation commission shall be issued by the conservation commission to any resident of the state duly applying therefor.

(3) The fee for each such license shall be \$5. All such licenses shall expire on December 31, following the date of issue and shall be exhibited to any conservation warden upon his request.

(4) Written reports shall be made to the conservation commission on blanks prepared by it on or before December 31, by each person to whom a license to take mussels has been issued, stating the total weight of mussels taken under authority of such license, the names and locations of the waters from which such mussels were taken, the total amount received for the mussels sold and such other information as may be required by the conservation commission.

(5) No person shall take or have in his possession, without a license, more than 25 mussels or clams at any one time during the open season therefor as established by the conservation commission.

Approved April 23, 1947.