

2007 DRAFTING REQUEST

Senate Substitute Amendment (SSA-SB454)

Received: **02/25/2008**

Received By: **agary**

Wanted: **02/27/2008**

Identical to LRB:

For: **Roger Breske (608) 266-2509**

By/Representing: **Beth Piliouras**

This file may be shown to any legislator: **NO**

Drafter: **mglass**

May Contact:

Addl. Drafters: **agary**

Subject: **Nat. Res. - miscellaneous
Nat. Res. - nav. waters
Transportation - traffic laws**

Extra Copies:

Submit via email: **YES**

Requester's email: **Sen.Breske@legis.wisconsin.gov**

Carbon copy (CC:) to: **mary.glass@legis.wisconsin.gov
aaron.gary@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

Topic:

Transportation of aquatic plants on highways

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?							
/1	mglass 02/25/2008	wjackson 02/25/2008	pgreensl 02/26/2008	_____	mbarman 02/26/2008	mbarman 02/26/2008	
/2	agary 02/26/2008	wjackson 02/26/2008	pgreensl 02/26/2008	_____	cduerst 02/26/2008	cduerst 02/26/2008	

FE Sent For:

<END>

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/1	mglass 02/25/2008	wjackson 02/25/2008	pgreensl 02/26/2008		mbarman 02/26/2008	mbarman 02/26/2008	

FE Sent For:

12 WLj 2/26

Handwritten initials and signature

<END>

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/?	mglass	1 WLJ 2/25	2/26 pg	2/26 pg			

FE Sent For:

<END>

2/25

Bath - SB454 - OS83
6-2509

watercraft → boats & jet skis
in addition to the trailer

~~spot at Bath~~

sub

motor vehicles &
recreational trailers →
(not transport
snider trailer)

exec on wed 9:00 AM

invasive species → aquatic plants

p. 3, line 8 & 9 → take out

expand so wardens can also enforce it

staff officer : "law enforcement officer" → ?
p. 3, line 10 → "peace officer" → ? (suggested)



State of Wisconsin
2007 - 2008 LEGISLATURE

LRBs0305/7
MGG/ARG:.....

Tues
10 AM

WLj

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~
**SENATE SUBSTITUTE AMENDMENT ,
TO 2007 SENATE BILL 454**

1 **AN ACT** ^{Gen Cat} ~~relating to:~~ ^{operation} the transportation on highways of motor vehicles and
2 recreational trailers with aquatic plants attached and providing a penalty.

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

3 **SECTION 1.** 346.94 (6) of the statutes is created to read:

4 **346.94 (6) OPERATION OF VEHICLES; AQUATIC PLANTS.** (a) In this subsection:

- 5 1. "Law enforcement officer" has the meaning given in s. 23.33 (1) (ig). ✓
- 6 2. "Personal watercraft" has the meaning given in s. 30.50 (9d). ✓
- 7 3. "Recreational trailer" means a trailer designed for carrying a boat or
- 8 personal watercraft.

9 (b) No person may operate a motor vehicle or a recreational trailer on a highway
10 if the person has reason to believe that any aquatic plants are attached to any of the
11 following:

SENATE BILL 454

or recreational trailer

1. The transportation of the invasive species has been authorized by the department of natural resources, the department of agriculture, trade and consumer protection, or the University of Wisconsin-Extension.

2. The transportation has been authorized under a permit issued pursuant to s. 23.22, 23.24, or 29.614.

3. The invasive species is being transported as part of a traveling circus or to or from the Circus Museum in Baraboo.

4. The invasive species is being transported in a cage, aquarium, or other container.

(d) Any traffic officer having reason to believe that a violation of par. (b) or (c) has been committed may, with respect to any invasive species attached to the vehicle in violation of par. (b) or transported in violation of par. (c), do any of the following:

1. Require the operator of the vehicle to remove and appropriately dispose of the invasive species: aquatic plants

2. Prohibit the operator of the vehicle from proceeding until the invasive species has been removed and appropriately disposed of, or require the operator of the vehicle to proceed directly to a facility identified by the officer for the purpose of removing and appropriately disposing of the invasive species.

(e) No person may fail or refuse to comply with any requirement or directive of an officer under par. (d).

SECTION 5. 346.95 (4m) of the statutes is created to read:

346.95 (4m) Any person violating s. 346.94 (6) (b), (c), or (e) shall be fined not less than \$50 nor more than \$250.

There is no penalty for a violation of par. (b) and the general penalty provision under s. 939.061 does not apply to a violation of par. (b).

(END)

s. 346.94 (6)

motor

motor

a law enforcement

law enforcement

not

Gary, Aaron

From: Gary, Aaron
Sent: Tuesday, February 26, 2008 9:30 AM
To: Piliouras, Elizabeth
Cc: Gibson-Glass, Mary
Subject: RE: LRB 07s0305 Topic: Transportation of aquatic plants on highways

Beth, See response below.

Aaron R. Gary
Legislative Attorney
Legislative Reference Bureau
608.261.6926 (voice)
608.264.6948 (fax)
aaron.gary@legis.state.wi.us

From: Piliouras, Elizabeth
Sent: Tuesday, February 26, 2008 9:27 AM
To: Gary, Aaron
Subject: RE: LRB 07s0305 Topic: Transportation of aquatic plants on highways

It's on its way. I do have another change, now that you mention it.

Pg. 2; lines 11-13: "~~of , or require the operator of the motor vehicle... and appropriately disposing of the aquatic plants.~~"

I'm having a hard time imagining where the officer could send them. I think Roger may have to follow up with DNR and DOT to figure out what the appropriate disposal is (a baggie?).

I have a question. How well does the amendment avoid incorporating construction trucks and trailers?

My guess is that the trucks will still be subject to it, but the trailers will not. [ARG: You're right.]

?

*Thanks again!
Beth*

From: Gary, Aaron
Sent: Tuesday, February 26, 2008 9:13 AM
To: Piliouras, Elizabeth; Gibson-Glass, Mary
Subject: RE: LRB 07s0305 Topic: Transportation of aquatic plants on highways

Beth,
Can you send the stripes back and I'll get the redraft back out to you? Will there be any other changes? Thanks.

Aaron

Aaron R. Gary
Legislative Attorney
Legislative Reference Bureau
608.261.6926 (voice)
608.264.6948 (fax)
aaron.gary@legis.state.wi.us

From: Piliouras, Elizabeth
Sent: Tuesday, February 26, 2008 9:12 AM
To: Gary, Aaron; Gibson-Glass, Mary
Subject: FW: LRB 07s0305 Topic: Transportation of aquatic plants on highways

Pg 1; line 11. Please remove "reason to believe".

*Thanks!
Beth*

From: Sen.Breske
Sent: Tuesday, February 26, 2008 8:58 AM
To: Piliouras, Elizabeth
Subject: FW: LRB 07s0305 Topic: Transportation of aquatic plants on highways

From: Barman, Mike
Sent: Tuesday, February 26, 2008 8:57 AM
To: Sen.Breske
Subject: LRB 07s0305 Topic: Transportation of aquatic plants on highways

The attached proposal has been jacketed for introduction.

A copy has also been sent to: mary.glass@legis.wisconsin.gov; aaron.gary@legis.wisconsin.gov

<< File: LRB s0305_1 >>



TODAY
2pm
in 2/26
MRR
stays
LRBs0305/d 2
MGG&ARG:wlj:pg

**SENATE SUBSTITUTE AMENDMENT ,
TO 2007 SENATE BILL 454**

Regen

1 AN ACT *to create* 346.94 (6) and 346.95 (4m) of the statutes; **relating to:** the
2 operation on highways of motor vehicles and recreational trailers with aquatic
3 plants attached and providing a penalty.

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

4 SECTION 1. 346.94 (6) of the statutes is created to read:
5 346.94 (6) OPERATION OF VEHICLES; AQUATIC PLANTS. (a) In this subsection:
6 1. "Law enforcement officer" has the meaning given in s. 23.33 (1) (ig).
7 2. "Personal watercraft" has the meaning given in s. 30.50 (9d).
8 3. "Recreational trailer" means a trailer designed for carrying a boat or
9 personal watercraft.

10 (b) No person may operate a motor vehicle or a recreational trailer on a highway
11 if the person has reason to believe that any aquatic plants are attached to any of the
12 following:

CCC to SSA1 to SB 454

Page 2, line 16: after "apply" insert "to" ⊙

(END)

WLj 3/6 s0305/2



State of Wisconsin
2007-2008 LEGISLATURE

CORRECTIONS IN:

**SENATE SUBSTITUTE AMENDMENT 1,
TO 2007 SENATE BILL 454**

Prepared by the Legislative Reference Bureau
(March 6, 2008)

1. Page 2, line 16: after "apply" insert "to".

(END)