

2011 DRAFTING REQUEST

Assembly Amendment (AA-SB498)

Received: 03/15/2012

Received By: btradewe

Wanted: Today

Companion to LRB:

For: Louis Molepske Jr (608) 267-9649

By/Representing: Himself

May Contact:

Drafter: rchampag

Subject: Agriculture - pesticides

Addl. Drafters:

Extra Copies: RCT

Submit via email: YES

Requester's email: Rep.Molepske@legis.wisconsin.gov

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Damages for pest abatement

Instructions:

Like 11a2728

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>
/?	rchampag 03/15/2012	mduchek 03/15/2012		_____			
/1			jmurphy 03/15/2012	_____	mbarman 03/15/2012	mbarman 03/15/2012	

FE Sent For:

<END>

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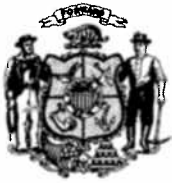
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FE Sent For:



State of Wisconsin
2011 - 2012 LEGISLATURE

Now

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LRB 2728/1
RAC:wlj:jf
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ASSEMBLY AMENDMENT 1,
TO 2011 ^{Senate} ASSEMBLY BILL 605 ⁴⁹⁸

March 6, 2012 – Offered by Representative MOLEPSKE JR.

- 1 At the locations indicated, amend the bill as follows:
- 2 1. Page 1, line 3: before that line insert:
- 3 "SECTION 1g. 94.02 (1) of the statutes is amended to read:
- 4 94.02 (1) If the department finds any premises, or any plants, plant parts, or
- 5 pest-harboring materials located thereon are so infested or infected with injurious
- 6 pests as to constitute a hazard to plant or animal life in the state, or any area thereof,
- 7 it may notify the owner or person having charge of such premises to that effect, and
- 8 the owner or person in charge shall, within 10 days after such notice, cause the
- 9 treatment of the premises or the treatment or removal and destruction of infested
- 10 or infected plants, host plants or other pest-harboring material as directed in the
- 11 notice. No person may violate the terms of any notice received under this subsection,
- 12 ~~nor may any damages be awarded to the owner for such treatment, removal or~~

1 destruction. Any person affected by a notice or order may appeal to the department
2 and request a hearing under s. 94.01 (2).

3 **SECTION 1k.** 94.02 (3m) of the statutes is created to read:

4 94.02 (3m) An owner of any premises on which the abatement of pests occurs
5 under this section on or after the effective date of this subsection ... [LRB inserts
6 date], may sue for damages resulting from the treatment of the premises or the
7 treatment or removal and destruction of infested or infected plants, host plants, or
8 other pest-harboring material.”.

9 **2.** Page 1, line 3: delete “**SECTION 1**” and substitute “**SECTION 1m**”.

10

(END)