



**WISCONSIN LEGISLATIVE COUNCIL
AMENDMENT MEMO**

2017 Assembly Bill 104

**Assembly
Amendment 1**

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2017 ASSEMBLY BILL 104

Current law declares that any decoy left in the water unattended is a public nuisance. [s. 29.927 (7), Stats.] Under **Assembly Bill 104**, an unattended decoy is not a public nuisance if it is in a body of water that satisfies all of the following criteria:

- The body of water is self-contained.¹
- The body of water has no public access.
- The body of water is located on and entirely surrounded by land privately owned by the same person.

ASSEMBLY AMENDMENT 1

Assembly Amendment 1 provides an alternative to the requirement, listed last above, that the water be surrounded by land owned by a single person. Specifically, under the amendment, a decoy is not a public nuisance if it is in a self-contained body of water with no public access and the body of water is located on and entirely surrounded by land that is privately owned by **either**: (1) the same person; **or** (2) more than one person who all agree to allow decoys to be left unattended in the body of water.

¹ Current law, unchanged by the bill, defines “self-contained body of water” to mean a body of water that has no inlet from or outlet to a natural body of water, except that it may have pipes or similar conduits to put in or withdraw water that are equipped with barriers that prevent the passage of fish between the body of water and the other waters of the state. [s. 29.001 (75), Stats.]

BILL HISTORY

Representative Tittl offered Assembly Amendment 1 on April 25, 2017. On April 26, 2017, the Assembly Committee on Natural Resources and Sporting Heritage voted to recommend the adoption of the amendment, and the passage of Assembly Bill 104, as amended, on votes of Ayes, 14; Noes, 0.

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