

2005 DRAFTING REQUEST

Assembly Amendment (AA-AB884)

Received: **01/24/2006**

Received By: **rkite**

Wanted: **As time permits**

Identical to LRB:

For: **Sheryl Albers (608) 266-8531**

By/Representing: **Joyce Waldrop**

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

Drafter: **rkite**

May Contact:

Adl. Drafters:

Subject: **Nat. Res. - nav. waters**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Albers@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Various changes

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>
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FE Sent For:

<END>

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FE Sent For:

<END>

Kite, Robin

From: Waldrop, Joyce
Sent: Tuesday, January 24, 2006 11:57 AM
To: Kite, Robin
Subject: AB 884 amendment[1].doc

TO: LRB Drafting

From: Rep. Albers

Date: Jan 29, 2001

received 1-24-06

Re: AB 884 - Adm Hearings/endangered species bill
Amendment requested

I have already requested that "page 2, lines and 11-12 be deleted" and that may be the direction the committee takes. However, an alternative course of direction, would be as follows:

1. Delete that first point regarding information obtained while the person was trespassing;
2. Replace the deleted section with a provision that would allow use of the information gained by a person engaged in trespassing, but only if that person provided advance notice to the property owner before entering onto the privately owned property.
3. Notice here must be mailed by certified mail to the private property owner, dated to show that it was mailed out seven days in advance of a person entering onto the property [game wardens, drain commissioners, whomever).
4. A property owner that does not receive notice within 48 hours in advance of entry onto property, may still bring a challenge to exclude information subsequently brought forward.
5. Objective: If this required advance notice is not afforded a property owner, then the information will be declared inadmissible, for it was not properly gained. Ultimately, DNR will request to keep copies of these notices mailed and certified mail, so that when the need arises to use information that was obtained, is not rejected upon presentation of notice to the administrative law judge.

Please draft an amendment to AB 884 that achieves this intent. Thank You.



~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~
ASSEMBLY AMENDMENT ,
TO 2005 ASSEMBLY BILL 884

D-Note

"species." on ↑

1 At the locations indicated, amend the bill as follows:

- 2 1. Page 2, line 10: delete the material beginning with "all" and ending with
- 3 line 18 and substitute "the person gave notice to the property owner by certified mail
- 4 at least 48 hours before he or she entered the property that he or she intended to enter
- 5 that property. A notice given under this subsection meets the requirements of this
- 6 subsection only if it is dated in a manner that demonstrates that it was mailed to the
- 7 property owner at least 7 days before the person entered the property."

8 (END)

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBa2154/7dn

RNK:.....

Jld

Please review this draft very closely to ensure that it meets your intent. ✓

Robin N. Kite
Legislative Attorney
Phone: (608) 266-7291
E-mail: robin.kite@legis.state.wi.us

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa2154/1dn
RNK:jld:rs

January 24, 2006

Please review this draft very closely to ensure that it meets your intent.

Robin N. Kite
Legislative Attorney
Phone: (608) 266-7291
E-mail: robin.kite@legis.state.wi.us

Northrop, Lori

To: Waldrop, Joyce
Subject: LRB 05a2154/1 attached as requested
Attachments: 05a2154/1



05a21541.pdf

*Lori Northrop
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