

**2005 DRAFTING REQUEST**

**Bill**

Received: **10/07/2004**

Received By: **mglass**

Wanted: **Soon**

Identical to LRB:

For: **Administration-Budget**

By/Representing: **Walker**

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

Drafter: **mglass**

May Contact:

Addl. Drafters:

Subject: **Nat. Res. - boats snomos ATVs**  
**Nat. Res. - nav. waters**

Extra Copies:

Submit via email: **NO**

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**Pre Topic:**

DOA:.....Walker, BB0167 -

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**Topic:**

Aquatic species on boats, boat trailers, and boating equipment

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**Instructions:**

See Attached

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**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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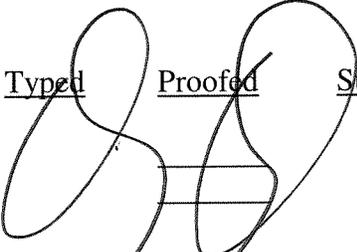
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FE Sent For:

11/12/04  
**<END>**

## 2003-05 Budget Bill Statutory Language Drafting Request

- Topic: Prohibition of Invasive Aquatic Species on Boats, Boat Trailers and Boating Equipment
- Tracking Code: BB 0167
- SBO team: Environmental and Commercial Resources
- SBO analyst: William D. Walker  
• Phone: 266-7973  
• Email: william.walker@doa.state.wi.us
- Agency acronym: DNR
- Agency number: 370

Expand the prohibition on use of boats, boat trailers or boating equipment with zebra mussels attached to apply to any navigable water (currently limited to the Lower St. Croix River).

Require removal of zebra mussels and aquatic plants from boats, boat trailers and boating equipment prior to towing such equipment on public highways.

(See original department request, attached).

2005-07 Statutory Language Proposals

<b>DIVISION:</b>	Enforcement and Science
<b>BUREAU:</b>	Law Enforcement
<b>ISSUE/TOPIC:</b>	Prohibition of Invasive Aquatic Species on Boats, Boat Trailers and Boating Equipment
<b>PROPOSED CHANGE:</b>	<p>The Department proposes two changes designed to better enforce current prohibitions against the presence of invasive aquatic species on boats, boat trailers and boating equipment:</p> <p>(A) Broaden current statutory language governing prohibitions on use of boats, boat trailers or boating equipment with zebra mussels attached. Amend s. 30.715(3): "No person may place or use a boat or boating equipment or place a boat trailer in <del>the Lower St. Croix River</del> <u>a navigable water</u> if the person has reason to believe that the boat, boat trailer or boating equipment has zebra mussels attached." Also amend s. 30.715(4)(c): "Remove zebra mussels from a boat, boat trailer or boating equipment before placing it in <del>the Lower St. Croix River</del> <u>a navigable water</u>."</p> <p>(B) Broaden current statutory language to also prohibit a person from taking a boat, boat trailer or boat equipment on a public highway with invasive species attached. Currently, a person cannot put such equipment into the water or remove it from the water with invasive aquatic species attached. However, there is no authority to prevent a person who has invasive aquatic species or zebra mussels attached to their equipment from simply driving down the road to another location where they can launch the boat without interference. Create s. 30.715(4)(e) to read: "(e) Remove any aquatic plants or zebra mussels from any boat, boat trailer or boating equipment being towed upon any public highway or before towing upon a public highway."</p>
<b>EXPLANATORY NOTE:</b>	The Department is initiating a major expansion of efforts to control invasive species. These changes will remove some inconsistencies in the current prohibitions and permit a uniform enforcement policy.
<b>DESIRED EFFECTIVE DATE:</b>	Upon passage of the budget
<b>CONTACT PERSON:</b>	Joy Stewart, 266-2159

194.01(12)  
340.01(22)



State of Wisconsin  
2005 - 2006 LEGISLATURE

RMR  
LRB-0503ml  
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DOA:.....Walker, BB0167 - Aquatic species on boats, boat trailers, and boating equipment

FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION

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AN ACT ...; relating to: the budget. ✓

*Analysis by the Legislative Reference Bureau*

NATURAL RESOURCES ✓

NAVIGABLE WATERS ✓

\* Under current law, an person may not place a boat, boat trailer, or boating equipment in the Lower St. Croix River if the person has reason to believe that the boat, trailer, or equipment has zebra mussels attached. Also, under current law, a \* person must remove zebra mussels from a boat, boat trailer, or boating equipment before placing it the St. Croix River, if required to do so by a law enforcement officer. ✓ This bill expands the scope of these two provisions to cover any navigable water. The bill also authorizes a law enforcement officer to require a person to remove any aquatic plants or zebra mussels from a boat, boat trailer, or boating equipment before \* or while transporting the boat, trailer, or equipment on a highway or other thoroughfare open to the public. ✓

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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





State of Wisconsin  
2005 - 2006 LEGISLATURE

LRB-0503/1

MGG:jld:rs

DOA:.....Walker, BB0167 - Aquatic species on boats, boat trailers, and boating equipment

FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION

1 AN ACT ...; relating to: the budget.

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*Analysis by the Legislative Reference Bureau*

**NATURAL RESOURCES**

**NAVIGABLE WATERS**

Under current law, a person may not place a boat, boat trailer, or boating equipment in the Lower St. Croix River if the person has reason to believe that the boat, trailer, or equipment has zebra mussels attached. Also, under current law, a person must remove zebra mussels from a boat, boat trailer, or boating equipment before placing it in the St. Croix River, if required to do so by a law enforcement officer. This bill expands the scope of these two provisions to cover any navigable water. The bill also authorizes a law enforcement officer to require a person to remove any aquatic plants or zebra mussels from a boat, boat trailer, or boating equipment before or while transporting the boat, trailer, or equipment on a highway or other thoroughfare open to the public.

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