



## 2005 ASSEMBLY BILL 884

December 20, 2005 - Introduced by Representatives ALBERS, MUSSER and HAHN.  
Referred to Committee on Judiciary.

1     **AN ACT** *to create* 901.08 of the statutes; **relating to:** the admissibility of  
2             evidence of the discovery of an endangered or threatened species during the  
3             course of certain proceedings.

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### *Analysis by the Legislative Reference Bureau*

Under current law, an endangered species is defined as a species whose continued existence as a component of this state's wild animals or wild plants is determined by the Department of Natural Resources to be in jeopardy on the basis of scientific evidence. A threatened species is defined to mean a species of wild animal or wild plant that appears likely to become endangered on the basis of scientific evidence. This bill provides that evidence of the discovery of an endangered or threatened species by a person who is on the private property of another is not admissible during the course of a civil, criminal, legislative, or administrative proceeding unless certain conditions apply. The evidence is admissible if: 1) the person who made the discovery was expressly permitted on the property by an owner of the property; 2) the identity of the person who made the discovery is disclosed to a property owner before the proceeding begins if the person may testify at the proceeding; and 3) a person with expertise in the area of the endangered or threatened species alleged to be discovered testifies at the proceeding that the species discovered on the property was an endangered or threatened species.

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

