

2007 DRAFTING REQUEST

Bill

Received: **01/19/2007**

Received By: **rkite**

Wanted: **As time permits**

Identical to LRB:

For: **Marlin Schneider (608) 266-0215**

By/Representing: **Mike Schoenfield**

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

Drafter: **rkite**

May Contact:

Addl. Drafters:

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

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Schneider@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Regulation of invasive fish species

Instructions:

Same as 2007 LRB-0689; 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>
/?	rkite 01/19/2007	jdyer 01/19/2007		_____			S&L
/1			rschluet 01/19/2007	_____	cduerst 01/19/2007	cduerst 01/19/2007	

FE Sent For:

*at jnt
2/21*

<END>

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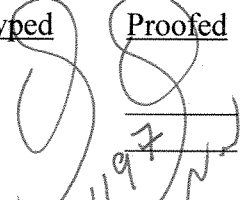
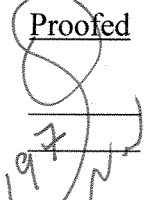
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Instructions:

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/?	rkite	1/19 jld					

FE Sent For:

<END>

RESEARCH APPENDIX - Draft Transfer/Copy Request Form

- Atty's please complete this form and give to Mike Barman

(Request Made By: RNK) (Date: 01/19/07)



Please transfer the drafting file for
2005 LRB to the drafting file
for 2007 LRB

The final version of the 2005 draft and the final Request Sheet will be copied on yellow paper, and returned to the original 2005 drafting file. A new cover sheet will be created/included listing the new location of the drafting file's "guts"

For research purposes, because the 2005 draft was incorporated into a 2007 draft, the complete drafting file will be transferred, as a separate appendix, to the new 2007 drafting file. This request form will be inserted into the "guts" of the 2007 draft. If introduced, the appendix will be scanned/added to the electronic drafting file folder.

-- OR --

Please copy the drafting file for
2007 LRB 0689 / 2 (include the version) and place it in the
drafting file for 2007 LRB 1581

For research purposes, because the original 2007 draft was incorporated into another 2007 draft, the original drafting file will be copied on yellow paper (darkened/auto centered/reduced to 90%) and added, as a separate appendix, to the new 2007 drafting file. This request form will be inserted into the "guts" of the new 2007 draft. If introduced the appendix will be scanned/added to the electronic drafting file folder.

The original drafting file will then returned, intact, to its folder and filed. For future reference, a copy of the transfer/copy request form will also be added to the "guts" of the original draft.

Rm not run
1581/1
LRB-0689/2
RNKjldrs
Stays

2007 BILL

Regen

1 AN ACT *to create* 23.225 of the statutes; **relating to:** the possession, release,
2 control, storage, sale, and transportation of fish of an invasive fish species and
3 requiring the exercise of rule-making authority.

Analysis by the Legislative Reference Bureau

This bill prohibits any person, with certain exceptions, from possessing, releasing, controlling, storing, selling, or transporting fish, or viable fish eggs, of an invasive fish species if the person knows, or should know, that the fish or eggs are of an invasive fish species. The bill defines "invasive fish species" as a species of fish that is not native to the waters of this state and that causes, or is likely to cause, harm to the economy, to the environment, or to human health. Under the bill, the prohibitions do not apply to certain persons, such as those who hold a permit from the Department of Natural Resources to operate a fish farm, to import fish, or to stock fish. The prohibitions also do not apply under the bill to a person who, while lawfully fishing, inadvertently catches a fish that is of an invasive fish species.

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:

4 SECTION 1. ^X 23.225 of the statutes is created to read:

BILL

1 **23.225 Invasive fish species.** (1) In this section, “invasive fish species”
2 means a species of fish that is not native to the waters of this state and that causes,
3 or is likely to cause, harm to the economy, to the environment, or to human health.

4 (2) No person may possess, release, control, store, sell, or transport any fish,
5 or viable fish eggs, that are of an invasive fish species if the person knows, or should
6 know, that the fish or the eggs are of an invasive fish species.

7 (3) The prohibitions under sub. (2) do not apply to any of the following:

8 (a) A person who holds a scientific collector permit under s. 29.614.

9 (b) A person who holds a permit to import fish under s. 29.735.

10 (c) A person who holds a permit to introduce, plant, or stock fish under s. 29.736.

11 (d) A person who operates a fish farm under s. 95.60.

12 (e) A person who operates a state or municipal fish hatchery.

13 (f) A person who is authorized by the department to possess, release, control,
14 sell, or transport fish or fish eggs for scientific or educational purposes or for the
15 purpose of controlling the population of fish that are of an invasive fish species.

16 (g) A person who, while lawfully fishing, inadvertently catches a fish that is of
17 an invasive fish species.

18 (4) The department shall promulgate rules specifying fish that are of an
19 invasive fish species for purposes of this section.

20

(END)

d-note
↓

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

1581/1dn
LRB-0689/2dn
RNK/jld:rs

November 29, 2006 } new date

Keep

¶ This draft replaces, and is identical to, 2007 LRB-0689/2.

As requested, this ^{of this draft} redraft creates a new exception to the prohibited activities specified in the bill. This redraft creates an exemption for a person who, while fishing, inadvertently catches a fish that is of an invasive fish species. The bill also clarifies that the prohibitions in the bill apply only if a person knows, or should know, that the prohibited activity concerns fish that is of an invasive fish species.

This version of the bill also adds some other exceptions. The bill exempts from the prohibitions a person who holds a permit to import fish under s. 29.735; a person who holds a permit to introduce, plant, or stock fish under s. 29.736; a person who operates a fish farm under s. 95.60; or a state or municipal fish hatchery. I don't know if any of these operations would ordinarily include fish that are of an invasive fish species but I thought it would be advisable to exempt them in this redraft. If you do not want to include these additional exemptions, please let me know and I will redraft accordingly.

If you have any questions with regard to this ^{e draft} bill, please feel free to contact me.

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

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1581/1dn
RNK:jld:rs

January 19, 2007

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If you have any questions with regard to this draft, please feel free to contact me.

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

Duerst, Christina

From: Schneider, Marlin
Sent: Friday, January 19, 2007 12:41 PM
To: LRB.Legal
Subject: Draft Review: LRB 07-1581/1 Topic: Regulation of invasive fish species

Please Jacket LRB 07-1581/1 for the ASSEMBLY.

Barman, Mike

From: Hanaman, Cathlene
Sent: Friday, March 02, 2007 11:09 AM
To: Christina Duerst; Lori Northrop; Mike Barman; Sarah Basford
Subject: Corrected copy

PAs:

We are going to do a corrected copy of AB 96 to fix an analysis error. Could you change the permissions to enable this task?

Corrected Copy

03-02-2007

2007 ASSEMBLY BILL 96

February 22, 2007 - Introduced by Representatives SCHNEIDER, PETROWSKI, MURSAU, HAHN, BENEDICT, TURNER, VAN ROY, A. OTT, KLEEFISCH, SHERIDAN, HILGENBERG, J. OTT and SINICKI, cosponsored by Senators LASSA, RISSER, WIRCH, PLALE and SCHULTZ. Referred to Committee on Natural Resources.

1 AN ACT *to create* 23.225 of the statutes; **relating to:** the possession, release,
2 control, storage, sale, and transportation of fish of an invasive fish species and
3 requiring the exercise of rule-making authority.

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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:

4 SECTION 1. 23.225 of the statutes is created to read:

of ~~is~~ those who operate a fish farm regulated by the Department of Agriculture, Trade and Consumer Protection