

2007 DRAFTING REQUEST

Senate Amendment (SA-SSA1-SB454)

Received: **02/28/2008**

Received By: **agary**

Wanted: **Soon**

Identical to LRB:

For: **Roger Breske (608) 266-2509**

By/Representing: **Beth Piliouras**

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

Drafter: **agary**

May Contact:

Addl. Drafters:

Subject: **Transportation - traffic laws**

Extra Copies: **MGG**

Submit via email: **YES**

Requester's email: **Sen.Breske@legis.wisconsin.gov**

Carbon copy (CC:) to: **aaron.gary@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

Topic:

Changing penalty from fine to forfeiture

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>
/?							
/1	agary 02/28/2008	wjackson 02/28/2008	jfrantze 02/28/2008	_____	sbasford 02/28/2008	sbasford 02/28/2008	
/2	mglass 03/03/2008	lkunkel 03/03/2008	pgreensl 03/03/2008	_____	lparisi 03/03/2008	lparisi 03/03/2008	

FE Sent For:

<END>

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FE Sent For:

1/2 mk 3/2

3/3
P8

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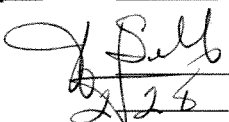
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/?	agary	1 WJ 2/28					

FE Sent For:

<END>

Gary, Aaron

From: Piliouras, Elizabeth
Sent: Thursday, February 28, 2008 3:47 PM
To: Gary, Aaron
Subject: RE: Quick Question

It was introduced as a committee amendment yesterday.

I'm guessing it's another one where the chief clerk hasn't had a chance to update things.

I can get it to pull up on the history, but the link's not working.

From: Gary, Aaron
Sent: Thursday, February 28, 2008 3:45 PM
To: Piliouras, Elizabeth
Subject: RE: Quick Question

OK. Have you introduced the sub? The latest info I have doesn't show it as introduced - if not, I can either redraft it or do an amendment to the un-introduced sub and update that amendment when the sub is introduced.

Aaron

Aaron R. Gary
Legislative Attorney
Legislative Reference Bureau
608.261.6926 (voice)
608.264.6948 (fax)
aaron.gary@legis.state.wi.us

From: Piliouras, Elizabeth
Sent: Thursday, February 28, 2008 3:35 PM
To: Gary, Aaron
Subject: RE: Quick Question

Yah, let's go ahead and make it a forfeiture. Just a simple amendment to the sub.

From: Gary, Aaron
Sent: Thursday, February 28, 2008 3:23 PM
To: Piliouras, Elizabeth
Cc: Gibson-Glass, Mary
Subject: RE: Quick Question

I believe DNR is correct, though I believe the officer would have other options. The term "fine" means it is a criminal offense, and also means that the uniform traffic citation cannot be used. Do you want an amendment to make it a forfeiture - so that the offense is civil and a citation can be issued like other traffic violation? Let me know - I can do it right now.

02/28/2008

Aaron

Aaron R. Gary
Legislative Attorney
Legislative Reference Bureau
608.261.6926 (voice)
608.264.6948 (fax)
aaron.gary@legis.state.wi.us

From: Piliouras, Elizabeth
Sent: Thursday, February 28, 2008 3:07 PM
To: Gary, Aaron
Subject: Quick Question

On SB454...

346.95 (4m) Any person violating s. 346.94 (6) (e) shall be fined not less than \$50 nor more than \$250.

DNR is maintaining that a person who refuses to comply would have to be taken into custody. I don't understand... the bill says "fined". Can you confirm or deny the DNR's statement?

Thanks!
Beth

Beth Piliouras
Senator Roger Breske
608-266-2509

2007 - 2008 LEGISLATURE

*wanted
by 2/29 P.M.*

LRBa1469/1
ARG:./:...

WLJ

in 2/28

**SENATE AMENDMENT ,
TO SENATE SUBSTITUTE AMENDMENT 1,
TO 2007 SENATE BILL 454**

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 2, line 14: delete "be fined" and substitute "forfeit".

3 (END)

SENATE SUBSTITUTE AMENDMENT,
TO 2007 SENATE BILL 454

For your
reference —
not for file

Computer access
is limited
right now

1 AN ACT *to create* 346.94 (6) and 346.95 (4m) of the statutes; **relating to:** the
2 operation on highways of motor vehicles and recreational trailers with aquatic
3 plants attached and providing a penalty.

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

4 SECTION 1. 346.94 (6) of the statutes is created to read:

5 346.94 (6) OPERATION OF VEHICLES; AQUATIC PLANTS. (a) In this subsection:

6 1. "Law enforcement officer" has the meaning given in s. 23.33 (1) (ig).

7 2. "Personal watercraft" has the meaning given in s. 30.50 (9d).

8 3. "Recreational trailer" means a trailer designed for carrying a boat or
9 personal watercraft.

10 (b) No person may operate a motor vehicle or a recreational trailer on a highway
11 if any aquatic plants are attached to any of the following:

12 1. The exterior of the motor vehicle or recreational trailer.

SENATE BILL 454

An Act to amend 30.715 (title) and 346.02 (11); and to create 30.715 (1) (am), 346.94 (6) and 346.95 (4m) of the statutes; relating to: the transportation of invasive species on highways and providing a penalty. (FE) 2008

- 02-05-08. S. Introduced by Senators Breske, Jauch, Cowles, Sullivan and Roessler; cosponsored by Representatives Boyle, Mason, Turner, Hubler, Mursau, Sheridan, Soletski and A. Ott.
- 02-05-08. S. Read first time and referred to committee on Transportation and Tourism. **562**
- 02-14-08. S. Fiscal estimate received.
- 02-20-08. S. Public hearing held.
- 02-27-08. S. LRB correction.
- 02-27-08. S. Executive action taken.
- 02-28-08. S. Report introduction and adoption of Senate Substitute Amendment 1 recommended by committee on Transportation and Tourism, Ayes 7, Noes 0.
- 02-28-08. S. Report passage as amended recommended by committee on Transportation and Tourism, Ayes 7, Noes 0.
- 02-28-08. S. Available for scheduling.

S 0305 13 file
only sub
to SB-454



State of Wisconsin
2007 - 2008 LEGISLATURE

LRBa1469/A 2

ARG:wlj:jf

now

ink
/MCC

SENATE AMENDMENT,
TO SENATE SUBSTITUTE AMENDMENT 1,
TO 2007 SENATE BILL 454

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 2, line 14: delete "be fined" and substitute "forfeit".

3 (END)

Page 1, line ³ 14: substitute "species" for "plants".

Page 1, line 5: substitute "SPECIES" for "PLANTS".

Page 1, line 5: substitute "species" for "plants".

Page 2, line 4: substitute "species" for "plants".

Page 2, line 7: substitute "species" for "plants".

Page 2, line 9: substitute "species" for "plants".

on lines 4, 7, and 9

Gibson-Glass, Mary

From: Piliouras, Elizabeth
Sent: Monday, March 03, 2008 11:57 AM
To: Gibson-Glass, Mary; Gary, Aaron
Subject: FW: LRB 07a1469 Topic: Changing penalty from fine to forfeiture

Attachments: LRB a1469_1



07a14691.pdf (9
KB)

Hi Mary and Aaron:

I'm sending this back. I need to add aquatic animals to the bill. I don't know if you want to go back to invasive species or leave it simply at aquatic plants and animals.

Thanks!
Beth

-----Original Message-----

From: Sen.Breske
Sent: Friday, February 29, 2008 6:50 AM
To: Piliouras, Elizabeth
Subject: FW: LRB 07a1469 Topic: Changing penalty from fine to forfeiture

-----Original Message-----

From: Basford, Sarah
Sent: Thu 2/28/2008 4:25 PM
To: Sen.Breske
Subject: LRB 07a1469 Topic: Changing penalty from fine to forfeiture

The attached proposal has been jacketed for introduction.

A copy has also been sent to: aaron.gary@legis.wisconsin.gov