



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2007 Assembly Bill 96

Assembly Amendments 1 and 2

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Current law establishes a program for the control of invasive species. The Department of Natural Resources (DNR) administers the program. An invasive species in this program is any nonindigenous species if introduction of the species in this state causes or is likely to cause economic or environmental harm or harm to human health. The program involves a statewide management plan, cooperation among state agencies and other entities, education, research, reports, and watercraft inspections. Current law also establishes a regulatory program for the issuance of aquatic plant management permits for the purpose of developing native aquatic plant communities and controlling nonnative aquatic plants.

Assembly Bill 96 creates a new regulatory program for invasive fish species. “Invasive fish species” are defined as nonnative species of fish that may cause harm to the economy, to the environment, or to human health. The DNR is directed to promulgate rules that specify the fish that are invasive fish species. The bill prohibits a person from possessing, releasing, controlling, storing, selling, or transporting invasive fish species or the viable eggs of those species. A series of exemptions to this prohibition is provided for a person who holds various permits, such as a scientific collector permit, a permit to import fish, or a permit to stock fish, and also exempts a person who operates a fish farm or a state or municipal fish hatchery or who inadvertently catches an invasive fish species while lawfully fishing.

Assembly Amendment 1 changes the penalty, substituting a forfeiture of not more than \$1,000 for the \$200 forfeiture in the bill. Assembly Amendment 1 also prohibits any person from transporting a boat, boat trailer, or boating equipment on the highway if that equipment has an invasive species, as specified by DNR rule in or attached to the boating equipment. The exemption for permit holders and others that is described in the previous paragraph also applies to Assembly Amendment 1. The penalty for violating the provisions created by Assembly Amendment 1 is a forfeiture of not more than \$1,000.

Assembly Amendment 2 modifies the exemption from the prohibitions in both the bill and Assembly Amendment 1 for a person who is lawfully fishing and inadvertently catches a fish that is an invasive species. Assembly Amendment 2 directs DNR to establish rules for this exemption.

Legislative History

The Assembly Committee on Natural Resources recommended adoption of Assembly Amendments 1 and 2, each by a vote of Ayes, 12; Noes, 0, and recommended passage of Assembly Bill 96, as amended, on a vote of Ayes, 12; Noes, 0, on September 12, 2007.

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