



1995 SENATE BILL 456

December 13, 1995 - Introduced by Senators COWLES, CLAUSING and RISSER, cosponsored by Representatives JOHNSRUD, ALBERS, KRUG, DOBYNS, HUTCHISON, BOYLE and PLACHE. Referred to Committee on Environment and Energy.

1 **AN ACT** *to renumber and amend* 30.71; *to amend* 30.71 (title); and *to create*
2 30.71 (1) and 30.71 (3) of the statutes; **relating to:** disposal facilities on
3 outlying waters for toilet wastes from boats and granting rule-making
4 authority.

Analysis by the Legislative Reference Bureau

Under current law, no person may dispose of any toilet wastes from boats that are equipped with toilets into the waters of the state. Under this bill, establishments that provide berths or moorings to 5 or more boats must provide onshore disposal facilities for these toilet wastes. Under the bill, any rules established to carry out this requirement must be jointly promulgated by the department of development and the department of natural resources.

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:

5 **SECTION 1.** 30.71 (title) of the statutes is amended to read:
6 **30.71** (title) **Boats Disposal of waste from boats equipped with toilets.**
7 **SECTION 2.** 30.71 of the statutes is renumbered 30.71 (2) and amended to read:
8 30.71 (2) No person may, while maintaining or operating any boat equipped
9 with toilets on ~~inland waters or outlying~~ the waters of this state, ~~as defined in s. 29.01~~

1 ~~(9) and (11), dispose of any toilet wastes in any manner into the inland or outlying~~
2 ~~waters of this state. The department of industry, labor and human relations may~~
3 ~~promulgate water.~~

4 (4) Any rules necessary to carry out the purposes of this section shall be
5 promulgated jointly by the department and the department of natural resources.

6 **SECTION 3.** 30.71 (1) of the statutes is created to read:

7 30.71 (1) In this section, "outlying waters" has the meaning given in s. 29.01
8 (11).

9 **SECTION 4.** 30.71 (3) of the statutes is created to read:

10 30.71 (3) No person may operate an establishment that has the capacity of
11 providing berths or moorings to 5 or more boats that are equipped with toilets and
12 that is located on an outlying water of this state unless the establishment provides
13 adequate fixed onshore disposal facilities for disposal of toilet wastes from the boats
14 for which the establishment provides berths or moorings. If the establishment is
15 unable to provide fixed onshore disposal facilities due to problems of accessibility to
16 the boats, the establishment shall provide adequate portable disposal facilities for
17 these toilet wastes.

18 **SECTION 5. Effective date.**

19 (1) This act takes effect on January 1, 1999.

20 (END)