

**1999 DRAFTING REQUEST**

**Bill**

Received: **08/30/1999**

Received By: **gibson**

Wanted: **As time permits**

Identical to LRB:

For: **Joseph Handrick (608) 266-7141**

By/Representing: **Dave Volz**

This file may be shown to any legislator: NO

Drafter: **rkite**

May Contact:

Ah. Drafters:

Subject: **Nat. Res. - boats snomos ATVs**

Extra Copies:

**Pre Topic:**

No specific pre topic given

**Topic:**

Slow-no-wake speed for personal watercraft

**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>Resuired</u>
/1	rkite 01/14/2000	csicilia 01/19/2000	jfrantze 01/19/2000	_____	lrb-docadmin 01/19/2000	lrb-docadmin S &L 0 1/25/2000	

FE Sent For:

G 02-29-00

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**B I L L**  
**REQUEST FORM**

**LEGISLATIVE REFERENCE BUREAU**  
**Legal Section Telephone: 266-3561**  
**5th Floor, 100 N. Hamilton Street**

Use of this form is optional. It is often better to talk directly with the LRB attorney **who** will draft the bill.

Use this form only for **BILL** drafts. Attach more pages if necessary.

Legislator, agency or other body requesting this draft: Rep. Joe Handrick

Date: 8-26-99 Person submitting request (name, phone number): Joe Handrick 6-7141

Persons to contact for questions about this draft (names, phone numbers): Joe/Dave Volk 6-7141

**Describe the problem, including any helpful examples.**

**How do you want to solve the problem?**

*in excess of slow no wake*

*Ban use of personal water craft (jet skis) on lakes of 200 or fewer acres.  
Also, allow a town to extend the ban to lakes of 300 or fewer acres.  
Allow a town to exempt a lake(s) from the ban.*

Please attach a copy of any correspondence or other material that may help us.

If you know of any statute sections that might be affected, list them or provide a marked-up (not retyped) **copy**.

You may attach a marked-up, (not retyped) **copy** of any LRB draft, or provide its number (e.g., 1997 LRB-2345/1 or 1995 AB-67): ref. 1.947 AB 889

**Requests are confidential unless stated otherwise.**

- May we tell others that we are working on this for you?  Yes  No
- If yes: Anyone who asks?  Yes  No Any legislator?  Yes  No Only the following Persons: \_\_\_\_\_

**Do you consider this request urgent?**  Yes  No If yes, please indicate why: \_\_\_\_\_

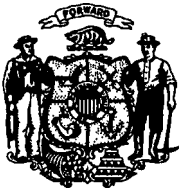
**Should we give this request priority over any other pending request of this legislator, agency or body?**  Yes  No If yes, sign your name here: \_\_\_\_\_

100

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# 1999 BILL

Gen

1 AN ACT *Gen*; **relating to:** the speed of personal watercraft on certain lakes.

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*among*  
**Analysis by the Legislative Reference Bureau**

Under current law, motorboats, including personal watercraft, may not be operated in excess of slow-no-wake speed on lakes of 50 acres or less, except when those lakes serve as thoroughfares ~~between~~ <sup>two</sup> or more navigable lakes. The department of natural resources may modify or waive this prohibition for particular lakes if it finds that public safety would not be impaired.

This bill expands the prohibition, with certain exceptions, as it applies to personal watercraft. Under the bill no person may operate a personal watercraft in excess of slow-no-wake speed on lakes of 200 acres or less, except when those lakes serve as thoroughfares ~~between~~ <sup>two</sup> or more navigable lakes. Under the exceptions, a town may enact an ordinance that exempts a lake that is entirely within its jurisdiction from the prohibition. A town may also enact an ordinance that expands the prohibition so that it applies to lakes of 300 acres or less if the lakes are entirely within its jurisdiction.

For further information *see* the **state and local** fiscal estimate, which will be printed as an appendix to this bill.

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

2 SECTION 1. 30.635 of the statutes is renumbered 30.635 (1) and amended to

3 read:

**BILL**

1           **30.635 (1) Motorboat prohibition.** On lakes that are 50 acres or less having  
 2 in size and that have public access, ~~motorboats may not be operated~~ no person may  
 3 operate a motorboat in excess of slow-no-wake speed, except when ~~such~~ these lakes  
 4 serve as thoroughfares between ~~Among 2 or more~~ navigable lakes. & i o n  
 5 does not apply to personal watercraft.

6           **(3)** The department by rule may modify or waive the requirements of this  
 7 section as to particular lakes, if it finds that public safety is not impaired by such  
 8 modification or waiver.

History: 1973 c. 302; Stats. 1973 s. 30.63; 1973 c. 336; Stats. 1973 s. 30.635.

9           **SECTION 2.** 30.635 (2) of the statutes is created to read:

10           30.635 (2) (a) No person may operate a personal watercraft in excess of  
 11 slow-no-wake speed on a lake that has public access and that is 200 acres or less in  
 12 size unless the lake serves as a thoroughfare among 2 or more navigable lakes.

13           (b) Notwithstanding par. (a) and s. 30.77 <sup>(1) (b)</sup> (2) and (3) (a), a town may enact an  
 14 ordinance that does any of the following:

15           1. Exempts a lake from the prohibition under par. (a) if the lake is entirely  
 16 within its boundaries.

17           2. Applies the prohibition under par. (a) to a lake that is entirely within its  
 18 boundaries and that is 300 acres or less in size.

19           (c) Section 30.77 (3) (cm) and (d) do not apply to an ordinance enacted under  
 20 par. (b).

21           **SECTION 3.** 30.77 (4) of the statutes is amended to read:

22           30.77 (4) **PUBLICIZING ORDINANCES.** All ordinances enacted under sub. (3) and  
 23 s. 30.635 (2) (b) shall be prominently posted by the local authority which enacted  
 24 them and, for ordinances enacted under sub. (3) (ac) **2.**, by all local authorities having

**BILL**

1 jurisdiction over the lake, at all public access points within the local authority's  
2 jurisdiction and also shall be filed with the department.

**History:** 1973 c. 302; 1987 a. 99; 1989 a. 159, 324, 359; 1993 a. 167; 1995 a. 152,349; 1997 a. 35.

3

**(END)**



**SUBMITTAL  
'FORM**

**LEGISLATIVE REFERENCE BUREAU  
Legal Section Telephone: 266-3561  
5th Floor, 100 N. Hamilton Street**

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The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and **sign** on the appropriate line(s) below.

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**Date:** 01/19/2000

**To:** Representative Handrick

**Relating to LRB drafting number:** LRB-3524

**Topic**

Slow-no-wake speed for personal watercraft

**Subject(s)**

Nat. Res. - boats snomos ATVs

1. **JACKET** the draft for introduction \_\_\_\_\_

in the **Senate** \_\_\_\_ **or the Assembly** (check only one). Only the requester under whose name the drafting request is entered in the **LRB's** drafting records may authorize the draft to be submitted. Please allow one day for the preparation of the required copies.

2. **REDRAFT.** See the changes indicated or attached \_\_\_\_\_

A revised draft will be submitted for your approval with changes incorporated.

3. Obtain **FISCAL ESTIMATE NOW**, prior to introduction \_\_\_\_\_

If the analysis indicates that a fiscal estimate is required because the proposal makes an appropriation or increases or decreases existing appropriations or state or general local government fiscal liability or revenues, you have the option to request the fiscal estimate prior to introduction. If you choose to introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon introduction. It takes about 10 days to obtain a fiscal estimate. Requesting the fiscal estimate prior to introduction retains your flexibility for possible redrafting of the proposal.

If you have any questions regarding the above procedures, please call 266-3561. If you have any questions relating to the attached draft, please feel free to call me.

Robin N. Rite, Legislative Attorney  
Telephone: (608) 266-729 1