

1999 SENATE BILL 220

August 19, 1999 - Introduced by JOINT COMMITTEE FOR REVIEW OF ADMINISTRATIVE RULES. Referred to Committee on Agriculture, Environmental Resources and Campaign Finance Reform.

1 **AN ACT to repeal** 30.135 (1) (title), 30.135 (1) (a) 3., 30.135 (1) (b), 30.135 (2) and
2 (3) and 30.135 (4); **to renumber** 30.135 (1) (a) (intro.); **to renumber and**
3 **amend** 30.135 (1) (a) 1. and 30.135 (1) (a) 2.; **to amend** 30.135 (title); and **to**
4 **create** 30.135 (3m) of the statutes; **relating to:** the placement of water ski
5 platforms and jumps.

Analysis by the Legislative Reference Bureau

Under current law, with certain exceptions, a riparian proprietor, which is a person who owns waterfront property, must obtain a special permit from the department of natural resources (DNR) in order to place a water ski platform or water ski jump in a navigable waterway. The proprietor need not obtain a permit if the platform or jump does not interfere with public rights in navigable waters, does not interfere with the rights of other riparian proprietors and is located at a site that ensures adequate water depth and clearance for safe water skiing.

This bill changes the conditions under which a riparian proprietor may place a water ski platform or water ski jump in a navigable waterway. Under the bill, the riparian proprietor may place a water ski platform or jump in a navigable waterway without obtaining a permit if the platform or jump is used to prepare for or present a water ski tournament, competition or exhibition, if the placement of the platform or jump is regulated by a local ordinance and if the placement of the platform or jump is consistent with the public trust in navigable waters that is established under the Wisconsin Constitution. The bill also eliminates the procedure under which a

SENATE BILL 220

riparian proprietor may obtain a special permit to place any other water ski platform or jump in a navigable waterway.

This bill is introduced as required by s. 227.26 (2) (f), stats, in support of the action of the joint committee for review of administrative rules in suspending ch. NR 328, Wis. Adm. Code, an emergency rule of DNR on July 9, 1999. The suspended rule specified the conditions under which a permit for the placement of a water ski platform or jump is required, the notice requirements regarding permit applications, and the manner in which a person may object to or complain about a water ski platform or jump. The rule also specified the manner in which DNR must proceed upon notice of the modification of a water ski platform or jump and the manner in which DNR may pursue enforcement of the violation of the statutes or administrative rules relating to the placement of water ski platforms and jumps.

For further information see the *state* 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:

1 **SECTION 1.** 30.135 (title) of the statutes is amended to read:

2 **30.135** (title) ~~**Regulation of Requirements for placing water ski**~~
3 **platforms and jumps.**

4 **SECTION 2.** 30.135 (1) (title) of the statutes is repealed.

5 **SECTION 3.** 30.135 (1) (a) (intro.) of the statutes is renumbered 30.135 (intro.).

6 **SECTION 4.** 30.135 (1) (a) 1. of the statutes is renumbered 30.135 (1) and
7 amended to read:

8 30.135 (1) The platform or jump ~~does not interfere with public rights in~~
9 ~~navigable waters~~ is used to prepare for or present a water ski tournament,
10 competition or exhibition.

11 **SECTION 5.** 30.135 (1) (a) 2. of the statutes is renumbered 30.135 (2m) and
12 amended to read:

