

**2001 DRAFTING REQUEST**

**Bill**

Received: 03/26/2001

Received By: gibsom

Wanted: Soon

Identical to LRB:

For: Legislative Council - JLC

By/Representing: Ron Sklansky

This file may be shown to any legislator: NO

Drafter: gibsom

May Contact:

Addl. Drafters:

Subject: Nat. Res. - boats snomos ATVs

Extra Copies:

Submit via email: NO

Requester's email:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Wearing of flotation devices

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**Instructions:**

See Attached. Will want a companion bill.

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**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>
/?	gibsom 07/03/2001	jdye 07/05/2001					S&L
/1			jfrantze 07/06/2001		lrb_docadmin 07/06/2001	lrb_docadmin 07/11/2001	

FE Sent For: *at intro*

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1?	gibsom	1/15/01	2/6/01	7/16			

FE Sent For:

<END>

## Gibson-Glass, Mary

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**From:** Sklansky, Ron  
**Sent:** Tuesday, July 03, 2001 3:50 PM  
**To:** Gibson-Glass, Mary  
**Subject:** RE: LRB 01-2951 Personal flotation devices

Mary:

Your suggestion to draft the policy of the sub is an excellent one, but since the earlier version was the one presented to the Legislative Council, I think we should introduce the first version, even if flawed. When we attend the standing committee hearings, Don and I will advise the members that they may wish to impose the forfeiture on the operator rather than the minor.

Thanks.

Ron

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

**From:** Gibson-Glass, Mary  
**Sent:** Tuesday, July 03, 2001 2:22 PM  
**To:** Sklansky, Ron  
**Subject:** LRB 01-2951 Personal flotation devices

Ron:

I realize that the Leg Council draft is identical to 1999 AB 175, but this draft imposes a forfeiture on the child, not on the child's parent or the boat operator. See. s. 30.80 (1). You may wish to model this draft after ASA 1 to 1999 AB 175, which imposes the duty on the boat operator. Please advise.

Mary Gibson-Glass  
Senior Legislative Attorney  
Legislative Reference Bureau  
267 3215



State of Wisconsin  
2001 - 2002 LEGISLATURE

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LRB-2951/R 1 R  
Mbo...:.....  
jld

noon

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

boards LPS -  
photo print  
by line #5  
↓

Gen

AN ACT ...; relating to: requiring that personal flotation devices be worn by certain underaged persons in certain boats. ✓

**Analysis by the Legislative Reference Bureau**

Under current law, each boat must have on it a personal flotation device for each person riding in or on the boat. Under this bill, each person 16 years old or younger who is riding in a boat that is less than 26 feet in length must wear a personal flotation device while the boat is being operated unless he or she is in a cabin space or below the deck.

in the bill

\* For further information, see the NOTES provided by the joint legislative council. 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:**

(END)

↓

1 **AN ACT** to amend 30.62 (3) (a); and to create 30.62 (3) (c) of the statutes; relating to:  
 2 wearing of flotation devices.

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

~~JOINT LEGISLATIVE COUNCIL~~ PREFATORY NOTE: This <sup>bill</sup> ~~draft~~ is recommended by the joint legislative council's special committee on recodification of operating while intoxicated and safety laws pertaining to motor vehicle, all-terrain vehicle, boat or snowmobile operation. The special committee was directed to study current statutes relating to operating a vehicle while under the influence of an intoxicant or drug and to reorganize, simplify, modernize and clarify these statutes and make minor substantive changes necessary to effect these goals. In addition, the special committee was directed to study, with respect to an all-terrain vehicle, a boat or a snowmobile, whether enforcement mechanisms need to be increased or created to ensure compliance with the law. and

Current law generally provides that every boat must carry at least one personal flotation device prescribed by federal regulations for each person on board or being attended by the boat. The flotation devices must be placed so as to be readily accessible and available to all persons on the boat.

This <sup>bill</sup> ~~draft~~ prohibits a person who is under the age of 16 from riding in a boat that is less than 26 feet in length without wearing a personal flotation device unless the person is in a cabin space or below the deck.

3 **SECTION 1.** <sup>#</sup> 30.62 (3) (a) <sup>X</sup> of the statutes is amended to read:

4 30.62 (3) (a) Every boat, except a sailboard and except as provided in par. (b) <sup>plain</sup> ~~parts~~ <sup>parts</sup> ~~(b)~~   
 5 and (c), shall carry at least one personal flotation device prescribed by federal regulations for   
 6 each person on board or being attended by the boat, so placed as to be readily accessible and   
 7 available to the persons.

8 **SECTION 2.** <sup>#</sup> 30.62 (3) (c) <sup>X</sup> of the statutes is created to read:

3  
4  
5  
6  
7

1           30.62 (3) (c) No person who is under the age of 16 may be in a boat that is less than 26  
2 feet in length while the boat is being operated without wearing a personal flotation device that  
3 is a type I, type II, type III, or type V personal flotation device, as specified under 33 CFR part  
4 175, subpart B, unless the person is in a cabin space or below the deck.

5

(END)

1900 L.A. 11 12 4015  
3 41  
SM  
IA



# State of Wisconsin

## LEGISLATIVE REFERENCE BUREAU

100 NORTH HAMILTON STREET  
5TH FLOOR  
MADISON, WI 53701-2037

STEPHEN R. MILLER  
CHIEF

LEGAL SECTION: (608) 266-3561  
LEGAL FAX: (608) 264-6948

July 6, 2001

### MEMORANDUM

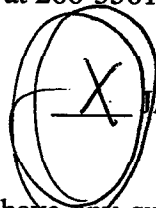
To: Legislative Council - JLC

*Ron Sklansky*

From: Mary Gibson-Glass, Senior Legislative Attorney

Re: LRB-2951/1 Wearing of flotation devices

The attached draft was prepared at your request. Please review it carefully to ensure that it is accurate and satisfies your intent. If it does and you would like it jacketed for introduction, please indicate below for which house you would like the draft jacketed and return this memorandum to our office. If you have any questions about jacketing, please call our program assistants at 266-3561. Please allow one day for jacketing.



JACKET FOR ASSEMBLY



JACKET FOR SENATE

If you have any questions concerning the attached draft, or would like to have it redrafted, please contact me at (608) 267-3215 or at the address indicated at the top of this memorandum.

If the last paragraph of the analysis states that a fiscal estimate will be prepared, the LRB will request that it be prepared after the draft is introduced. You may obtain a fiscal estimate on the attached draft before it is introduced by calling our program assistants at 266-3561. Please note that if you have previously requested that a fiscal estimate be prepared on an earlier version of this draft, you will need to call our program assistants in order to obtain a fiscal estimate on this version before it is introduced.

Please call our program assistants at 266-3561 if you have any questions regarding this memorandum.