

2001 DRAFTING REQUEST

Bill

Received: 03/26/2001

Received By: gibsom

Wanted: As time permits

Identical to LRB:

For: Frank Boyle (608) 266-0640

By/Representing: Mary Lou Keleher

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

Pre Topic:

No specific pre topic given

Topic:

Ordinances regulating operation of personal watercraft

Instructions:

Local ordinance prohibiting the operation of personal watercraft (must apply to whole local unit of government) and also regulating their times of operation.

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>
/1	gibsom 08/13/2001		pgreensl 08/13/2001	_____	lrb_docadmin 08/13/2001	lrb_docadminS&L 08/15/2001	

FE Sent For:

AF intro.

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State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-2948-1
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PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Other

1 AN ACT ^{per cost} relating to: authorizing cities, villages, towns, counties, public inland
2 lake rehabilitation and protection districts, and sanitary districts to enact
3 ordinances ^{relating to} the operation of personal watercraft as to location and time.

Analysis by the Legislative Reference Bureau

Under current law, cities, villages, and towns (municipalities) ^{and} public inland lake protection and rehabilitation districts and town sanitary districts (districts) may, in the interest of public health, safety, or welfare, enact boating ordinances for lakes that are not contrary to state law. Counties, in the interest of public health, safety, or welfare, may enact boating ordinances that are applicable to rivers subject to their jurisdiction. Under current law, the "interest of public health, safety, or welfare" includes the preservation of the state's natural resources.

Under current law, municipalities, districts, and counties, in the interest of public health, safety, or welfare, may enact ordinances that restrict the speed of boats and that restrict certain types of boating activities at certain locations and during certain times. This bill specifically authorizes municipalities, districts, and counties to enact ordinances that totally prohibit the operation of personal watercraft or that prohibit their operation during specified hours of the day or specified days of the week if the ordinance is in the interest of public health, safety, or welfare.

If a county, municipality, or district enacts such an ordinance, the ordinance must apply to the entire county, municipality, or district.

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:

1 SECTION 1. 30.77 (3) (ac) 3. of the statutes is created to read:

2 30.77 (3) (ac) 3. The ordinance has been enacted by a public inland lake
3 protection and rehabilitation district or by a town sanitary district under par. (am).

4 History: 1973 c. 302; 1987 a. 99; 1989 a. 159, 324, 359; 1993 a. 167; 1995 a. 152, 349; 1997 a. 35; 1999 a. 9; 1999 a. 150 s. 672; 1999 a. 185.
SECTION 2. 30.77 (3) (cm) (intro.) of the statutes is amended to read:

5 30.77 (3) (cm) (intro.) In enacting ordinances under par. (a), (am) or (b) for a
6 given body of water, municipalities and public inland lake protection and
7 rehabilitation districts and town sanitary districts shall take into account factors
8 that include all of the following:

9 History: 1973 c. 302; 1987 a. 99; 1989 a. 159, 324, 359; 1993 a. 167; 1995 a. 152, 349; 1997 a. 35; 1999 a. 9; 1999 a. 150 s. 672; 1999 a. 185.
SECTION 3. 30.77 (3) (cr) 2. of the statutes is amended to read:

10 30.77 (3) (cr) 2. Restrictions on certain types of boating activities on all, or in
11 specified parts, of the a lake, river, or stream.

12 History: 1973 c. 302; 1987 a. 99; 1989 a. 159, 324, 359; 1993 a. 167; 1995 a. 152, 349; 1997 a. 35; 1999 a. 9; 1999 a. 150 s. 672; 1999 a. 185.
SECTION 4. 30.77 (3) (cr) 4. of the statutes is created to read:

13 30.77 (3) (cr) 4. Prohibitions against the operation of personal watercraft on all,
14 or specified parts, of a lake, river, or stream.

15 SECTION 5. 30.77 (3) (cr) 4. of the statutes is created to read:

16 30.77 (3) (cr) 4. Prohibitions against the operation of personal watercraft
17 during specified hours of the day or specified days of the week.

18 SECTION 6. 30.77 (3) (cs) of the statutes is created to read:

Restrictions on their operation

N.S.
2-8

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or

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2948/?dn

MGG:./:....

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(3)(cm)

✓
The creation of s. 30.77 (3) (ac) 3. and the amendment of s. 30.77 (3m) (intro.) are included as necessary "clean-up" changes in this draft. There are necessary to make the scope of the authority given in s. 30.77 (3) (cr) 4. ~~(a) and (b)~~ clear. If you wish a further explanation, do not hesitate to call me. ✓

Mary Gibson-Glass
Senior Legislative Attorney
Phone: (608) 267-3215

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2948/1dn
MGG:cjs:pg

August 7, 2001

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Phone: (608) 267-3215



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

August 13, 2001

MEMORANDUM

To: Representative Boyle

From: Mary Gibson-Glass, Senior Legislative Attorney

Re: LRB-2948/1 Ordinances regulating operation of personal watercraft

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.