

2007 DRAFTING REQUEST

Bill

Received: 08/02/2007

Received By: mglass

Wanted: As time permits

Identical to LRB:

For: Robert Jauch (608) 266-3510

By/Representing: Dan Kanninen

This file may be shown to any legislator: NO

Drafter: mglass

May Contact:

Addl. Drafters:

Subject: Nat. Res. - boats snomos ATVs

Extra Copies:

Submit via email: YES

Requester's email: Sen.Jauch@legis.wisconsin.gov

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Slow no wake near lake shores

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>Required</u>
/?				_____			S&L
/1	mglass 08/02/2007	bkraft 08/10/2007	pgreensl 08/10/2007	_____	cduerst 08/10/2007	sbasford 01/07/2008	

FE Sent For: "/1" @ intro. 1-14-08 <END>

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/?	mglass	1 bjk 8/2		_____			

FE Sent For:

<END>

Tradewell, Becky

From: Kanninen, Dan
Sent: Tuesday, June 26, 2007 10:59 AM
To: Tradewell, Becky
Subject: Draft Request: Slow-No Wake

Hi Becky,

Senator Jauch would like a draft that requires a slow no-wake within 100 feet of shoreline on Wisconsin lakes. I understand that currently, that no-wake restriction applies within 100 feet of piers and other man-made structures, but not for bare shoreline.

Additionally, the draft should provide a local-opt out provision if the local government chooses to enact an ordinance that specifically allows for a wake within that 100 feet of a bare shoreline. Essentially, the opt-out would be the option to retain the current law regulation.

Please call or email with any questions-

Thanks-

dk

*Dan Kanninen
Chief of Staff
Office of State Senator Bob Jauch
118 South, State Capitol
608-266-3510 (office)
608-213-3510 (cellular)*



State of Wisconsin
2007 - 2008 LEGISLATURE

RMR

LRB-3033

MGG:.....

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PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

2007 Bill

LPS - check spacing.

SAV
X-ref ✓

gen. cat.

- 1 AN ACT ...; relating to: the operation of motorboats, other than personal
- 2 watercraft, at slow-no-wake speed within a given distance of the shoreline of
- 3 a lake.

Analysis by the Legislative Reference Bureau

Under current law, no person may operate a motorboat in excess of slow-no-wake speed within 100 feet of buoyed restricted areas or structures such as piers. Current law defines "motorboat" to include personal watercraft. Current law imposes an additional slow-no-wake restriction on the operation of personal watercraft by prohibiting operation within 200 feet of the shoreline of a lake. Under current law, there is no slow-no-wake restriction for other motorboats within a given distance of a shoreline. This bill imposes a slow-no-wake restriction of 100 feet from the shoreline for motorboats that are not personal watercraft.

Under current law, cities, towns, villages, public inland lake protection and rehabilitation districts, and town sanitary districts (local governmental units) may enact local boating ordinances but the ordinances may not be inconsistent with state law. The bill provides an exception from this general requirement by allowing a local governmental unit to ~~have~~ enact an ordinance exempting motorboats from the 100-foot restriction created in this bill.

* Current law exempts from these restrictions pickup and drop areas for personal watercraft and motorboats and persons involved in water skiing. These exemptions apply to this new provision.

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.** 30.66 (3) (a) of the statutes is amended to read:

2 ✓ 30.66 (3) PROHIBITED OPERATION. (a) ~~Except under s. 30.69 (3), no~~ No person
3 may operate a motorboat within 100 feet of any dock, raft, pier, or buoyed restricted
4 area on any lake at a speed in excess of slow-no-wake speed.

5 **SECTION 2.** 30.66 (3) (ag) of the statutes is created to read:

6 ✓ 30.66 (3) (ag) ~~Except as provided in subd. 2., no~~ person may operate a motorboat,
7 other than a personal watercraft, at a speed in excess of slow-no-wake within 100
8 feet of the shoreline ~~on any lake.~~

9 2. ~~In its ordinances~~ ^{enacted} under s. 30.77, a city, village, town, public inland lake
10 protection and rehabilitation district, or a sanitary district may provide that the
11 prohibition in subd 1. does not apply.

12 **SECTION 3.** 30.66 (3) (ar) of the statutes is created to read:

13 ✓ 30.66 (3) (ar) No person may operate a personal watercraft at a speed in excess
14 of slow-no-wake within 200 feet of the shoreline ~~on any lake.~~

15 **SECTION 4.** 30.66 (3) (b) of the statutes is amended to read:

16 ✓ 30.66 (3) (b) No person may operate a personal watercraft at a speed in excess
17 of slow-no-wake within 100 feet of any other boat ~~or within 200 feet of the shoreline~~
18 of any lake. ~~This paragraph does not apply if s. 30.69 (3) (a), (c) or (d) applies to the~~
19 operation of the personal watercraft. ~~plain~~

20 **SECTION 5.** 30.66 (3) (c) of the statutes is created to read:

1 ✓ 30.66 (3) (c) Paragraphs (a) ~~to~~ ^{and} (b) do not apply to pickup or drop areas that are
2 marked with regulatory markers and that are open to operators of personal
3 watercraft and to persons and motorboats engaged in water skiing or similar activity. ✓ ✓ ✓

4 **SECTION 6.** 30.69 (3) (d) of the statutes is amended to read:

5 ✓ 30.69 (3) (d) Paragraphs (a) to (c) do not apply to pickup or drop areas that are
6 marked with regulatory markers and that are open to operators of personal
7 watercraft and to persons and motorboats engaged in water skiing or similar activity. ✓ ✓

8 **History:** 1973 c. 302; 1985 a. 331; 1991 a. 257, 315, 316; 1993 a. 437.

SECTION 7. Effective date.

9 (1) ~~1~~ This act takes effect on the first day of the 7th month beginning after
10 publicaton. *oe*

11 (END)

D-note

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-3033/dn
MGG:.....

See
Lbjka
rgf

Date

Attention: Dan Kannine

The interrelationship between s 30.66 (3) and 30.69 (3) (d) in current law dealing with pick up and drop areas is awkward at best and does not work at worst. I therefore have taken the liberty to ~~make~~ some changes to these provisions. I have used the language proposed by a special legislative council committee two sessions ago to address this problem. Please call me if you have any questions.

I included a delayed effective date to allow time for DNR to implement and inform the public of this new restriction. Please let me know if you want any changes.

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

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**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-3033/1dn
MGG:bjk&kjf:pg

August 10, 2007

Attention: Dan Kanninen

The interrelationship between ss. 30.66 (3) and 30.69 (3) (d) in current law dealing with pickup and drop areas is awkward at best and does not work at worst. I therefore have taken the liberty of making some changes to these provisions. I have used the language proposed by a special legislative council committee two sessions ago to address this problem. Please call me if you have any questions.

I included a delayed effective date to allow time for DNR to implement and inform the public of this new restriction. Please let me know if you want any changes.

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

Basford, Sarah

From: Kanninen, Dan
Sent: Monday, January 07, 2008 9:41 AM
To: LRB.Legal
Subject: Draft Review: LRB 07-3033/1 Topic: Slow no wake near lake shores

Please Jacket LRB 07-3033/1 for the SENATE.