

2009 SENATE BILL 12

January 21, 2009 – Introduced by Senators JAUCH, HOLPERIN, LEHMAN, MILLER and RISSER, cosponsored by Representatives SHERMAN, BERCEAU, BLACK, CLARK, HILGENBERG, KNODL, MILROY, MOLEPSKE, JR., PASCH, RICHARDS, ROYS and TURNER. Referred to Committee on Environment.

1 **AN ACT** *to amend* 30.66 (3) (a), 30.66 (3) (b) and 30.69 (3) (d); and *to create* 30.66
2 (3) (ag), 30.66 (3) (ar) and 30.66 (3) (c) of the statutes; **relating to:** the operation
3 of motorboats, other than personal watercraft, at slow–no–wake speed within
4 a given distance of the shoreline of 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 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.

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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) 1. Except as provided in subd. 2., no person may operate a
7 motorboat, other than a personal watercraft, at a speed in excess of slow-no-wake
8 within 100 feet of the shoreline of any lake.

9 2. In its ordinances enacted under s. 30.77, a city, village, town, public inland
10 lake protection and rehabilitation district, or a town sanitary district may provide
11 that the 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 of 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.~~

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

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1 30.66 (3) (c) Paragraphs (a) to (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 **SECTION 7. Effective date.**

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

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(END)