

2017 DRAFTING REQUEST**Senate Amendment (SA-SB69)**

For: **Jon Erpenbach (608) 266-6670** Drafter: **zwyatt**
 By: **Kelly** Secondary Drafters:
 Date: **5/1/2017** May Contact:

Same as LRB:

Submit via email: **YES**
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Pre Topic:

No specific pre topic given

Topic:

Local ordinances relating to water skiing

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	zwyatt 5/1/2017	jdyer 5/1/2017			
/P1	zwyatt 5/1/2017	jdyer 5/1/2017	lparisi 5/1/2017		
/1			mbarman 5/1/2017	mbarman 5/1/2017	

FE Sent For:

<END>

WISCONSIN LEGISLATIVE REFERENCE BUREAU

Information Services 608-266-0341—Legal Services 608-266-3561



Kelly, Sen. Erpenbeck 5/1

Amendment to SB 69 that allows locals to enact an ordinance opting out of changes
in Sill.

-ZDJ



~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

SENATE AMENDMENT ,
TO SENATE BILL 69

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 2, line 13: delete “The motorboat” and substitute “Subject to s. 30.77
3 (3) (ab), (am) 2m., and (bm), the motorboat”.

4 **2.** Page 2, line 23: after that line insert:

5 “SECTION 5m. 30.77 (3) (a) of the statutes is amended to read:

6 30.77 (3) (a) Any Except as provided in par. (ab), any town, village, or city may,
7 in the interest of public health, safety, or welfare, including the public’s interest in
8 preserving the state’s natural resources, enact ordinances applicable on any waters
9 of this state within its jurisdiction if the ordinances are not contrary to or
10 inconsistent with this chapter and if the ordinances relate to the equipment, use, or
11 operation of boats or to any activity regulated by ss. 30.60 to 30.71.

12 **SECTION 6m.** 30.77 (3) (ab) of the statutes is created to read:

1 30.77 (3) (ab) Any town, village, or city may enact an ordinance to prohibit a
2 person operating a motorboat towing a person on water skis, aquaplane, or similar
3 device without an observer, as provided in s. 30.69 (1) (a) 1.

4 **SECTION 7m.** 30.77 (3) (am) 2. of the statutes is amended to read:

5 30.77 (3) (am) 2. ~~An~~ Except as provided in subd. 2m., an ordinance enacted
6 under subd. 1. or 1m. may not be contrary to or inconsistent with this chapter and
7 shall relate to the equipment, use, or operation of boats or to an activity regulated
8 by ss. 30.60 to 30.71.

9 **SECTION 8m.** 30.77 (3) (am) 2m. of the statutes is created to read:

10 30.77 (3) (am) 2m. An ordinance enacted under subd. 1. or 1m. may prohibit
11 a person operating a motorboat towing a person on water skis, aquaplane, or similar
12 device without an observer, as provided in s. 30.69 (1) (a) 1.

13 **SECTION 9m.** 30.77 (3) (am) 3. of the statutes is amended to read:

14 30.77 (3) (am) 3. If a public inland lake protection and rehabilitation district
15 enacts an ordinance under this paragraph, the lake district ordinance supersedes all
16 conflicting provisions of a town, village, or city ordinance enacted under par. (a) or
17 (ab) that are applicable to the lake.

18 **SECTION 10m.** 30.77 (3) (am) 3m. of the statutes is amended to read:

19 30.77 (3) (am) 3m. If a town sanitary district enacts an ordinance under this
20 paragraph, the town sanitary district ordinance supersedes all conflicting provisions
21 of a town, village, or city ordinance enacted under par. (a) or (ab) that are applicable
22 to the lake.

23 **SECTION 11m.** 30.77 (3) (am) 3r. a. of the statutes is amended to read:

24 30.77 (3) (am) 3r. a. Any conflicting provisions of a town, village, or city
25 ordinance enacted under par. (a) or (ab) that are applicable to the lake.

1 **SECTION 12m.** 30.77 (3) (b) of the statutes is amended to read:

2 30.77 (3) (b) ~~Any~~ Except as provided in par. (bm), any county may, in the
3 interest of public health, safety, or welfare, including the public's interest in
4 preserving the state's natural resources, enact an ordinance applicable on any river
5 or stream within its jurisdiction if the ordinance is not contrary to or inconsistent
6 with this chapter, and if the ordinance relates to the equipment, use, or operation of
7 boats or to any activity regulated by ss. 30.60 to 30.71. If a county enacts an
8 ordinance under this paragraph, the county ordinance supersedes all provisions of
9 a town, village, or city ordinance enacted under par. (a) or (ab) that is inconsistent
10 with the county ordinance.

11 **SECTION 13m.** 30.77 (3) (bm) of the statutes is created to read:

12 30.77 (3) (bm) Any county may enact an ordinance to prohibit a person
13 operating a motorboat towing a person on water skis, aquaplane, or similar device
14 without an observer, as provided in s. 30.69 (1) (a) 1.

15 **SECTION 14m.** 30.77 (3) (c) of the statutes is amended to read:

16 30.77 (3) (c) If any county operates any marina development adjacent to any
17 waters of this state, the authority conferred upon any town, village, or city under par.
18 (a) and (ab) shall exclusively vest in the county in respect to enactment of local
19 ordinances that relate to the development, operation, and use of the marina facility
20 and its adjoining waters.

21 **SECTION 15m.** 30.77 (3) (cm) (intro.) of the statutes is amended to read:

22 30.77 (3) (cm) (intro.) In enacting ordinances under par. (a), (ab), (am) ~~or~~, (b),
23 or (bm) for a given body of water, municipalities and public inland lake protection and
24 rehabilitation districts shall take into account factors that include all of the
25 following:

