

1975 Assembly Bill 806

Date published: April 16, 1976

CHAPTER 208, Laws of 1975

AN ACT to amend 30.80 (1); and to create 30.72 and 30.80 (3) of the statutes, relating to regulation of the use of watercraft on the lower St. Croix river, granting rule-making authority and providing a penalty.

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

SECTION 1. Legislative purpose. The lower St. Croix river, between the dam at St. Croix falls and its confluence with the Mississippi river, constitutes an outstandingly remarkable scenic and recreational asset. This river segment has been included in the national wild and scenic rivers system under the wild and scenic rivers act, as amended (Title 16 USC s. 1271 et seq.) and the lower St. Croix river act of 1972, as amended (P.L. 92-560). The purpose of this section is to further the public policy declared by congress of maintaining the scenic and recreational character of the lower St. Croix river, and to promote safe and enjoyable use of the river by persons using the waters of the lower St. Croix river for recreational purposes.

SECTION 2. 30.72 of the statutes is created to read:

30.72 Watercraft use regulations, lower St. Croix river. (1) WATER SURFACE USE RULES. (a) The department shall promulgate rules to govern the operation of boats on the lower St. Croix river. The regulations may restrict any or all of the following:

1. The type of boats which may be used on the waters affected by the regulations;
2. The areas of water which may be used by boats;
3. Speed of boats; or
4. The hours during which boating is permitted.

(b) In promulgating the rules required under par. (a), the department shall consider the physical characteristics of the waters affected, their historical uses, shoreland uses and classification, the classification of river segments under the lower St. Croix national scenic riverway master plan, and any other features unique to the lower St. Croix river, as well as the views of appropriate officials of counties, cities, villages and towns lying within the affected area, and of appropriate officials of agencies of the federal government and the state of Minnesota which have jurisdiction over the waters of the lower St. Croix river.

(2) CONCURRENT REGULATIONS REQUIRED. Rules promulgated under this section are effective upon adoption of laws, rules or regulations providing for similar limitations or prohibitions on the operation and use of boats on the same segments of the lower St. Croix river by the state of Minnesota or its agencies. In exercising the authority granted by this section, the department may enter into necessary agreements with the federal government and its agencies, or with the state of Minnesota and its agencies under s. 66.30 (5).

(3) ENFORCEMENT. In addition to the enforcement powers granted to the department under s. 30.74 (3), the rules promulgated under this section may be enforceable by officers of municipal water patrols having jurisdiction on waters of the lower St. Croix river under s. 30.79 (3). All officers so empowered by this section may exercise reciprocal powers which may be conferred upon them by the state of Minnesota or its agencies or political subdivisions relating to enforcement of regulations governing the use or operation of boats on the lower St. Croix river.

SECTION 3. 30.80 (1) of the statutes is amended to read:

30.80 (1) Any person violating any provision of ss. 30.50 to 30.80 for which a penalty is not provided by sub. (2) or (3) shall be fined not more than \$50 or imprisoned not more than 30 days, or both, for the ~~1st~~ first offense and fined not more than \$100 or imprisoned not more than 90 days, or both, upon conviction of the same offense a 2nd or subsequent time within one year.

SECTION 4. 30.80 (3) of the statutes is created to read:

30.80 (3) Any person violating any provision of s. 30.72 or the rules adopted pursuant thereto shall be fined not more than \$100 or imprisoned for not more than 30 days, or both, for the first offense, and fined not more than \$200 or imprisoned for not more than 90 days, or both, upon conviction of the same offense a 2nd or subsequent time within one year.
