LRB-1022/1 MGG:mfd:kat

1997 SENATE BILL 34

January 28, 1997 - Introduced by Senators Cowles, Risser, Rude, Clausing, Schultz and Plache, cosponsored by Representatives Johnsrud, Hutchison, Baumgart, Albers, R. Young, Goetsch, Seratti, Musser, Olsen and Gronemus. Referred to Committee on Agriculture and Environmental Resources.

AN ACT to renumber and amend 30.71; to amend 30.71 (title); and to create
30.71 (1) and 30.71 (3) of the statutes; relating to: disposal facilities on
outlying waters for toilet wastes from boats and granting rule-making
authority.

Analysis by the Legislative Reference Bureau

Under current law, no person may dispose of any toilet wastes from boats that are equipped with toilets into the waters of this state. Under this bill, establishments that provide berths or moorings to 5 or more boats must provide onshore disposal facilities for these toilet wastes. Under the bill, any rules established to carry out this requirement must be jointly promulgated by the department of commerce and the department of natural resources.

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:

- 5 **Section 1.** 30.71 (title) of the statutes is amended to read:
- 6 30.71 (title) Boats Disposal of waste from boats equipped with toilets.

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Section 2. 30.71 of the statutes is renumbered 30.71 (2) and amended to read:
30.71 (2) No person may, while maintaining or operating any boat equipped
with toilets on inland waters or outlying $\underline{\text{the}}$ waters of this state, as defined in s. 29.01
(9) and (11) , dispose of any toilet wastes in any manner into the inland or outlying
waters of this state. The department of commerce may promulgate water.
(4) Any rules necessary to carry out the purposes of this section shall be
$\underline{promulgated\ jointly\ by\ the\ department\ of\ commerce\ and\ the\ department\ of\ natural}$
resources.
Section 3. 30.71 (1) of the statutes is created to read:
30.71 (1) In this section, "outlying waters" has the meaning given in s. 29.01
(11).
Section 4. 30.71 (3) of the statutes is created to read:
30.71 (3) No person may operate for compensation or reward an establishment
that has the capacity of providing berths or moorings to 5 or more boats that are
equipped with toilets and that is located on an outlying water of this state unless the
establishment provides adequate fixed onshore disposal facilities for disposal of
toilet wastes from the boats for which the establishment provides berths or moorings.
toilet wastes from the boats for which the establishment provides berths or moorings. If the establishment is unable to provide fixed onshore disposal facilities due to
If the establishment is unable to provide fixed onshore disposal facilities due to
If the establishment is unable to provide fixed onshore disposal facilities due to problems of accessibility to the boats, the establishment shall provide adequate

(END)