



1999 ASSEMBLY BILL 816

February 29, 2000 - Introduced by Representatives HANDRICK, URBAN, LA FAVE, HASENOHRL, BLACK, GOETSCH, OWENS, MILLER, COLON and BOYLE, cosponsored by Senators ROBSON and CLAUSING. Referred to Committee on Tourism and Recreation.

1 **AN ACT** *to renumber and amend* 30.635; *to amend* 30.77 (4); and *to create*
2 30.635 (2) of the statutes; **relating to:** the speed of personal watercraft on
3 certain lakes.

Analysis by the Legislative Reference Bureau

Under current law, motorboats, including personal watercraft, may not be operated in excess of slow-no-wake speed on lakes of 50 acres or less, except when those lakes serve as thoroughfares among two or more navigable lakes. The department of natural resources may modify or waive this prohibition for particular lakes if it finds that public safety would not be impaired.

This bill expands the prohibition, with certain exceptions, as it applies to personal watercraft. Under the bill, no person may operate a personal watercraft in excess of slow-no-wake speed on lakes of 200 acres or less, except when those lakes serve as thoroughfares among two or more navigable lakes. Under the exceptions, a town may enact an ordinance that exempts a lake that is entirely within its jurisdiction from the prohibition. A town may also enact an ordinance that expands the prohibition so that it applies to lakes of 300 acres or less if the lakes are entirely within its jurisdiction.

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:

ASSEMBLY BILL 816**SECTION 1**

1 **SECTION 1.** 30.635 of the statutes is renumbered 30.635 (1) and amended to
2 read:

3 **30.635 (1) Motorboat prohibition.** On lakes that are 50 acres or less having
4 in size and that have public access, motorboats may not be operated no person may
5 operate a motorboat in excess of slow-no-wake speed, except when such these lakes
6 serve as thoroughfares between among 2 or more navigable lakes. This subsection
7 does not apply to personal watercraft.

8 **(3)** The department by rule may modify or waive the requirements of this
9 section as to particular lakes, if it finds that public safety is not impaired by such
10 modification or waiver.

11 **SECTION 2.** 30.635 (2) of the statutes is created to read:

12 **30.635 (2) (a)** No person may operate a personal watercraft in excess of
13 slow-no-wake speed on a lake that has public access and that is 200 acres or less in
14 size unless the lake serves as a thoroughfare among 2 or more navigable lakes.

15 **(b)** Notwithstanding par. (a) and s. 30.77 (1) (b), (2) and (3) (a), a town may enact
16 an ordinance that does any of the following:

17 1. Exempts a lake from the prohibition under par. (a) if the lake is entirely
18 within its boundaries.

19 2. Applies the prohibition under par. (a) to a lake that is entirely within its
20 boundaries and that is 300 acres or less in size.

21 **(c)** Section 30.77 (3) (cm) and (d) do not apply to an ordinance enacted under
22 par. (b).

23 **SECTION 3.** 30.77 (4) of the statutes is amended to read:

24 **30.77 (4) PUBLICIZING ORDINANCES.** All ordinances enacted under sub. (3) and
25 s. 30.635 (2) (b) shall be prominently posted by the local authority which enacted

