



Al Ott

State Representative • 3rd Assembly District

Assembly Bill 699
Life Jacket Requirements for Children
Assembly Committee on Environment & Forestry
January 28, 2016

Thank you for the opportunity to testify on behalf of Assembly Bill 699 (AB 699), which requires children under the age of 13 to wear life jackets while on boats.

Current state law requires that properly fitting life jackets be readily accessible for each person onboard a boat. There is no requirement, however, that those life jackets be worn by passengers, regardless of age.

Every other state in the country, with the exception of Virginia, has a requirement that children wear a life jacket while boating. Additionally, the federal government requires children under 13 to wear a life jacket while on federally regulated waters. In Wisconsin, this means Lake Michigan, Lake Superior and the Mississippi River.

The majority of states (31), require children under the age of 13 to wear life jackets. Two states, (and the District of Columbia) have higher age requirements. Fifteen states have lower age requirements. Of Wisconsin's four neighboring states, Illinois and Iowa require life jackets for children under 13, Minnesota requires children under 10 to wear a life jacket, and Michigan applies the requirement to children under six years of age.

AB 699 requires children under the age of 13 to wear a properly fitting life jacket while onboard a moving vessel. This requirement would not apply if the child is below deck or inside an enclosed cabin.

The age requirement under this bill is consistent with federal law, and in line with most other states.

Requiring children to wear life jackets while boating is a common-sense safety measure. You wouldn't put your child or grandchild in a car without being buckled in a safety seat or safety belt, so why would you send them out on open water without a life jacket?

You will hear from a number of folks today who have been impacted by situations where children were not wearing a life jacket. You will hear of adults dying when they jumped in the water to save their drowning children. I ask that you listen closely to these stories and consider how requiring children to wear life jackets could, indeed, save lives.

Thank you for your time and your thoughtful consideration of this legislation.

Life Jacket Requirements for Children

Child Safety State Law Tracker – Safe Kids Worldwide
1301 Pennsylvania Avenue, N.W., Suite 1000, Washington, DC 20004

State	Requirement
Alabama	Under 8
Alaska	Under 13
Arizona	Under 13
Arkansas	Under 13
California	Under 13
Colorado	Under 13
Connecticut	Under 13
District of Columbia	Under 18
Delaware	Under 13
Florida	Under 6
Georgia	Under 13
Hawaii	Under 13
Idaho	Under 15
Illinois	Under 13
Indiana	Under 13
Iowa	Under 13
Kansas	Under 13
Kentucky	Under 12
Louisiana	Under 17
Maine	Under 11
Maryland	Under 13
Massachusetts	Under 12
Michigan	Under 6
Minnesota	Under 10
Mississippi	Under 13
Missouri	Under 7
Montana	Under 12
Nebraska	Under 13
Nevada	Under 13
New Hampshire	Under 13
New Jersey	Under 13
New Mexico	Under 13
New York	Under 12
North Carolina	Under 13
North Dakota	Under 11
Ohio	Under 10
Oklahoma	Under 13
Oregon	Under 13
Pennsylvania	Under 13
Rhode Island	Under 13
South Carolina	Under 12
South Dakota	Under 7
Tennessee	Under 13
Texas	Under 13
Utah	Under 13
Vermont	Under 12
Virginia	None
Washington	Under 13
West Virginia	Under 13
Wisconsin	None
Wyoming	Under 13

This letter is in Support of State Assembly Bill 699 "Life Jacket Requirement for Children"

May 30, 2010 was the darkest day of my life. My daughter Jaime Pontell was enjoying a day on the water with her family. They were on Lake Minocqua tubing behind the boat. They were taking a break and had the tube in the deck boat when a strong wind kicked up the tube. Somehow the rope threw the ore into the air, the ore hit Jaimie's daughter Emilee causing her to fall out of the boat into the water.

Jaime looked at her husband Dave and then quickly jumped into the water to save Emilee, age 8 at that time. Jaime was able to get Emilee safely to the boat and Dave grabbed her and pulled her into the boat. Jaime was exhausted and had no air left in her lungs. Dave went back to help Jaime, within seconds, but when he got back there Jaime had already went under the water, he could not find her.

Bill 699 requiring life jacket to be worn for children under the age of 13 needs to pass in the State of Wisconsin. This bill is so important and means so much to me. If Emilee would have had a life jacket on while in the boat that day, my daughter Jaime would not have been in such a panic mode. It would have given them more time to come up with a safer way to rescue Emilee, instead of hastily jumping into the water. They would have both survived on that day in May.

Sincerely,

A handwritten signature in cursive script that reads "Lori Hallas". The signature is written in black ink and is positioned above the printed name.

Lori Hallas

January 25, 2016

To: *The Assembly Committee on Environment and Forestry*

Committee Chairman Rep. Mursau and Vice-Chairman Rep. Krug

From: *Laura Matthews Robertson, widow of Norman Robertson, who drown in Shawano Lake July 30, 2015*

I was delighted to hear that the Child Life Jacket bill 699 is being considered in Wisconsin.

I firmly believe if my 10-year old stepson had been wearing a life jacket last summer while he was out tubing in Shawano Lake, my husband, Norman Robertson, would be here today. My husband was a strong swimmer - a scuba diver, in fact. He had perseverance and strength like no one I have ever known. He took risks, as dads sometimes do, but he was always able to overcome any obstacle he encountered. I think we all naively believed he was invincible.

The water was rough the day they went out. I wish he had used better judgement, or at least I had been there to alter the chain of events. Ironically before he jumped in to save his son Norman, his other son, John, told me that his dad picked up a life preserver - I guess he was thinking of throwing it to his son - then put it down inside the boat and jumped in the water. He hadn't expected to be in the water that day, and had heavy jeans and a long sleeve shirt on. If his son had had a life jacket on, my husband would likely have felt he had time to bring the boat around and pick him up. The strong wind was blowing the boat away from his son, so he panicked, understandably. His son John tried to start the motor to bring the boat closer to his dad and brother, but the rope from the tube they were pulling got caught in the motor. At 9 years old, I can't imagine how helpless John felt. His son Norman survived, thank goodness, by swimming to a shallow area. He will, however, have to live with the imagine of his beloved father saying "I'm drowning", and disappearing under the water forevermore.

Please pass this legislation to protect kids and their dedicated parents like my husband.

Kind Regards,



Laura Matthews Robertson
4007 Byrd Rd
Kensington, Maryland
Telephone 301-605-5318

Proudly born in Appleton and former resident of Moshawquit lake, Gillett Norm and his mother, Margaret Serby, were both proud alumni of the University of Wisconsin in Madison



TO: Assembly Committee on Environment and Forestry
FROM: Libbe Slavin, Safe Kids Wisconsin Coordinator, Safe Kids of Wisconsin
DATE: 1/28/16
RE: Support AB 699 – Life Jacket Requirements

Good afternoon Chairman Mursau and committee members. Thank you for allowing me this opportunity to share testimony today. My name is Libbe Slavin and I am the Safe Kids Wisconsin Coordinator.

Safe Kids Wisconsin is part of the international network of Safe Kids Worldwide, with over 400 coalitions globally that focus on unintentional injuries in children 0-19 years of age. Safe Kids Wisconsin is led by Children's Hospital of Wisconsin to achieve our common goal of keeping Wisconsin kids safe by preventing unintentional injuries.

AB 699 would prohibit the operator of a recreational vessel from carrying a passenger who is under the age of 13 unless, during all times when the vessel is underway, the child is wearing a life jacket approved by the U.S. Coast Guard.

Safe Kids continually strives to prevent unintentional injuries of children throughout the state. From this commitment, many of Safe Kid's coalitions are involved with a variety of water safety programs including life jacket loaner stations. They coordinate the building and maintenance of stations throughout Wisconsin that hold life jackets at various boat landings and swim areas. These stations are created to address the need when a family gets ready to launch their boat and realize they don't have appropriate life jackets for everyone aboard. Most of them are on water ways of high need, either high volume boat traffic or significant drowning incidences.

Our children place their trust in our hands and it is our obligation to ensure their safety at all times. AB 699 centralizes the focus on the driver of the vessel to protect the child through the use of a life jacket. Something as simple as wearing a life jacket could very well be the difference between saving the child's life and drowning.

This bill will create safety habits that children can continue to develop well into adulthood in order to minimize casualties. According to the Wisconsin Department Natural Resources (DNR), from 2000-2015 a total of 307 incidences of drowning were recorded for all ages. Of the 307, there were only 42 individuals wearing a life jacket. Looking closer at the data, we found 38 of those 307 incidences were child related with only 4 confirmed wearing a life jacket. We are greatly alarmed at these numbers and due to the data presented feel the need to support legislation which enforces children wearing life jackets at all times. Through this legislation we have the potential to save children's lives.

Currently every state except Wisconsin and Virginia do not have a state law requiring life jackets.

Chairman Mursau and committee members, thank you for allowing me to submit testimony in support of AB699. If you have any more questions you can contact me via email at LSlavin@chw.org or via telephone at 715-843-1890.

Good Morning –

- Thank you for the opportunity to speak in favor of Assembly Bill 699, requiring Life Jackets for Children while boating on State waters.
- My Name is Division Chief Tim Mrowiec of the City of Madison Fire Department. I am the Special Operations Chief – which includes the Madison Fire Lake Rescue Team comprised of 57 Lake Rescue Members
- I am strongly in favor of this bill, as it is necessary to protect children as well as adults in our state.
- This isn't just a local issue here in Madison; Wisconsin is comprised of over 15,000 lakes and other bodies of water.
- Oddly enough, Wisconsin and Virginia are the only two states with no law on the books for this important safety issue.
- Wisconsin has had laws requiring the use of child passenger safety seats in automobiles for some time now; it is well past time that we protect the lives of children who are enjoying our lakes.

Dangers

- A child participating in any water sport—be it water-skiing, fishing, canoeing, etc—should be wearing a life jacket for the safety of the child in case of an emergency, as well as the safety of parents and bystanders who may attempt to rescue a child.
- In my 25 years as a member of the Lake Rescue Team I have witnessed too many incidents of a child drowning or struggling in the water. Often, a panicked parent or bystander will jump into the water to save the child. As a parent of two young boys, I can relate to doing anything and everything to save my child. But even if the parent or bystander is a strong swimmer, time is not on their side, and they can become potential victims themselves.
- Time and time again, out on the water with the Lake Rescue team or on my days off, I see small children riding on boats without life jackets. It is estimated that 50% of children on boats in Wisconsin do not wear life jackets. Something as simple as a slip off the boat can turn a fun and relaxing day into a nightmare for the family. Boat accidents, compounded by congested lakes and unattended children, are a tragic recipe for disaster.
- For the most part, people are respectful of the law. Child safety seat use in automobiles skyrocketed once the use of the seats was mandated by law. So it will be with child life jackets as well. Most parents who either never really thought about the possible dangers of boating or have been too casual about the use of life jackets will now ensure their child wears a life jacket on Wisconsin waters if this law requiring them passes.
- Assembly Bill 699 is a win-win for Wisconsin families; not only would this bill protect our children, but this common-sense law may also prevent the tragic deaths of others trying to save the life of a small child.
- In closing, I strongly urge you to vote in favor of Assembly Bill 699. Thank you again for the opportunity to speak and for considering my remarks.
- Timothy J. Mrowiec, Division Chief—Special Operations, Madison Fire Department
[608-266-5966](tel:608-266-5966); tmrowiec@cityofmadison.com