

1 HB381  
2 116869-1  
3 By Representatives Mask and Wren  
4 RFD: Agriculture and Forestry  
5 First Read: 21-JAN-10

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8 SYNOPSIS: Existing law sets restrictions for  
9 houseboats and vessel size and speed on Lake Harris  
10 (Lake Wedowee), Lake Martin, and Weiss Lake.

11 This bill would include Lake Jordan with  
12 those lakes that have restrictions on houseboats  
13 and vessel size and speed.

14  
15 A BILL  
16 TO BE ENTITLED  
17 AN ACT

18  
19 To amend Section 33-6A-3.1, Code of Alabama 1975,  
20 relating to use of certain vessels on specified lakes; to  
21 include Lake Jordan.

22 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

23 Section 1. Section 33-6A-3.1, Code of Alabama 1975,  
24 is amended to read as follows:

25 "§33-6A-3.1.

1           "(a) The prohibitions in this section shall apply  
2 only to the following lakes: Lake Harris (Lake Wedowee), Lake  
3 Martin, Lake Jordan, and Weiss Lake.

4           "(1) Except as authorized under subsection (d),  
5 beginning July 1, 2007, for Lake Harris (Lake Wedowee), Lake  
6 Martin, and Weiss Lake, and beginning July 1, 2011, for Lake  
7 Jordan, the use of houseboats shall be prohibited. The term  
8 houseboat shall include any residence boat as defined in  
9 subdivision (6) of Section 33-6A-1 or any recreational vessel  
10 that constitutes a fully equipped dwelling similar in content  
11 to a mobile home, with a marine sanitation device, galley, and  
12 sleeping quarters.

13           "(2) Beginning October 1, 2006, for Lake Harris  
14 (Lake Wedowee), Lake Martin, and Weiss Lake, and beginning  
15 October 1, 2010, for Lake Jordan, the use of recreational  
16 vessels greater than 26 feet 11 inches in length and rated by  
17 the manufacturer for or capable of a top speed in excess of 60  
18 miles an hour shall be prohibited.

19           "(3) Except as authorized under subsection (d),  
20 beginning July 1, 2007, for Lake Harris (Lake Wedowee), Lake  
21 Martin, and Weiss Lake, and beginning July 1, 2011, for Lake  
22 Jordan, the use of recreational vessels greater than 30 feet 6  
23 inches in length, as determined by the straight line distance  
24 between the ends of the boat, excluding bowsprits, outboard  
25 motor brackets, rudders, or other attachments, shall be  
26 prohibited.

1           "(b) Vessels used for law enforcement, public  
2 safety, search and rescue, scientific research, or dam  
3 operation or maintenance or medical vessels shall be excluded  
4 from the prohibitions in this section.

5           "(c) Sailboats equipped with a mast and sails that  
6 are dependent upon the wind for propulsion in the normal  
7 course of operation shall be excluded from the prohibitions in  
8 this section.

9           "(d) The department shall adopt rules pursuant to  
10 the Alabama Administrative Procedure Act within six months of  
11 July 1, 2006, for Lake Harris (Lake Wedowee), Lake Martin, and  
12 Weiss Lake, and within six months of July 1, 2010, for Lake  
13 Jordan, authorizing the use of vessels otherwise prohibited by  
14 this section in the following circumstances:

15           "(1) Vessels needed for use on a temporary basis.

16           "(2) Houseboats that were licensed and in use on  
17 July 1, 2006, for Lake Harris (Lake Wedowee), Lake Martin, and  
18 Weiss Lake, and houseboats that were licensed and in use on  
19 July 1, 2010, for Lake Jordan, provided, that they meet all  
20 applicable standards for sewage discharges, are moored at a  
21 marina or other facility with a certified pump-out station or  
22 other approved means of sewage disposal, and are inspected  
23 annually.

24           "(3) Boats exceeding 30 feet 6 inches in length not  
25 to include any boat covered by subdivision (2) of subsection  
26 (a) that was licensed and in use or that was on site and  
27 available for sale at a marina located on one of the lakes

1 referenced in subsection (a) on July 1, 2006 for Lake Harris  
2 (Lake Wedowee), Lake Martin, and Weiss Lake, and on July 1,  
3 2010, for Lake Jordan.

4 "(e) A permit issued under subsection (d) shall  
5 specify the lake where continued use of the vessel is  
6 authorized and shall not be transferable to any other lake  
7 referenced in subsection (a). Each permit issued under  
8 subsection (d) shall have a term of one year and shall be  
9 issued on or after the annual inspection of the vessel, if  
10 required. The department may charge and collect a fee  
11 sufficient to cover the reasonable anticipated costs for  
12 annual inspections and permit issuance under subsection (d)."

13 Section 2. This act shall become effective on July  
14 1, 2010.