

## 2005 DRAFTING REQUEST

### Assembly Amendment (AA-AB500)

Received: **09/23/2005**

Received By: **rkite**

Wanted: **As time permits**

Identical to LRB:

For: **Scott Gunderson (608) 266-3363**

By/Representing: **Mark Patronsky**

This file may be shown to any legislator: **NO**

Drafter: **rkite**

May Contact:

Addl. Drafters:

Subject: **Nat. Res. - nav. waters**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Gunderson@legis.state.wi.us**

Carbon copy (CC:) to: **mark.patronsky@legis.state.wi.us**

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#### Pre Topic:

No specific pre topic given

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#### Topic:

Permitting exceptions for piers and wharfs

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#### Instructions:

See Attached

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#### Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?							
/1	rkite 09/23/2005	kfollett 09/23/2005	jfrantze 09/26/2005	_____	sbasford 09/26/2005	sbasford 09/26/2005	
/2	rkite 10/07/2005	kfollett 10/07/2005	pgreensl 10/07/2005	_____	lnorthro 10/07/2005	lnorthro 10/07/2005	
/3	rkite 10/18/2005	kfollett 10/18/2005	pgreensl 10/18/2005	_____	sbasford 10/18/2005	sbasford 10/18/2005	

FE Sent For:

**<END>**



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Leg Council

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Carbon copy (CC:) to:

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/1	rkite 09/23/2005	kfollett 09/23/2005	jfrantze 09/26/2005	<del>10/7</del>	sbasford 09/26/2005	sbasford 09/26/2005	

FE Sent For:

12/15/05  
10/10/05  
10/7/05  
PS  
PS/MS  
<END>

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May Contact:

Addl. Drafters:

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Extra Copies: *Mark Patronsky (e-mail)  
Leg. Council*

Submit via email: **YES**

Requester's email: **Rep.Gunderson@legis.state.wi.us**

*PA's - please change  
request sheet*

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Permitting exceptions for piers and wharfs

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/?	rkite	<i>1/1/gf 9/23</i>	<i>2/6/23</i>	<i>2/6/23 9/24</i>			

FE Sent For:

<END>

**ASSEMBLY AMENDMENT ,  
TO 2005 ASSEMBLY BILL 500**

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 20, line 19: after that line insert:

3 **“SECTION 51m.** 30.12 (1g) (f) of the statutes is amended to read:

4 30.12 (**1g**) (f) A pier or wharf that ~~is no~~ meets all of the following requirements:

5 1. Is no more than 6 feet wide, ~~that extends.~~

*if required by the draft of the boat using the pier*

6 2. Extends no further than to a point where the water is 3 feet at its maximum depth,

7 or to the point where there is adequate depth <sup>2</sup> for mooring <sup>the</sup> a boat or using a boat hoist or boat

8 lift if required by the draft of the boat using the pier, or one boat length, whichever is closer

9 to farther from the shoreline, ~~and which has.~~

10 3. Has no more that 2 boat slips for the first 50 feet of riparian owner’s shoreline footage

11 and no more than one additional boat slip for each additional 50 feet of the riparian owner’s

12 shoreline.”.

13 **2.** Page 28, line 20: delete “~~waters or in any tributary thereof~~ water” and substitute

14 “waters or in any tributary thereof”.

*restores current law*

15 **3.** Page 49, lines 15 and 16: delete “any public hearing under s. 30.244 (3) (b) and”.

16 (END)

*needs by end of Monday*

**Kite, Robin**

---

**From:** Patronsky, Mark  
**Sent:** Saturday, September 24, 2005 12:00 PM  
**To:** Vollbrecht, Mary Ellen  
**Cc:** Cain, Michael J.; Lutz, Michael A.; Lehmann, Liesa K; Kite, Robin; Patronsky, Mark  
**Subject:** RE: AB500 Pier Language

Hi all (including Robin Kite, who needs to do a redraft of this amendment)

Please have a look at the drafts again---mine is WLC 0257/1 and the two I got from Mary Ellen.

I still think I have the better draft, because I took it straight from the old pier planner. For pier length, the pier planner had the 3 alternatives that are in my draft---the farthest into the water from shore of the following:

- a boat length
- the 3 foot depth
- deeper if required by "the draft of the craft" using the pier.

The 2 alts I got from Mary Ellen don't work, I think, because they omit the "required by" language. There will always be adequate depth beyond the 3 foot depth---the required by limit is necessary---i.e. for a deeper boat only.

I agree with Mary Ellen's comment about the potential ambiguity of the "required by" language---it needs to refer to the boat, not the boat hoist or lift.

So, Robin, I suggest redoing lines 7 and \* of WLC: 0257/1 as follows: "or to the point where there is adequate depth, if required by the draft of the boat using the pier, for mooring [strike] a the boat or using a boat hoist or boat lift, or one boat length, whichever is ..."

I hope I've got this right. Let me know if you still don't agree. I want this to be correct---it would be a high-profile mess if we get it wrong.

Mark

---

**From:** Vollbrecht, Mary Ellen  
**Sent:** Friday, September 23, 2005 5:00 PM  
**To:** Patronsky, Mark  
**Cc:** Cain, Michael J.; Lutz, Michael A.; Lehmann, Liesa K  
**Subject:** AB500 Pier Language

Sorry for the delay and different comment on the pier language - the other language re: tribs and mediation are fine as Mike C. said.

Mike L. and Liesa looked at the pier wording. It was possible to read it that somehow we had to determine whether a boat lift or hoist was required by the draft of the boat using the pier.

Here are two possible alternatives. Hope it's not too late.

<<AB 500 pier language.doc>>

09/26/2005



State of Wisconsin  
2005 - 2006 LEGISLATURE

LRBa1059/2  
RNK: [initials]

Needed Mon. 9/26

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION  
ASSEMBLY AMENDMENT,  
TO 2005 ASSEMBLY BILL 500

1 At the locations indicated, amend the bill as follows:  
2 1. Page 20, line 19: after that line insert:  
3 "SECTION 51m. 30.12 (1g) (f) of the statutes is amended to read:  
4 30.12 (1g) (f) A pier or wharf that is meets all of the following requirements:  
5 1. Is no more than 6 feet wide, that extends.  
6 2. Extends no further farther than to a whichever of the following is farther  
7 from the shoreline:  
8 a. A point where the water is 3 feet at its maximum depth, or to the,  
9 b. A point where there is adequate depth for mooring a boat or using a boat hoist  
10 or boat lift, whichever is closer to the shoreline, and which has if a boat hoist or boat  
11 lift is required by the draft of the boat using the pier or wharf.  
12 c. A point no farther than one boat length."

change component

renumbered 30.12 (1g) (f) (intro.) and

keep as in stricken material

~~SECTION 51m. 30.12 (1g) (f) of the statutes is amended to read:  
30.12 (1g) (f) A pier or wharf that is meets all of the following requirements:  
1. Is no more than 6 feet wide, that extends.  
2. Extends no further farther than to a whichever of the following is farther from the shoreline:  
a. A point where the water is 3 feet at its maximum depth, or to the,  
b. A point where there is adequate depth for mooring a boat or using a boat hoist or boat lift, whichever is closer to the shoreline, and which has if a boat hoist or boat lift is required by the draft of the boat using the pier or wharf.~~

move to p. 2

30.12 (1g) (f) 2.  
score period  
plain text, no scoring



~~Blank~~

LRB a 1059/1

RNK:

Insert

or

using the pier or wharf as may be  
required by the draft of the boat, or  
a point where there is adequate ~~depth~~  
depth for

## Kite, Robin

---

**From:** Patronsky, Mark  
**Sent:** Sunday, October 02, 2005 2:47 PM  
**To:** Kite, Robin  
**Subject:** Change to LRBa1059/1

Hi Robin--

We need a change, I think, in LRBa1059/1. On page 1, line 10 of the amendment, please change the amendment so the statute will read "3 feet deep". I have thought about this and can't figure out what "at its maximum depth" means. I still need to check with DNR staff to be sure I'm not missing anything.

Mark



(soon)  
State of Wisconsin  
2005 - 2006 LEGISLATURE

Rm run  
2  
LRBa1059/3  
RNK:kjf:j

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TO 2005 ASSEMBLY BILL 500

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2 1. Page 20, line 19: after that line insert:

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4 and amended to read:

5 30.12 (1g) (f) (intro.) A pier or wharf that is meets all of the following  
6 requirements:

7 1. Is no more than 6 feet wide, that extends,

8 2. Extends no further farther than to -a- whichever of the following is farther  
9 from the shoreline:

10 a. A point where the water is 3 feet ~~at its maximum depth,~~ or to the <sup>deep</sup>

11 b. A point where there is adequate depth for mooring a boat or using the pier  
12 or wharf as may be required by the draft of the boat, or a point where there is

1 adequate depth for using a boat hoist or boat lift, ~~whichever is closer to the shoreline,~~  
2 ~~and which has.~~

3 3. Has no more than 2 boat slips for the first 50 feet of riparian owner's shoreline  
4 footage and no more than one additional boat slip for each additional 50 feet of the  
5 riparian owner's shoreline.

6 **SECTION 51r.** 30.12 (1g) (f) 2. c. of the statutes is created to read:

7 30.12 (1g) (f) 2. c. A point no farther than one boat length.”.

8 **2.** Page 28, line 20: delete “~~waters or in any tributary thereof water~~” and  
9 substitute “waters or in any tributary thereof”.

10 **3.** Page 49, line 15: delete “any public hearing under”.

11 **4.** Page 49, line 16: delete “s. 30.244 (3) (b) and”.

12 (END)

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12 or wharf as may be required by the draft of the boat, or a point where there is

Insert  
1-1 →

1 adequate depth for using a boat hoist or boat lift, whichever is closer to the shoreline,  
2 and which has.

3 3. Has no more that 2 boat slips for the first 50 feet of riparian owner's shoreline  
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6 **SECTION 51r.** 30.12 (1g) (f) 2. c. of the statutes is created to read:

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11 **4.** Page 49, line 16: delete “s. 30.244 (3) (b) and”.

12 (END)

Insert  
2-7 →

Insert  
2-11 →

2005-2006 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRBa1059/3ins.  
RNK:.....

INSERT 1-1

1. Page 15, line 1: delete the material beginning with "(1)" and ending with "chapter." on line 2.

INSERT 2-7

2. Page 22, line 19: delete lines 19 to 21 and substitute "complaint is filed within 180 days of December 9, 1977. Upon the filing of a complaint, the department shall proceed with an action to enforce the applicable statutes."

INSERT 2-11

3. Page 50, line 2: delete lines 2 to 8.

4. Page 119, line 4: delete lines 4 to 11.

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