

2011 DRAFTING REQUEST

Assembly Amendment (AA-AB(LRBx2110/1))

Received: **02/01/2012**

Received By: **mglass**

Wanted: **As time permits**

Companion to LRB:

For: **Roger Rivard (608) 266-2519**

By/Representing: **DJ Lundgren**

May Contact:

Drafter: **mglass**

Subject: **Nat. Res. - fish and game**

Addl. Drafters:

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Rivard@legis.wi.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

County determination of ordinary high-water mark

Instructions:

See attached

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	mglass 02/01/2012	jdye 02/02/2012	jfrantze 02/02/2012	_____	ggodwin 02/02/2012	ggodwin 02/02/2012	

FE Sent For:

<END>

2011 DRAFTING REQUEST

Assembly Amendment (AA-AB(LRBx2110/1))

Received: 02/01/2012

Received By: **mglass**

Wanted: **As time permits**

Companion to LRB:

For: **Roger Rivard (608) 266-2519**

By/Representing: **DJ Lundgren**

May Contact:

Drafter: **mglass**

Subject: **Nat. Res. - fish and game**

Addl. Drafters:

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Rivard@legis.wi.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

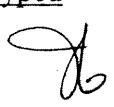
Topic:

County determination of ordinary high-water mark

Instructions:

See attached

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>
/?	mglass			2/2			

FE Sent For:

<END>



State of Wisconsin
2007 - 2008 LEGISLATURE

LRB-3258/1
MGG:cjs:nwn

2007 ASSEMBLY BILL 543

Dee

*add this in as amendment
to surveyor bill*

October 16, 2007 - Introduced by Representatives MEYER, FRISKE, GRONEMUS, MUSSER, ROTH, OWENS, HAHN, LEMAHIEU, PETROWSKI, MURSAU, GUNDERSON, KLEEFISCH, PRIDEMORE and BIES, cosponsored by Senators BRESKE, LAZICH, SCHULTZ, OLSEN and GROTHMAN. Referred to Committee on Natural Resources.

- 1 **AN ACT to create** 30.104 of the statutes; **relating to:** determinations of ordinary
2 high-water marks by counties and by the Department of Natural Resources.

Analysis by the Legislative Reference Bureau

This bill provides that if there is a difference between the determination by a county and by the Department of Natural Resources (DNR) as to the location of an ordinary high-water mark (OHWM) on a lake, the county's determination prevails. The OHWM is the point on the lakeshore where there is a distinctive mark that shows, by certain physical characteristics such as erosion marks or a change of vegetation, that the presence or action of surface water ends at that point. The area below the OHWM is considered to be part of the lake bed and owned by the state. The OHWM is also used in determining the rights of lakefront property owners and in determining what are shorelands for zoning ordinances enacted by counties. These zoning ordinances must meet certain standards promulgated by DNR. Current law defines a "shoreland" for these ordinances as being the area within 1,000 feet of the OHWM.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

- 3 SECTION 1. 30.104 of the statutes is created to read:
4 **30.104 Determinations of ordinary high-water marks by counties.** If
5 a county determines that an ordinary high-water mark on a lake at a given location

ASSEMBLY BILL 543

SECTION 1

1 is different from the ordinary high-water mark at the location as determined by the
2 department, the determination by the county shall prevail.

3 (END)

Date (time) needed Thurs

LRBa 2227/1 ^{RMR}

AMENDMENT

Mbb: Y
(Ld)

See form **AMENDMENTS — COMPONENTS & ITEMS.**

S (A) AMENDMENT

~~TO S A AMENDMENT~~ _____ (LRBa /),

~~TO S A SUBSTITUTE AMENDMENT~~ _____ (LRBs /),

TO 2011 SB SJR SR (AB) AJR AR _____ (LRB- 2110 /)

At the locations indicated, amend the bill ✓ as follows:
(fill ONLY if "engrossed" or "as shown by")

#. Page 2, line 18: after "maps;" insert "determinations of ordinary high-water marks;"

#. Page 9, line 2: after that line insert:

← Insert A ✓

#. Page, line
#. Page, line
#. Page, line

(End)

2007 ASSEMBLY BILL 543

October 16, 2007 - Introduced by Representatives MEYER, FRISKE, GRONEMUS, MUSSER, ROTH, OWENS, HAHN, LEMAHIEU, PETROWSKI, MURSAU, GUNDERSON, KLEEFISCH, PRIDEMORE and BIES, cosponsored by Senators BRESKE, LAZICH, SCHULTZ, OLSEN and GROTHMAN. Referred to Committee on Natural Resources.

1 **AN ACT to create** 30.104 of the statutes; **relating to:** determinations of ordinary
2 high-water marks by counties and by the Department of Natural Resources.

Analysis by the Legislative Reference Bureau

This bill provides that if there is a difference between the determination by a county and by the Department of Natural Resources (DNR) as to the location of an ordinary high-water mark (OHWM) on a lake, the county's determination prevails. The OHWM is the point on the lakeshore where there is a distinctive mark that shows, by certain physical characteristics such as erosion marks or a change of vegetation, that the presence or action of surface water ends at that point. The area below the OHWM is considered to be part of the lake bed and owned by the state. The OHWM is also used in determining the rights of lakefront property owners and in determining what are shorelands for zoning ordinances enacted by counties. These zoning ordinances must meet certain standards promulgated by DNR. Current law defines a "shoreland" for these ordinances as being the area within 1,000 feet of the OHWM.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 **SECTION 30.104** of the statutes is created to read: INS

4 **30.104 Determinations of ordinary high-water marks by counties.** If A

5 a county determines that an ordinary high-water mark on a lake at a given location

ASSEMBLY BILL 543

1 is different from the ordinary high-water mark[✓] at the location as determined by the
2 department, the determination by the county shall prevail." ○

3

~~END~~

(end of ins A)

INS
A CONT
made