

1999 DRAFTING REQUEST

Bill

Received: **01/15/99**

Received By: **gibsom**

Wanted: **Soon**

Identical to LRB:

For: **Administration-Budget 266-7973**

By/Representing: **Grinde**

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

Drafter: **gibsom**

May Contact:

Alt. Drafters: **nilsepe**

Subject: **Nat. Res. - forests and parks
Transportation - miscellaneous**

Extra Copies:

Topic:

DOA:.....Grinde - Funding for lakeshore state park and walkway

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	gibsom 01/25/99	ptellez 01/25/99	lpaasch 01/26/99	_____	lrb_docadmin 01/26/99		S&L
/2	gibsom 01/28/99	ygeller 01/28/99	lpaasch 01/29/99	_____	lrb_docadmin 01/29/99		S&L Lake
/3	gibsom 01/29/99	ygeller 01/31/99	martykr 01/31/99	_____	lrb_docadmin 01/31/99		S&L Lake
/4	gibsom 02/1/99	ygeller 02/1/99	martykr 02/1/99	_____	lrb_docadmin 02/1/99		S&L Lake

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/3	gibsom 01/29/99	ygeller 01/31/99	martykr 01/31/99	_____	lrb_docadmin 01/31/99		S&L Lake

FE Sent For:

14 2/1 jlg *lpm 2/1* *JG 2/1*
Rm 2/1

<END>

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May Contact:

Alt. Drafters:

Subject: **Nat. Res. - forests and parks**

Extra Copies: *hmg*

Topic:

DOA:.....Grinde - Funding for lakeshore state park development planning

Instructions:

See Attached

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<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	gibsom 01/25/99	ptellez 01/25/99	lpaasch 01/26/99	_____	lrb_docadmin 01/26/99		S&L

FE Sent For:

12/28 jlg *1-29-99* *1-29-99*
~~*CH.*~~
<END>

1999 DRAFTING REQUEST

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Received By: gibson

Wanted: Soon

Identical to LRB:

For: Administration-Budget 266-7973

By/Representing: Grinde

This file may be shown to any legislator: NO

Drafter: gibson

May Contact:

Alt. Drafters:

Subject: Nat. Res. - forests and parks

Extra Copies:

Topic:

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Instructions:

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FE Sent For:

<END>

CORRESPONDENCE MEMORANDUM

**STATE OF WISCONSIN
Department of Administration**

Date: January 15, 1999
To: Steve Miller
Chief, Legislative Reference Bureau
From: Kirsten Grinde
Policy and Budget Analyst, State Budget Office
Subject: FY 1999-2001 Budget Statutory Language Proposal

The following is an additional statutory language proposal for the FY1999-2001 biennial budget. I have indicated my priority ranking below.

The intent of this request is to require DNR to spend \$500,000 out of the ^{property development} general land acquisition category in the Stewardship Program for studies and planning for developments at Lakeshore State Park. *part of Milwaukee Summit lake bed grant. City owns the land*

This would be effective for the final year of the existing Stewardship Program and for the new Stewardship Program that would begin July 1, 2001.

<u>Issue</u>	<u>Status</u>	<u>Analyst</u>	<u>Priority</u>
Lakeshore Park Stewardship Earmark	Proposal above	Kirsten	High

If you have any questions, please contact me at 266-7973.

cc: Dave Schmiedicke



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-1817A-1 RMR
MGG.f.g.t...
JLG

DNote
soon

DOA:.....Grinde - Funding for lakeshore state park development planning
FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

do not gen. cat.

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

NATURAL RESOURCES ✓

OTHER NATURAL RESOURCES ✓

Under current law, the department of natural resources (DNR) ✓ administers the stewardship program, which provides funding for various conservation purposes. These purposes include acquiring land for developing DNR properties, awarding grants to local units of government for parks and urban green space and acquiring land for the Ice Age Trail and other trails. ✓ STET.

This bill requires DNR to spend up to \$500,000 ✓ from the stewardship program to study and plan for the establishment and development of a state park which will be located in the city of Milwaukee and which will provide access to Lake Michigan.

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:

2 SECTION 1. 23.0915 (2t) ✓ of the statutes is created to read:

3 23.0915 (2t) STATE PARK IN CITY OF MILWAUKEE. (a) Subject to par. (b), ✓ from the

4 appropriation under s. 20.866 (2) (tz) ✓, the department shall expend the moneys

1 necessary to study and plan for the establishment and development of a state park
2 which will be located in the city of Milwaukee and which will provide access to Lake
3 Michigan. ✓

4 (b) The department may not expend more than \$500,000 ✓ for the study and plan
5 under par. (a). ✓ ✓

6 (c) For purposes of sub. (1), ✓ moneys expended under par. (a) ✓ shall be treated as
7 moneys expended for general property development.

8 History: 1989 a. 31; 1991 a. 39, 269, 309; 1993 a. 16, 213, 343; 1995 a. 27; 1997 a. 27.

(END)

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

1817
LRB-1929/1dn

MGG: ~~mm~~:km

Pjt
+
JLG

Monday, January 13, 1997 DATE

This draft is subject to a constitutional challenge as a private or local bill if it is included in the budget bill.

Mary Gibson-Glass
Senior Staff Counsel
267-3215

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1817/1dn
MGG:pgt&jlg:lp

January 25, 1999

This draft is subject to a constitutional challenge as a private or local bill if it is included in the budget bill.

Mary Gibson-Glass
Senior Staff Counsel
267-3215

Gibson-Glass, Mary

From: Grinde, Kirsten
Sent: Wednesday, January 27, 1999 3:35 PM
To: Gibson-Glass, Mary
Subject: LRB 1817/1

Mary,

Could you draft a new appropriation in 20.370 (7)?

The appropriation would be PR-S and be all moneys received by the department from the department and from other state agencies for facilities, materials or services provided by the department relating to acquisition or development to pay for expenses associated with those facilities, materials or services.

This appropriation is expected to receive monies from DOT for development activities at the proposed Lakeshore Park.

Also, please allow the earmarked Stewardship funds to be used for development of the state park as well. This would be needed as a state match to the funds from DOT (federal grant dollars).

We received some information from the City of Milwaukee relating to the lakebed grants that have occurred over the years. Please let me know if you need that information (unfortunately, the highlighting done on the original makes some parts very black on my copy, but I can try to get you a better copy if necessary.).

Thanks,

Kirsten



Ch. 150, Laws of 1929
Ch. 151, Laws of 1929
Ch. 76 Laws of '73

person, firm, association, or corporation hold-
 on shall claim the assessment of said real estate
 the value that can ordinarily be obtained there-
 the respective town board, village board or
 said real estate is situated may take proof of
 of said real estate and make a finding there-
 of said finding with the county treasurer he shall
 d owner or lien holder the proper proportional
 ate based upon the value so found, together
 ges, as in the case of redemption of tax certifica-
 l tax certificate, and shall give to said owner
 cept for said tax.

This act shall take effect upon passage and publi-
 cation.

June 4, 1929.

[Published June 7, 1929.]

CHAPTER 149.

g to a reprint of the cemetery laws of this state
 e State of Wisconsin, represented in Senate and
 enact as follows:

The printing board is hereby instructed to have
 ousand copies of a reprint of chapter 157, and
) of section 318.01 of the statutes, relating
 opy of such reprint shall be distributed by the
 of public property to each cemetery association
 icipality conducting a cemetery, either directly
 town, village and city clerks, as may be most

This act shall take effect July 1, 1929.

June 5, 1929.

No. 318, S.]

[Published June 7, 1929.]

CHAPTER 150.

AN ACT to grant and cede to the United States of America, cer-
 tain lands adjacent to the shore of Lake Michigan, in the
 county and city of Milwaukee.

*The people of the State of Wisconsin, represented in Senate and
 Assembly, do enact as follows:*

SECTION 1. All the right, title and interest of the state of
 Wisconsin in the lands hereinafter described is hereby granted
 and ceded to the United States of America; provided that this
 grant and cession shall not become operative until the consent
 of the city of Milwaukee, a municipal corporation, shall have
 been duly given by a resolution of its common council; and a
 copy of such resolution, duly certified by the city clerk of said
 city, shall have been filed with the secretary of state in his office
 at the city of Madison, state of Wisconsin.

SECTION 2. The lands to which this act refers are described
 as follows: Beginning at a point distant south eighty-nine de-
 grees, thirty-two minutes, seventeen seconds east two thousand
 eight hundred sixty-eight and fifty-six hundredths feet; north
 zero degrees, twenty-seven minutes, forty-three seconds east four
 hundred sixty-five and two hundredths feet, from the north-
 west corner of the south one-half fractional section thirty-three
 township seven north, range twenty-two east, being a point on
 the north pier of the harbor entrance in the extension of a line
 passing through United States government monuments num-
 bers 305 and 307 on said north pier and distant four hundred
 sixty-five and two hundredths feet easterly from United States
 government monument number 307; running thence north zero
 degrees, forty-five minutes, one second west one thousand one
 hundred sixty-five and twenty-four hundredths feet to a point;
 thence south eighty-seven degrees, sixteen minutes, thirty-nine
 seconds west seven hundred fourteen and thirteen hundredths
 feet along a line parallel to the north pier of the harbor entrance,
 as determined by a line passing through United States govern-
 ment monuments numbers 305 and 307, to a point on the rubble-
 mound breakwater; thence south zero degrees, forty-five minutes,
 one second east one thousand one hundred sixty-five and twenty-
 four hundredths feet to a point on the north pier of the harbor
 entrance, being a point in the line passing through the United

States government monuments numbers 305 and 307 and distance two hundred forty-nine and eleven hundredths feet westerly from United States government monument number 307; thence north eighty-seven degrees; sixteen minutes, thirty-nine seconds; east seven hundred fourteen and thirteen hundredths feet along the line passing through United States government monuments numbers 305 and 307 to the point of beginning, excepting that portion of the north pier of the harbor entrance lying within the area herein described, being a parcel of land, mainly submerged in the north one-half fractional section thirty-three, township seven north, range twenty-two east in the third ward of the city of Milwaukee, and containing nineteen acres.

SECTION 3. This act shall take effect upon passage and publication.

Approved June 5, 1929.

No. 319, S.]

[Published June 7, 1929.]

CHAPTER 151.

AN ACT to grant, cede, and confirm to the city of Milwaukee a strip of land on the east side of said city, and partly submerged by the waters of Lake Michigan, in aid of navigation. *The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:*

SECTION 1. All the right, title and interest of the state of Wisconsin in the lands hereinafter described, whether any part or parcel thereof may be, at the time of the passage and publication of this act, dry or submerged under the waters of Lake Michigan are hereby ceded, granted and confirmed to the city of Milwaukee, a municipal corporation, for the purpose of improving, filling, and utilizing the same in aid of navigation and the fisheries, in any manner the said city may deem expedient, and particularly for the purpose of establishing and maintaining thereon breakwaters, bulkheads, piers, wharves, warehouses, transfer sheds, railway tracks, airports, and other harbor facilities, together with such other uses not inconsistent with the improvement of navigation and fisheries in Lake Michigan, and the navigable waters tributary thereto, as said city may deem expedient.

numbers 305 and 307 and distant ten hundredths feet westerly from monument number 307; thence north six minutes, thirty-nine seconds east thirteen hundredths feet along the line of United States government monuments numbers 305 and 307 from the point of beginning, excepting that portion of the harbor entrance lying within the parcel of land, mainly submerged, in fractional section thirty-three, township seven north, range twenty-two east in the third ward of the city of Milwaukee, to the effect upon passage and public

[Published June 7, 1920]

ER 151.

confirm to the city of Milwaukee the title and interest of the state in the parcel of land, mainly submerged, in fractional section thirty-three, township seven north, range twenty-two east in the third ward of the city of Milwaukee, in aid of navigation and the improvement thereof, as said city may deem expedient, and the right to establish and maintain wharves, piers, wharves, warehouses, docks, airports, and other harbor facilities not inconsistent with the improvement thereof, as said city may deem

SECTION 2. The lands to which this act is intended to refer, and does refer, are described as follows: Beginning at a point in the south line of east Wisconsin Avenue extended easterly, distant four hundred seventy-two and ninety-eight hundredths feet from the easterly line of Marshall street; running thence south sixteen degrees, twenty-seven minutes, fifty-two seconds west two thousand two hundred forty-seven and four hundredths feet to a point in the northerly line of Chicago street extended easterly, distant six hundred sixty-one and fifty hundredths feet from the easterly line of Jackson street; thence south seven degrees, forty-five minutes, twenty-two seconds west one thousand five hundred sixteen and sixty-seven hundredths feet to a point in the center line of Polk street extended easterly distant three hundred thirty-one and thirty hundredths feet from the easterly line of Jackson street; thence south nine degrees, forty minutes, twenty-nine seconds east one thousand two hundred thirteen and thirty-seven hundredths feet to a point on the North Harbor Pier in the line of the United States government monuments numbers 305 and 307 extended westerly distant sixty-nine and thirty-two hundredths feet westerly from United States government monument number 305; thence north eighty-seven degrees, sixteen minutes, thirty-nine seconds east six hundred and seventeen hundredths feet along said line of United States government monuments numbers 305 and 307 to a point; thence north zero degrees, forty-five minutes, one second east one thousand one hundred sixty five and twenty-four hundredths feet to a point; thence north sixty-seven degrees, sixteen minutes, thirty-nine seconds seven hundred fourteen and thirteen hundredths feet to a point in the United States government pierhead line, as approved by the United States government October 20, 1919; thence north eight degrees, forty-one minutes, thirty-seven seconds east three thousand seven hundred sixty and five hundredths feet to a point in the southerly line of east Wisconsin Avenue extended easterly, distant one thousand seven hundred four and fifty-seven hundredths feet from the easterly line of Marshall street; thence south eighty-five degrees, forty-six minutes, fifty-three seconds west one thousand two hundred thirty-one and fifty-nine hundredths feet along the southerly line of Wisconsin Avenue to the point of commencement, being land mainly submerged, in fractional sections twenty-eight and thirty-three, township seven north, range twenty-two east, in the

third ward of the city of Milwaukee, and containing one hundred thirty-seven acres more or less.

SECTION 3. The said grantee, the city of Milwaukee, shall not convey any portion or the whole of the lands so granted, ceded and confirmed, and described in section 2 of this act, to any other party, either by warranty deed, quit claim, or in any other manner, except that it may convey to the government of the United States such portion thereof as may be desirable for the promotion of navigation; and it may also convey said lands to any harbor district or other public corporation that may hereafter be organized, under any law of this state, for the purpose of maintaining and operating a public port; and it may further lease for limited terms not exceeding thirty years, such particular parcels or portions thereof as the board of harbor commissioners may deem expedient, to parties desiring to employ such leased portions and parcels in the maintaining, operating or using of any harbor facilities thereon.

SECTION 4. Whenever the said city of Milwaukee shall convey or attempt to convey the whole or any portion of the lands hereby granted, ceded or confirmed, to any other party except as herein provided, or shall use said lands or any part thereof for purposes permanently inconsistent with their use for the promotion of navigation and the fisheries, such land, or any part thereof so conveyed or attempted to be conveyed, or used inconsistently as hereinabove stated, shall revert to the state of Wisconsin.

SECTION 5. This act shall take effect upon passage and publication.

Approved June 5, 1929.

No. 49, A.]

[Published June 7, 1929

CHAPTER 152.

AN ACT to appropriate a certain sum to D. W. Hubbard for damages growing out of a certain automobile accident. *The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:*

SECTION 1. (1) There is appropriated from the general fund to D. W. Hubbard of Whitewater, Wisconsin, the sum of three hundred eighty-six dollars to reimburse him for damages to his

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No. 52,

AN ACT
29.56
The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:
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Appro

No. 400,

AN ACT
319.05
The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:
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department or independent agency from appearing by its staff as a party in such proceedings.

SECTION 5. No later than January 1, 1974, the department of natural resources shall report to the joint committee on finance with recommendations on integrating the monitoring fees required by section 144.54 of the statutes with a fee system for permits issued under chapter 147 of the statutes.

SECTION 6. On the effective date of this act, the department of natural resources shall commence the administration of any permit already issued by the U.S. environmental protection agency under the federal water pollution control act amendments of 1972, 86 Stat. 816. The department shall not require any holder of a previously issued federal permit to resubmit an application for a state permit under chapter 147 of the statutes until expiration of the federal permit. This SECTION shall not be construed to prevent the department from modifying the terms and conditions of such permits under chapter 147 of the statutes during the remaining period prior to expiration.

1973 Assembly Bill 454

Date published:
July 21, 1973

CHAPTER 75 , Laws of 1973

AN ACT to amend 95.72 (4) of the statutes, relating to the location of animal rendering plants.

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

95.72 (4) of the statutes is amended to read:

95.72 (4) LOCATION. No person shall erect a rendering plant within one-eighth mile of a dwelling, business building or public highway, but no plant need be discontinued because a highway is relocated to come closer than one-eighth mile of any existing plant. Nothing in this subsection shall prohibit the continuation of an existing plant or the erection of new and improved rendering plant facilities on the same premises subject to the provisions of any local ordinances.

1973 Senate Bill 661

Date published:
July 25, 1973

CHAPTER 76 , Laws of 1973

AN ACT relating to the authority of the board of harbor commissioners of Milwaukee and granting certain lands, partly submerged in Lake Michigan, to the city.

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

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This SECTION
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Date published:
July 21, 1973

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Date published:
July 25, 1973

ers of Milwaukee
to the city.

sembly, do enact

SECTION 1. All the right, title and interest of the state of Wisconsin in the lands hereinafter described, whether any part or parcel thereof may be, at the time of the passage and publication of this act, dry or submerged under the waters of Lake Michigan are hereby ceded, granted and confirmed to the city of Milwaukee, a municipal corporation, for the purpose of improving, filling, and utilizing the same in aid of navigation and the fisheries and in addition for such further and other use which the board of harbor commissioners of the city of Milwaukee may deem appropriate and expedient and which the common council approves by resolution. Such land shall also be used for the purpose of establishing and maintaining thereon breakwaters, bulkheads, piers, wharves, warehouses, transfer sheds, railway tracks, airports, and other harbor facilities, together with such other uses not inconsistent with the improvement of navigation and fisheries in Lake Michigan, and the navigable waters tributary thereto, as the city may deem expedient.

SECTION 2. (1) The lands to be granted to the city of Milwaukee and to which this act applies are described as follows:

A parcel of submerged land in Lake Michigan, adjacent to the North Harbor Tract in the city of Milwaukee, extending from the southerly line of East Wisconsin Avenue extended, to the harbor entrance; and located 714 to 1,714 feet easterly of the present rubble mound shore line; said parcel being more particularly described as follows:

Beginning at a point in the south line of East Wisconsin Avenue extended, distant 1704.70 feet easterly from the easterly line of North Marshall street; running thence south 8°, 41', 37" west 3760.04 feet to a point; running thence south 0°, 45', 01" east 1165.24 feet to a point in the line of U.S. Monuments 305 and 307 extended, being a point on the north pier of the inner harbor entrance distant 465.02 feet easterly from U.S. Monument 307; running thence north 87°, 16', 39" east 1000.00 feet to a point; running thence north 0°, 45', 01" west 1044.66 feet to a point; running thence north 8°, 41', 37" east 3910.30 feet to a point on the south line of East Wisconsin Avenue extended; running thence south 85°, 46', 53" west 1025.94 feet to the point of beginning, being a parcel of submerged land in fractional sections twenty-eight and thirty-three, Township 7 North, Range 22 East in the Fourth Ward of the City of Milwaukee and containing 113.395 acres, more or less.

(2) This act also applies to lands previously granted to Milwaukee under chapter 151, laws of 1929, and lands hereby granted and added thereto, in accordance with the following description:

Beginning at a point in the south line of east Wisconsin Avenue extended easterly, distant 473.12 feet from the easterly line of Marshall street; running thence south 16°, 27', 52" west 2,247.04 feet to a point in the northerly line of Chicago street extended easterly, distant 661.50 feet from the easterly line of Jackson street; thence south 7°, 45', 22" west 1,516.67 feet to a point in the center line of Polk street extended easterly distant 331.30 feet from the easterly line of Jackson street; thence south 9°, 40', 29" east 1,213.37 feet to a point on the North Harbor Pier in the line of the United States government monuments numbers 305 and 307 extended westerly distant 69.32 feet westerly from United States government monument number 305; thence north 87°, 16', 39" east 600.17 feet along said line of United States government monuments numbers 305 and 307 to a point; thence north 0°, 45', 1" west 1,165.24 feet to a point; thence north 87°, 16', 39" east 714.13 feet to a point in the United States government pierhead line, as approved by the United States government October 20, 1919; thence north 8°, 41', 37"

east 3,760.04 feet to a point in the southerly line of east Wisconsin Avenue extended easterly, distant 1,704.70 feet from the easterly line of Marshall street; thence south 85°, 46', 53" west 1,231.58 feet along the southerly line of Wisconsin Avenue to the point of commencement, being land mainly submerged, in fractional sections 28 and 33, township 7 north, range 22 east, in the third ward of the city of Milwaukee, and containing 137 acres more or less.

SECTION 3. The city of Milwaukee, shall not convey any portion or the whole of the lands so granted, ceded and confirmed, and described in SECTION 2 of this act, to any other party, either by warranty deed, quit claim, or in any other manner, except that it may convey to the government of the United States such portion thereof as may be desirable for the promotion of navigation; and it may also convey lands to any harbor district or other public corporation that may hereafter be organized, under any law of this state, for the purpose of maintaining and operating a public port; and it may further lease for an initial term not exceeding 30 years, such particular parcels or portions thereof as the board of harbor commissioners considers advisable, to parties desiring to employ such leased portions and parcels in a manner determined by the board of harbor commissioners to be for the best interests of port and harbor development.

SECTION 4. Whenever the city of Milwaukee conveys or attempts to convey the whole or any portion of the lands hereby granted, ceded or confirmed, to any other party except as herein provided, or uses the lands or any part thereof except as herein provided, such land, or any part thereof so conveyed or attempted to be conveyed or so used shall revert to the state.

1973 Assembly Bill 1183

Date published:

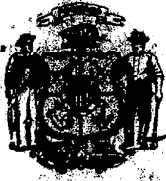
July 31, 1973

CHAPTER 77 , Laws of 1973

AN ACT to ratify the agreement negotiated between the State of Wisconsin and the (professional engineering) State Highway Engineers Association and authorizing an expenditure of funds.

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

SECTION 1. **Agreement ratified.** The legislature hereby ratifies the tentative agreement negotiated between the state of Wisconsin, department of administration, and the State Highway Engineers Association, covering employes in the professional engineering bargaining unit under the provisions of Chapter 111 of the statutes, as approved by the employes of the professional engineering bargaining unit and approved and recommended by the joint committee on employment relations and authorizes the necessary funds from section 20.865 (1) (cm) of the statutes for implementation. Official certified copies of that agreement shall be filed with the secretary of state.



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-1817A 2 RME
MGG:pgt&jlg:lp

soon D-Note

DOA:.....Grinde - Funding for lakeshore state park development planning
FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

do not gen

from the City of Milwaukee ↑

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau
NATURAL RESOURCES
OTHER NATURAL RESOURCES

Under current law, the department of natural resources (DNR) administers the stewardship program, which provides funding for various conservation purposes. These purposes include acquiring land for developing DNR properties, awarding grants to local units of government for parks and urban green space and acquiring land for the Ice Age Trail and other trails.

This bill requires DNR to spend up to \$500,000 from the stewardship program ~~to study and plan~~ for the establishment and development of a state park which will be located in the city of Milwaukee and which will provide access to Lake Michigan.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

INS
ANL

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

← INS 1-2 ✓

2 SECTION 1. 23.0915 (2t) of the statutes is created to read:

3 23.0915 (2t) STATE PARK IN ^{FOR THE ← (S)} CITY OF MILWAUKEE. (a) Subject to par. (b), from the

4 appropriation under s. 20.866 (2) (tz), the department shall expend the moneys

for all of the following

for

1 necessary ~~to study and plan for the establishment and development of~~ a state park
2 which will be located in the city of Milwaukee and which will provide access to Lake
3 Michigan ~~to~~ *from the city of Milwaukee:*

4 (b) The department may not expend more than \$500,000 for the study and plan
5 under par. (a).

6 (c) For purposes of sub. (1), moneys expended under par. (a) shall be treated as
7 moneys expended for general property development.

(END)

← INS [2-7A
2-7B

- 1. Studies and plans for the establishment and development of the state park.
- 2. Development of the state park.

INSERT
ANL

NO-P Current law limits the use of some of the area to be included in the state park to only navigation and fishery purposes. This bill allows this area to also be used for public park purposes.

¶ Because this bill concerns a conveyance of a lake bed area, the department of natural resources, as required by law, will prepare a detailed report to be printed as an appendix to this bill.

SECTION 1. 20.370 (7) (fk) of the statutes is created to read:

20.370 (7) (fk) *Resource acquisition and development — service funds; transportation fund.* From the transportation fund, all moneys received by the INS department from the department and from other state agencies for facilities, materials or services provided by the department relating to acquisition or development to pay for expenses associated with those facilities, materials or services.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

History: 1971 c. 125, 211; 1973 c. 90, 333; 1975 c. 39; 1975 c. 163 s. 16; 1975 c. 199; 1977 c. 29, 274, 418, 447; 1979 c. 34; 1979 c. 361 s. 113; 1981 c. 20; 1981 c. 347 s. 80 (2), (4); 1983 a. 27, 538; 1985 a. 16 s. 15; 1985 a. 29 ss. 638p, 3202 (51); 1985 a. 120 ss. 66, 3202 (56); 1985 a. 332; 1987 a. 3, 27, 110, 399, 403; 1989 a. 31, 102, 105, 359; 1991 a. 39, 104, 189, 269, 309, 315; 1993 a. 16, 123, 205, 253, 415, 437, 491; 1995 a. 27, 113, 201, 269, 280, 445; 1997 a. 27, 35, 41, 135, 237, 255; s. 13.93 (1) (b).

SECTION 2. 25.40 (2) (b) 27. of the statutes is created to read:

25.40 (2) (b) 27. Section 20.370 (7) (fk).

INS 2-7A

(score) -> Such land may also be used for the purpose of

INS - A (into Ins B)

Laws of

SECTION 3. 1929, Wisconsin Act 151, section 1 is amended to read:

INS 2-7B

[1929, Wisconsin Act 151] Section 1. INS-B

SECTION 4. 1929, Wisconsin Act 151, section 3 is amended to read:

[1929, Wisconsin Act 151] Section 3. INS-C

Laws of

SECTION 5. 1929, Wisconsin Act 151, section 4 is amended to read:

[1929, Wisconsin Act 151] Section 4. INS-D

SECTION 6. 1973, Wisconsin Act 76, section 1 is amended to read:

[1929, Wisconsin Act 151] Section 1. INS-E

76



States government monuments numbers 305 and 307 and distance two hundred forty-nine and eleven hundredths feet westerly from United States government monument number 307; thence north eighty-seven degrees; sixteen minutes, thirty-nine seconds; seven hundred fourteen and thirteen hundredths feet along the line passing through United States government monuments numbers 305 and 307 to the point of beginning, excepting that portion of the north pier of the harbor entrance lying within the area herein described, being a parcel of land, mainly submerged in the north one-half fractional section thirty-three, township seven north, range twenty-two east in the third ward of the city of Milwaukee, and containing nineteen acres.

SECTION 3. This act shall take effect upon passage and publication.

Approved June 5, 1929

Improving navigation and wharves
 INSERT A

No. 319, S.]

for public park purposes or

[Published June 7, 1929]

CHAPTER 151.

AN ACT to grant, cede, and confirm to the city of Milwaukee a strip of land on the east side of said city, and partly submerged by the waters of Lake Michigan, in aid of navigation. The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

NOA Section 1
 All the right, title and interest of the state of Wisconsin in the lands hereinafter described, whether any part or parcel thereof may be, at the time of the passage and publication of this act, dry or submerged under the waters of Lake Michigan are hereby ceded, granted and confirmed to the city of Milwaukee, a municipal corporation, for the purpose of improving, filling, and utilizing the same in aid of navigation and the fisheries, in any manner the said city may deem expedient, and particularly for the purpose of establishing and maintaining thereon breakwaters, bulkheads, piers, wharves, warehouses, transfer sheds, railway tracks, airports, and other harbor facilities, together with such other uses not inconsistent with the improvement of navigation and fisheries in Lake Michigan, and the navigable waters tributary thereto, as said city may deem expedient.

INSERT B
wharves

Water Public Park purposes of V
third ward of the city of Milwaukee, and containing one hundred
thirty-seven acres more or less.

~~§~~ ~~XXXXXXXXXX~~ The said grantee, the city of Milwaukee, shall
not convey any portion or the whole of the lands so granted,
ceded and confirmed, and described in section 2 of this act, to
any other party, either by warranty deed, quit claim, or in any
other manner, except that it may convey to the government of
the United States such portion thereof as may be desirable for
the promotion of navigation; and it may also convey said lands
to any harbor district or other public corporation that may here-
after be organized, under any law of this state, for the purpose
of maintaining and operating a public port; and it may further
lease for limited terms not exceeding thirty years, such particular
parcels or portions thereof as the board of harbor commissioners
may deem expedient, to parties desiring to employ such leased
portions and parcels in the maintaining, operating or using of
any harbor facilities thereon.

When Whenever the said city of Milwaukee shall con-
vey or attempt to convey the whole or any portion of the lands
hereby granted, ceded or confirmed, to any other party, except
as herein provided, or shall use said lands or any part thereof
for purposes permanently inconsistent with their use for the
promotion of navigation and the fisheries, such land, or any part
thereof so conveyed or attempted to be conveyed, or used incon-
sistently as hereinabove stated, shall revert to the state of
Wisconsin.

SECTION 5. This act shall take effect upon passage and publi-
cation.

Approved June 5, 1929.

No. 49, A.]

[Published June 7, 1929]

CHAPTER 152.

AN ACT to appropriate a certain sum to D. W. Hubbard for
damages growing out of a certain automobile accident.
*The people of the State of Wisconsin, represented in Senate and
Assembly, do enact as follows:*

SECTION 1. (1) There is appropriated from the general fund
to D. W. Hubbard of Whitewater, Wisconsin, the sum of three
hundred eighty-six dollars to reimburse him for damages to his

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for public park purposes or

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~~SECTION 1. All the right, title and interest of the state of Wisconsin in the lands hereinafter described, whether any part or parcel thereof may be, at the time of the passage and publication of this act, dry or submerged under the waters of Lake Michigan are hereby ceded, granted and confirmed to the city of Milwaukee, a municipal corporation, for the purpose of improving, filling, and utilizing the same in aid of navigation and the fisheries and in addition for such further and other use which the board of harbor commissioners of the city of Milwaukee may deem appropriate and expedient and which the common council approves by resolution. Such land shall also be used for the purpose of establishing and maintaining thereon breakwaters, bulkheads, piers, wharves, warehouses, transfer sheds, railway tracks, airports, and other harbor facilities, together with such other uses not inconsistent with the improvement of navigation and fisheries in Lake Michigan, and the navigable waters tributary thereto, as the city may deem expedient.~~

INSERT
E

SECTION 2. (1) The lands to be granted to the city of Milwaukee and to which this act applies are described as follows:

A parcel of submerged land in Lake Michigan, adjacent to the North Harbor Tract in the city of Milwaukee, extending from the southerly line of East Wisconsin Avenue extended, to the harbor entrance; and located 714 to 1,714 feet easterly of the present rubble mound shore line; said parcel being more particularly described as follows:

Beginning at a point in the south line of East Wisconsin Avenue extended, distant 1704.70 feet easterly from the easterly line of North Marshall street; running thence south 8°, 41', 37" west 3760.04 feet to a point; running thence south 0°, 45', 01" east 1165.24 feet to a point in the line of U.S. Monuments 305 and 307 extended, being a point on the north pier of the inner harbor entrance distant 465.02 feet easterly from U.S. Monument 307; running thence north 87°, 16', 39" east 1000.00 feet to a point; running thence north 0°, 45', 01" west 1044.66 feet to a point; running thence north 8°, 41', 37" east 3910.30 feet to a point on the south line of East Wisconsin Avenue extended; running thence south 85°, 46', 53" west 1025.94 feet to the point of beginning, being a parcel of submerged land in fractional sections twenty-eight and thirty-three, Township 7 North, Range 22 East in the Fourth Ward of the City of Milwaukee and containing 113.395 acres, more or less.

(2) This act also applies to lands previously granted to Milwaukee under chapter 151, laws of 1929, and lands hereby granted and added thereto, in accordance with the following description:

Beginning at a point in the south line of east Wisconsin Avenue extended easterly, distant 473.12 feet from the easterly line of Marshall street; running thence south 16°, 27', 52" west 2,247.04 feet to a point in the northerly line of Chicago street extended easterly, distant 661.50 feet from the easterly line of Jackson street; thence south 7°, 45', 22" west 1,516.67 feet to a point in the center line of Polk street extended easterly distant 331.30 feet from the easterly line of Jackson street; thence south 9°, 40', 29" east 1,213.37 feet to a point on the North Harbor Pier in the line of the United States government monuments numbers 305 and 307 extended westerly distant 69.32 feet westerly from United States government monument number 305; thence north 87°, 16', 39" east 600.17 feet along said line of United States government monuments numbers 305 and 307 to a point; thence north 0°, 45', 1" west 1,165.24 feet to a point; thence north 87°, 16', 39" east 714.13 feet to a point in the United States government pierhead line, as approved by the United States government October 20, 1919; thence north 8°, 41', 37"

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Date published:
July 21, 1973

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Date published:
July 25, 1973

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✓ for public park purposes or

east 3,760.04 feet to a point in the southerly line of east Wisconsin Avenue extended easterly, distant 1,047.0 feet from the easterly line of Marshall street; thence south 85°, 46', 53" west 1,231.58 feet along the southerly line of Wisconsin Avenue to the point of commencement, being land mainly submerged, in fractional sections 28 and 33, township 7 north, range 22 east, in the third ward of the city of Milwaukee, and containing 137 acres more or less.

NO P

~~SECTION 1.~~ The city of Milwaukee, shall not convey any portion or the whole of the lands so granted, ceded and confirmed, and described in SECTION 2 of this act, to any other party, either by warranty deed, quit claim, or in any other manner, except that it may convey to the government of the United States such portion thereof as may be desirable for the promotion of navigation; and it may also convey lands to any harbor district or other public corporation that may hereafter be organized, under any law of this state, for the purpose of maintaining and operating a public port; and it may further lease for an initial term not exceeding 30 years, such particular parcels or portions thereof as the board of harbor commissioners considers advisable, to parties desiring to employ such leased portions and parcels in a manner determined by the board of harbor commissioners to be for the best interests of port and harbor development.

CS

INSERT F

SECTION 4. Whenever the city of Milwaukee conveys or attempts to convey the whole or any portion of the lands hereby granted, ceded or confirmed, to any other party except as herein provided, or uses the lands or any part thereof except as herein provided, such land, or any part thereof so conveyed or attempted to be conveyed or so used shall revert to the state.

1973 Assembly Bill 1183

Date published:
July 31, 1973

CHAPTER 77, Laws of 1973

AN ACT to ratify the agreement negotiated between the State of Wisconsin and the (professional engineering) State Highway Engineers Association and authorizing an expenditure of funds.

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

SECTION 1. Agreement ratified. The legislature hereby ratifies the tentative agreement negotiated between the state of Wisconsin, department of administration, and the State Highway Engineers Association, covering employes in the professional engineering bargaining unit under the provisions of Chapter 111 of the statutes, as approved by the employes of the professional engineering bargaining unit and approved and recommended by the joint committee on employment relations and authorizes the necessary funds from section 20.865 (1) (cm) of the statutes for implementation. Official certified copies of that agreement shall be filed with the secretary of state.

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-1817/2dn
MGG:lp

Jg

in that chapter

1. In reviewing the language amending the lake bed grants, please note the following:

a. 1. I did not amend chapter 150, laws of 1929, because I could find no language limiting the purposes for which the conveyed land may be used. Note that this land was ceded to the federal government. If some of this land is to be used for the Lake Shore Park it seems that it will need to be ceded back to the state. I used the

b. 2. ^{amend} I ~~conformed~~ the language in chapter 151, laws of 1929, section 1, to conform with the language in chapter 76, laws of 1973, section 1, because I had to amend the chapter 151 language. found

3. For your information, the lakebed report provisions are contained in s. 13.097.

4. I amended the description of the location of the park since it ~~seems~~ that the park may end up technically not being in the city of Milwaukee. is possible

Mary Gibson-Glass
Senior Legislative Attorney
Phone: (608) 267-3215

In amending

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1817/2dn
MGG;jlg:lp

January 29, 1999

1. In reviewing the language amending the lake bed grants, please note the following:

a. I did not amend chapter 150, laws of 1929, because I could find no language in that chapter limiting the purposes for which the conveyed land may be used. Note that this land was ceded to the federal government. If some of this land is to be used for the Lake Shore Park it seems that it will need to be ceded back to the state.

b. In amending the language in chapter 151, laws of 1929, section 1, I used the language found in chapter 76, laws of 1973, section 1.

3. For your information, the lakebed report provisions are contained in s. 13.097.

4. I amended the description of the location of the park since it is possible that the park may end up technically not being in the city of Milwaukee.

Mary Gibson-Glass
Senior Legislative Attorney
Phone: (608) 267-3215



State of Wisconsin
1999 - 2000 LEGISLATURE

7 PEN

3 RHR

LRB-1817/2

MGG:pgt&jlg:lp

soon

and walkway

DOA:.....Grinde - Funding for lakeshore state park development planning

FOR 1999-01 BUDGET -- NOT READY FOR INTRODUCTION

do not gen

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

NATURAL RESOURCES

OTHER NATURAL RESOURCES

Under current law, the department of natural resources (DNR) administers the stewardship program, which provides funding for various conservation purposes. These purposes include acquiring land for developing DNR properties, awarding grants to local units of government for parks and urban green space and acquiring land for the Ice Age Trail and other trails.

This bill requires DNR to spend up to \$500,000 from the stewardship program for the establishment and development of a state park which will provide access to Lake Michigan from the city of Milwaukee. Current law limits the use of some of the area to be included in the state park to only navigation and fishery purposes. This bill allows this area to also be used for public park purposes.

§ ← IN SANL ✓

Because this bill concerns a conveyance of a lake bed area, the department of natural resources, as required by law, will prepare a detailed report to be printed as an appendix to this bill.

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:

the acquisition of ^{land for, or for} construction or development of,

SECTION 1. 20.370 (7) (fk) of the statutes is created to read:

20.370 (7) (fk) *Resource acquisition and development — service funds;*
transportation ~~fund~~. From the *transportation fund*, all moneys received by the
department from the department *of transportation* and from other state agencies for facilities,
materials or services provided by the department, *relating to acquisition*
~~development~~ to pay for expenses associated with those facilities, materials or
services.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

← [✓] INSERT 2-7

SECTION 2. 23.0915 (2t) of the statutes is created to read:

23.0915 (2t) STATE PARK FOR THE CITY OF MILWAUKEE. (a) Subject to par. (b), from the appropriation under s. 20.866 (2) (tz), the department shall expend the moneys necessary for all of the following for a state park which will provide access to Lake Michigan from the city of Milwaukee:

- 1. Studies and plans for the establishment and development of the state park.
- 2. Development of the state park.

(b) The department may not expend more than \$500,000 for the study and plan under par. (a).

(c) For purposes of sub. (1), moneys expended under par. (a) shall be treated as moneys expended for general property development.

~~SECTION 3. 25.40 (2) (b) 27. of the statutes is created to read:~~

~~25.40 (2) (b) 27. Section 20.370 (7) (fk)~~

SECTION 4. Laws of 1929, chapter 151, section 1 is amended to read:

[Laws of 1929, chapter 151] Section 1. All the right, title and interest of the state of Wisconsin in the lands hereinafter described, whether any part or parcel

1 thereof may be, at the time of the passage and publication of this act, dry or
2 submerged under the waters of Lake Michigan are hereby ceded, granted and
3 confirmed to the city of Milwaukee, a municipal corporation, for the purpose of
4 improving, filling, and utilizing the same for public park purposes or in aid of
5 navigation and the fisheries, in any manner the said city may deem expedient, ~~and~~
6 ~~particularly for the purpose of. Such land may also be used for the purpose of~~
7 establishing and maintaining thereon breakwaters, bulkheads, piers, wharves,
8 warehouses, transfer sheds, railway tracks, airports, and other harbor facilities,
9 together with such other uses not inconsistent with the improvement of navigation
10 and fisheries in Lake Michigan, and the navigable waters tributary thereto, as said
11 city may deem expedient.

12 **SECTION 5.** Laws of 1929, chapter 151, section 3 is amended to read:

13 [Laws of 1929, chapter 151] Section 3. The said grantee, the city of Milwaukee,
14 shall not convey any portion or the whole of the lands so granted, ceded and
15 confirmed, and described in section 2 of this act, to any other party, either by
16 warranty deed, quit claim, or in any other manner, except that it may convey to the
17 government of the United States such portion thereof as may be desirable for the
18 promotion of navigation; and it may also convey said lands to any harbor district or
19 other public corporation that may hereafter be organized, under any law of this state,
20 for public park purposes or for the purpose of maintaining and operating a public
21 port; and it may further lease for limited terms not exceeding thirty years, such
22 particular parcels or portions thereof as the board of harbor commissioners may
23 deem expedient, to parties desiring to employ such leased portions and parcels for
24 public park purposes or in the maintaining, operating or using of any harbor facilities
25 thereon.

1 **SECTION 6.** Laws of 1929, chapter 151, section 4 is amended to read:

2 [Laws of 1929, chapter 151] Section 4. Whenever the said city of Milwaukee
3 shall convey or attempt to convey the whole or any portion of the lands hereby
4 granted, ceded or confirmed, to any other party except as herein provided, or shall
5 use said lands or any part thereof for purposes permanently inconsistent with their
6 use for public park purposes or for the promotion of navigation and the fisheries, such
7 land, or any part thereof so conveyed or attempted to be conveyed, or used
8 inconsistently as hereinabove stated, shall revert to the state of Wisconsin.

9 **SECTION 7.** Laws of 1973, chapter 76, section 1 is amended to read:

10 [¹⁹⁷³Laws of ~~1929~~, chapter 76] Section 1. All the right, title and interest of the state
11 of Wisconsin in the lands hereinafter described, whether any part or parcel thereof
12 may be, at the time of the passage and publication of this act, dry or submerged under
13 the waters of Lake Michigan are hereby ceded, granted and confirmed to the city of
14 Milwaukee, a municipal corporation, for the purpose of improving, filling, and
15 utilizing the same for public park purposes or in aid of navigation and the fisheries
16 and in addition for such further and other use which the board of harbor
17 commissioners of the city of Milwaukee may deem appropriate and expedient and
18 which the common council approves by resolution. Such land shall may also be used
19 for the purpose of establishing and maintaining thereon breakwaters, bulkheads,
20 piers, wharves, warehouses, transfer sheds, railway tracks, airports, and other
21 harbor facilities, together with such other uses not inconsistent with the
22 improvement of navigation and fisheries in Lake Michigan, and the navigable
23 waters tributary thereto, as the city may deem expedient.

24 **SECTION 8.** Laws of 1973, chapter 76, section 3 is amended to read:

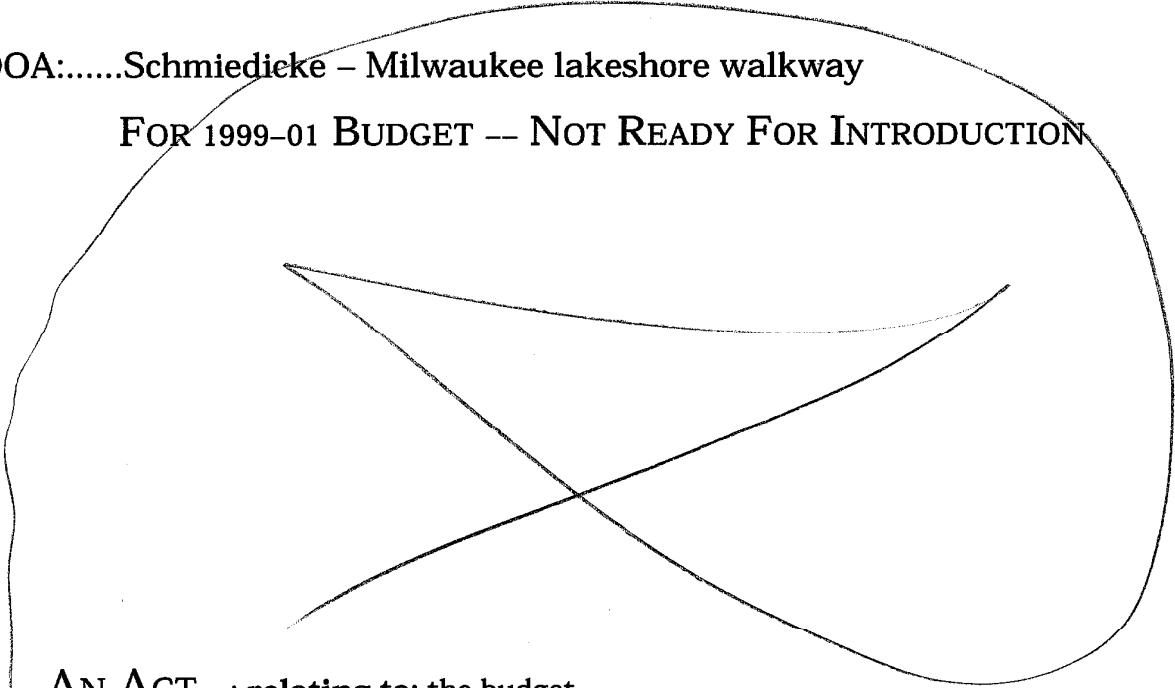
1 ¹⁹⁷²
2 [~~Laws of 1929~~, chapter 76] Section 3. The city of Milwaukee, shall not convey
3 any portion or the whole of the lands so granted, ceded and confirmed, and described
4 in SECTION 2 of this act, to any other party, either by warranty deed, quit claim, or
5 in any other manner, except that it may convey to the government of the United
6 States such portion thereof as may be desirable for the promotion of navigation; and
7 it may also convey lands to any harbor district or other public corporation that may
8 hereafter be organized, under any law of this state, for public park purposes or for
9 the purpose of maintaining and operating a public port; and it may further lease for
10 an initial term not exceeding 30 years, such particular parcels or portions thereof as
11 the board of harbor commissioners considers advisable, to parties desiring to employ
12 such leased portions and parcels for public park purposes or in a manner determined
13 by the board of harbor commissioners to be for the best interests of port and harbor
14 development.

← [✓] INS 5-13

(END)

DOA:.....Schmiedieke - Milwaukee lakeshore walkway

FOR 1999-01 BUDGET -- NOT READY FOR INTRODUCTION



1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

TRANSPORTATION

OTHER TRANSPORTATION

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P This bill creates an appropriation to receive federal moneys allocated for construction of pedestrian and bicycle facilities along Lake Michigan in the city of Milwaukee and requires the department of transportation (DOT) to award grants to the department of natural resources ~~{DNR}~~ to construct these facilities.

For further information see the ~~state 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:

INS
R-7
↓

2 SECTION 1. 20.395 (2) (ny) of the statutes is created to read:

3 20.395 (2) (ny) Milwaukee lakeshore walkway, federal funds. ~~All~~ ^{From the} moneys

4 ~~received~~ received from the federal government under P.L. 102-240, section 1045, and P.L.

5 105-277, section 373, ^{the amounts in the schedule} for the purpose of awarding grants under 1999 Wisconsin Act

1 (this act), section 9150 (1). No moneys may be encumbered under this paragraph
2 after June 30, 2002.

INSERT
2-7
(cond)

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

(end in s 2-7)

3 **SECTION 9150. Nonstatutory provisions; transportation.**

4 (1) MILWAUKEE LAKESHORE BICYCLE AND PEDESTRIAN FACILITIES GRANTS. The
5 department of transportation shall award grants from the appropriation under
6 section 20.395 (2) (ny) of the statutes, as created by this act, to the department of
7 natural resources for the purpose of constructing pedestrian and bicycle facilities
8 along Lake Michigan in the city of Milwaukee.



INSERT
5-13

9 (END)

CORRESPONDENCE MEMORANDUM

**STATE OF WISCONSIN
Department of Administration**

-1829

Date: January 15, 1999

To: Steve Miller
Legislative Reference Bureau

From: David P. Schmiedicke
State Budget Office

DP S

Subject: 1999-01 Budget Draft - ~~Dane County Regional Planning Commission~~
Milwaukee Lakeshore Walkway

Please draft the following for inclusion in the Governor's 1999-01 biennial budget:

Create an federal appropriation in DOT for the purposes of using Interstate Cost Estimate funding as authorized under section 1045 of PL 102-240 (1991 ISTEA legislation) and section 373 of the Omnibus Appropriations Act of 1999 (PL 105-277) to support construction of a pedestrian and bicycle walk along Lake Michigan in the city of Milwaukee.

Please feel free to call me at 6-1040 with questions. Thanks.

CC: Rick Chandler

TEA-21 = P.L. 105-178

Nilsen, Paul

From: Schmiedicke, David [david.schmiedicke@doa.state.wi.us]
Sent: Friday, January 15, 1999 7:41 PM
To: Nilsen, Paul
Cc: Miller, Steve
Subject: Drafting Instructions for the Governor's 1999-01 Budget -- Milwaukee Lakeshore Walkway

Importance: High

Paul and Steve: I inadvertently sent over these instructions today under the title of the Dane County Regional Planning Commission. Please draft the following with the title "Milwaukee Lakeshore Walkway":

Create an federal appropriation in DOT for the purposes of using Interstate Cost Estimate funding as authorized under section 1045 of PL 102-240 (1991 ISTEA legislation) and section 373 of the Omnibus Appropriations Act of 1999 (PL 105-277) to support construction of a pedestrian and bicycle walk along Lake Michigan in the city of Milwaukee.

Sorry for any confusion. Thanks very much.

David P. Schmiedicke
Wisconsin Department of Administration
Voice -- (608) 266-1040
FAX -- (608) 267-0372
E-Mail -- david.schmiedicke@doa.state.wi.us

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H.R.2950

Intermodal Surface Transportation Efficiency Act of 1991 (Enrolled Bill (Sent to President))

SEC. 1045. SUBSTITUTE PROJECT.

(a) APPROVAL OF PROJECT- Notwithstanding any other provision of law, upon the request of the Governor of the State of Wisconsin, submitted after consultation with appropriate local government officials, the Secretary may approve substitute highway, bus transit, and light rail transit projects, in lieu of construction of the I-94 East-West Transitway project in Milwaukee and Waukesha Counties, as identified in the 1991 Interstate Cost Estimate.

(b) ELIGIBILITY FOR FEDERAL ASSISTANCE- Upon approval of any substitute highway or transit project or projects under subsection (a), the costs of construction of the eligible transitway project for which such project or projects are substituted shall not be eligible for funds authorized under section 108(b) of the Federal-Aid Highway Act of 1956 and a sum equal to the Federal share of such costs, as included in the latest interstate cost estimate submitted to Congress, shall be available to the Secretary to incur obligations under section 103(e)(4) of title 23, United States Code, for the Federal share of the costs of such substitute project or projects.

(c) LIMITATION ON ELIGIBILITY- If, by October 1, 1993, or two years after the date of the enactment of this Act, whichever is later, the Governor of the State of Wisconsin has not submitted a request for a substitute project or projects in lieu of the I-94 East-West Transitway, the Secretary shall not approve such substitution. If, by October 1, 1995, or four years after the date of the enactment of this Act, whichever is later, such substitute project or projects are not under construction, or under contract for construction, no funds shall be appropriated under the authority of section 103(e)(4) of title 23, United States Code, for such project or projects. For the purposes of this subsection, the term 'construction' has the same meaning as given to it in section 101, title 23, United States Code, and shall include activities such as preliminary engineering and right-of-way acquisition.

(d) ADMINISTRATIVE PROVISIONS-

(1) STATUS OF SUBSTITUTE PROJECT OR PROJECTS- Any substitute project approved under subsection (a) shall be deemed to be a substitute project for the purposes of section 103(e)(4) of title 23, United States Code (other than subparagraphs (C) and (O)).

(2) **REDUCTION OF UNOBLIGATED INTERSTATE APPORTIONMENT-** Unobligated apportionments for the Interstate System in the State of Wisconsin shall, on the date of approval of any substitute project or projects under subsection (a), be applied toward the Federal share of the costs of such substitute project or projects.

(3) **ADMINISTRATION THROUGH FHWA-** The Secretary shall administer this section through the Federal Highway Administration.

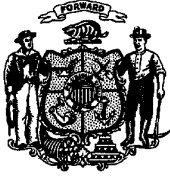
(4) **FISCAL YEARS 1993 AND 1994 APPORTIONMENTS-** For the purpose of apportioning funds for fiscal years 1993 and 1994 under section 104(b)(5)(A), the Secretary shall consider Wisconsin as having no remaining eligible costs. For the purpose of apportioning funds under section 104(b)(5)(A) of title 23, United States Code, for fiscal year 1995 and subsequent fiscal years, Wisconsin's actual remaining eligible costs shall be used.

(e) **TRANSFER OF APPORTIONMENTS-** Wisconsin may transfer Interstate construction apportionments to its National Highway System in amounts equal to or less than the costs for additional work on sections of the Interstate System that have been built with Interstate construction funds and that are open to traffic as shown in the 1991 Interstate Cost Estimate.

SEC. 1046. CONTROL OF OUTDOOR ADVERTISING.

(a) **FUNDING-** Section 131(m) of title 23, United States Code, is amended by adding at the end the following new sentence: 'Subject to approval by the Secretary in accordance with the program of projects approval process of section 105, a State may use any funds apportioned to it under section 104 of this title for removal of any sign, display, or device lawfully erected which does not conform to this section.'

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State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-18297?
PEN.....

SOON

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DOA:.....Schmiedicke - Milwaukee lakeshore walkway

FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

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do not gen

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

TRANSPORTATION ✓
OTHER TRANSPORTATION ✓

This bill creates an appropriation to receive federal moneys allocated for construction of pedestrian and bicycle facilities along Lake Michigan in the city of Milwaukee.

For further information see the *state* 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:

2 SECTION 1. 20.395 (2) (ny) ^X of the statutes is created to read:
3 20.395 (2) (ny) ✓ *Milwaukee Lakeshore Walkway, federal funds.* All moneys
4 received from the federal government under P.L. 102-240, section 1045, and P.L.

1 105-277, section 373, for the purpose of constructing pedestrian and bicycle facilities

2 along Lake Michigan in the City of Milwaukee, for such purposes.

3

(END) ✓

✓ Note: bud

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-1829/2an

PEN.....

January 18, 1999

Jlg
Pld

David Schmiedicke:

I could not find a copy of P.L. 105-277 and so could not verify the citation to or language of section 373. Are you sure the citation is accurate?

Section 1045 of P.L. 102-240 had a 1995 deadline on application for the federal funds. OK?

This bill, if included in the compiled budget, may violate Art. IV, section 18 of the Wisconsin Constitution, which provides that "No private or local bill which may be passed by the legislature shall embrace more than one subject, and that shall be expressed in the title." If challenged, this bill may be upheld if the general subject matter of the provision relates to a state responsibility of statewide dimension and its enactment will have direct and immediate effect on a specific statewide concern or interest. See, *Milwaukee Brewers v. DH&SS*, 130 Wis.2d 79 (1986).

Paul E. Nilsen
Legislative Attorney
261-6926

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1829/P1dn
PEN:jljgjf

January 18, 1999

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Paul E. Nilsen
Legislative Attorney
261-6926

Nilsen, Paul

From: Schmiedicke, David
Sent: Wednesday, January 27, 1999 4:37 PM
To: Nilsen, Paul
Subject: RE: -1829, Lakeshore Walkway

Paul: I understand your point. However, the Governor's intent is that the specific federal funding source identified in the appropriation serve as the source of the grant. I don't have a problem with putting the directive to make the grant in non-statutory language. DOT believes they need specific authority for this grant in order to avoid having to take the money through the letting process.

I hope this is helpful. Thanks.

David P. Schmiedicke
Wisconsin Department of Administration
Voice -- (608) 266-1040
FAX -- (608) 267-0372
E-Mail -- david.schmiedicke@doa.state.wi.us

-----Original Message-----

From: Nilsen, Paul
Sent: Wednesday, January 27, 1999 3:30 PM
To: Schmiedicke, David
Subject: -1829, Lakeshore Walkway

David Schmiedicke:

Instead of creating a new appropriation for this grant, why not use the existing s. 20.395 (2) (nv) and (nx) appropriations? If the FED does not come in "for the purposes of bike/ped along Lake Michigan", as specified in the new s. 20.395 (2) (ny), the money can't (legally) be credited to that appropriation. In fact, if the FED is only provided for enhancements or bike/ped it *must* be put into s. 20.395 (2) (nv) or (nx). Do you really want to create a new appropriation for a one-shot grant that may not even be able to use that appropriation?

Instead of creating statutory language for (what looks like) a one-shot grant, or grants over a short period of time, why not just create a nonstatutory provision directing the department to make the grant, something like:

"The department shall award grants from s. 20.395 (2) (nv) or (nx) for the purposes of Lakeshore Walkway, etc. Notwithstanding the limit on the amount of a grant under s. 85.024 (2), a grant under this section may be equal to 100% of the cost of the project."

It seems to me that existing law is tailor-made to allow such grants to be made. The only thing current law lacks is a requirement to make the grants, which is best placed in a nonstatutory provision.

Paul E. Nilsen
Legislative Attorney
State of Wisconsin
(608) 261-6926

Amend -1829 to require DOT
to award grants from 20.395(2)(ny)
for purpose of constructing bike/ped facilities
along Lake Michigan in Milwaukee ~~85.026(3)~~

Amend 20.395(2)(ny) for
purposes of bike ped facilities grants
under ~~85.026(3)~~.

like nonstat

-PEN



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-1829/11

PEN:jljg:jf

SOON

DOA:.....Schmiedicke - Milwaukee lakeshore walkway

FOR 1999-01 BUDGET -- NOT READY FOR INTRODUCTION

K-Note

awarding grants under
1999 Wisconsin Act
... (this act), section
9150 (Auto-ret A) 8

do not gen

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

TRANSPORTATION

OTHER TRANSPORTATION

This bill creates an appropriation to receive federal moneys allocated for construction of pedestrian and bicycle facilities along Lake Michigan in the city of Milwaukee.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

and requires ~~the~~
the department of
transportation (DOT)
to award
grants to
the department
of natural
resources (DNR)
to construct
these facilities

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

SECTION 1. 20.395 (2) (ny) of the statutes is created to read:

20.395 (2) (ny) Milwaukee Lakeshore Walkway, federal funds. All moneys received from the federal government under P.L. 102-240, section 1045, and P.L. 105-277, section 373, for the purpose of constructing pedestrian and bicycle facilities along Lake Michigan in the city of Milwaukee ~~for such purposes~~.

No moneys may be encumbered under this paragraph after June 30, 2002.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

1

(END) →

idea

Use
auto-ref
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1999-2000 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

~~LEGISLATIVE~~
PEN.....

TYPED

1 **SECTION 9150. Nonstatutory provisions; transportation.**
2 (P) MILWAUKEE LAKESHORE BICYCLE AND PEDESTRIAN FACILITIES GRANTS. The
3 department of transportation shall award grants from the appropriation under
4 section 20.395 (2) (ny) of the statutes, as created by this act, to the department of
5 natural resources for the purpose of constructing pedestrian and bicycle facilities
6 along Lake Michigan in the city of Milwaukee.

(end
insert)

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-1829/1dn

PEN.....

↑
JG

January 28, 1999

This draft gets the FED moneys to DNR, but DNR may be prohibited by s. 13.48 (10), stats., from actually commencing construction of the walkway. As the project comes together, this project should be added to the state building program.

The expiration date is the last effective date of the nonstatutory provision in this draft. If you anticipate needing more time to make grants, the nonstatutory language should be added to the statutes.

Paul E. Nilsen
Legislative Attorney
Phone: (608) 261-6926

Are you certain that all moneys received under the federal law cited in proposed s. 20.395 (2) (ny) will be allocated for these purposes? All money received under these sections go to this new appropriation.

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1829/1dn
PEN:jlg:ijs

January 29, 1999

This draft gets the FED moneys to DNR, but DNR may be prohibited by s. 13.48 (10), stats., from actually commencing construction of the walkway. As the project comes together, this project should be added to the state building program.

The expiration date is the last effective date of the nonstatutory provision in this draft. If you anticipate needing more time to make grants, the nonstatutory language should be added to the statutes.

Are you certain that all moneys received under the federal law cited in proposed s. 20.395 (2) (ny) will be allocated for these purposes? All moneys received under those sections go to this new appropriation.

Paul E. Nilsen
Legislative Attorney
Phone: (608) 261-6926

-1829

Nilsen, Paul

From: Thiel, Jim
Sent: Wednesday, January 27, 1999 9:56 AM
To: Nilsen, Paul
Subject: Section 373 of P.L. 105-277

Paul, I saw your drafter's note and draft for an appropriation for bicycles and pedestrian stuff in Milwaukee. Here is the illusive section out of the Omnibus Appropriations Act that is not yet available; I got this from Conference Report. I don't think 1045 from P.L. 102-240 or 373 from 105-277 have anything to do with bicycles and pedestrian for Milwaukee --- this is the \$241 million for a substitute project.



Section 373

I have no idea what they are trying to accomplish, but this doesn't make sense with me. This message is merely a professional courtesy -- not directions



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-1817/3

7 RHR

MGG&PEN:pgt&jlg:km

WAAA

TODAY

DOA:.....Grinde - Funding for lakeshore state park and walkway

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

do not gen

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

NATURAL RESOURCES

OTHER NATURAL RESOURCES

Under current law, the department of natural resources (DNR) administers the stewardship program, which provides funding for various conservation purposes. These purposes include acquiring land for developing DNR properties, awarding grants to local units of government for parks and urban green space and acquiring land for the Ice Age Trail and other trails.

This bill requires DNR to spend up to \$500,000 from the stewardship program for the establishment and development of a state park which will provide access to Lake Michigan from the city of Milwaukee. Current law limits the use of some of the area to be included in the state park to only navigation and fishery purposes. This bill allows this area to also be used for public park purposes.

This bill creates an appropriation to receive federal moneys allocated for construction of pedestrian and bicycle facilities along Lake Michigan in the city of Milwaukee and requires the department of transportation (DOT) to award grants to DNR to construct these facilities.

Because this bill concerns a conveyance of a lake bed area, the department of natural resources, as required by law, will prepare a detailed report to be printed as an appendix to this bill.

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:

1 **SECTION 1.** 20.370 (7) (fk) of the statutes is created to read:

2 20.370 (7) (fk) *Resource acquisition and development — service funds;*
3 *transportation moneys.* All moneys received by the department from the department
4 of transportation for the acquisition of land for, or for construction or development
5 of, facilities, or for materials or services provided by the department, to pay for
6 expenses associated with those facilities, materials or services.

 ****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

7 **SECTION 2.** 20.395 (2) (ny) of the statutes is created to read:

8 20.395 (2) (ny) *Milwaukee lakeshore walkway, federal funds* ^{*Biennially*} from the moneys
9 received from the federal government under P.L. 102-240, section 1045, and P.L.
10 105-277, section 373, the amounts in the schedule for the purpose of awarding grants
11 under 1999 Wisconsin Act (this act), section 9150 (1). No moneys may be
12 encumbered under this paragraph after June 30, 2002.

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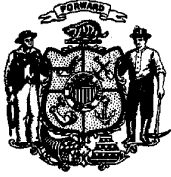
13 **SECTION 3.** 23.0915 (2t) of the statutes is created to read:

14 23.0915 (2t) **STATE PARK FOR THE CITY OF MILWAUKEE.** (a) Subject to par. (b), from
15 the appropriation under s. 20.866 (2) (tz), the department shall expend the moneys
16 necessary for all of the following for a state park which will provide access to Lake
17 Michigan from the city of Milwaukee:

- 18 1. Studies and plans for the establishment and development of the state park.
- 19 2. Development of the state park.

1 natural resources for the purpose of constructing pedestrian and bicycle facilities
2 along Lake Michigan in the city of Milwaukee.

3 (END)



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-1817/4
MGG&PEN:pgt&jlg:km

DOA:.....Grinde - Funding for lakeshore state park and walkway

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

NATURAL RESOURCES

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10 and P.L. 105–277, section 373, the amounts in the schedule for the purpose of
11 awarding grants under 1999 Wisconsin Act (this act), section 9150 (1). No moneys
12 may be encumbered under this paragraph after June 30, 2002.

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15 the appropriation under s. 20.866 (2) (tz), the department shall expend the moneys
16 necessary for all of the following for a state park which will provide access to Lake
17 Michigan from the city of Milwaukee:

- 18 1. Studies and plans for the establishment and development of the state park.
19 2. Development of the state park.

1 (b) The department may not expend more than \$500,000 for the study and plan
2 under par. (a).

3 (c) For purposes of sub. (1), moneys expended under par. (a) shall be treated as
4 moneys expended for general property development.

5 **SECTION 4.** Laws of 1929, chapter 151, section 1 is amended to read:

6 [Laws of 1929, chapter 151] Section 1. All the right, title and interest of the
7 state of Wisconsin in the lands hereinafter described, whether any part or parcel
8 thereof may be, at the time of the passage and publication of this act, dry or
9 submerged under the waters of Lake Michigan are hereby ceded, granted and
10 confirmed to the city of Milwaukee, a municipal corporation, for the purpose of
11 improving, filling, and utilizing the same for public park purposes or in aid of
12 navigation and the fisheries, in any manner the said city may deem expedient, ~~and~~
13 ~~particularly for the purpose of.~~ Such land may also be used for the purpose of
14 establishing and maintaining thereon breakwaters, bulkheads, piers, wharves,
15 warehouses, transfer sheds, railway tracks, airports, and other harbor facilities,
16 together with such other uses not inconsistent with the improvement of navigation
17 and fisheries in Lake Michigan, and the navigable waters tributary thereto, as said
18 city may deem expedient.

19 **SECTION 5.** Laws of 1929, chapter 151, section 3 is amended to read:

20 [Laws of 1929, chapter 151] Section 3. The said grantee, the city of Milwaukee,
21 shall not convey any portion or the whole of the lands so granted, ceded and
22 confirmed, and described in section 2 of this act, to any other party, either by
23 warranty deed, quit claim, or in any other manner, except that it may convey to the
24 government of the United States such portion thereof as may be desirable for the
25 promotion of navigation; and it may also convey said lands to any harbor district or

1 other public corporation that may hereafter be organized, under any law of this state,
2 for public park purposes or for the purpose of maintaining and operating a public
3 port; and it may further lease for limited terms not exceeding thirty years, such
4 particular parcels or portions thereof as the board of harbor commissioners may
5 deem expedient, to parties desiring to employ such leased portions and parcels for
6 public park purposes or in the maintaining, operating or using of any harbor facilities
7 thereon.

8 **SECTION 6.** Laws of 1929, chapter 151, section 4 is amended to read:

9 [Laws of 1929, chapter 151] Section 4. Whenever the said city of Milwaukee
10 shall convey or attempt to convey the whole or any portion of the lands hereby
11 granted, ceded or confirmed, to any other party except as herein provided, or shall
12 use said lands or any part thereof for purposes permanently inconsistent with their
13 use for public park purposes or for the promotion of navigation and the fisheries, such
14 land, or any part thereof so conveyed or attempted to be conveyed, or used
15 inconsistently as hereinabove stated, shall revert to the state of Wisconsin.

16 **SECTION 7.** Laws of 1973, chapter 76, section 1 is amended to read:

17 [Laws of 1973, chapter 76] Section 1. All the right, title and interest of the state
18 of Wisconsin in the lands hereinafter described, whether any part or parcel thereof
19 may be, at the time of the passage and publication of this act, dry or submerged under
20 the waters of Lake Michigan are hereby ceded, granted and confirmed to the city of
21 Milwaukee, a municipal corporation, for the purpose of improving, filling, and
22 utilizing the same for public park purposes or in aid of navigation and the fisheries
23 and in addition for such further and other use which the board of harbor
24 commissioners of the city of Milwaukee may deem appropriate and expedient and
25 which the common council approves by resolution. Such land ~~shall~~ may also be used

1 for the purpose of establishing and maintaining thereon breakwaters, bulkheads,
2 piers, wharves, warehouses, transfer sheds, railway tracks, airports, and other
3 harbor facilities, together with such other uses not inconsistent with the
4 improvement of navigation and fisheries in Lake Michigan, and the navigable
5 waters tributary thereto, as the city may deem expedient.

6 **SECTION 8.** Laws of 1973, chapter 76, section 3 is amended to read:

7 [Laws of 1973, chapter 76] Section 3. The city of Milwaukee, shall not convey
8 any portion or the whole of the lands so granted, ceded and confirmed, and described
9 in SECTION 2 of this act, to any other party, either by warranty deed, quit claim, or
10 in any other manner, except that it may convey to the government of the United
11 States such portion thereof as may be desirable for the promotion of navigation; and
12 it may also convey lands to any harbor district or other public corporation that may
13 hereafter be organized, under any law of this state, for public park purposes or for
14 the purpose of maintaining and operating a public port; and it may further lease for
15 an initial term not exceeding 30 years, such particular parcels or portions thereof as
16 the board of harbor commissioners considers advisable, to parties desiring to employ
17 such leased portions and parcels for public park purposes or in a manner determined
18 by the board of harbor commissioners to be for the best interests of port and harbor
19 development.

20 **SECTION 9150. Nonstatutory provisions; transportation.**

21 (1) MILWAUKEE LAKESHORE BICYCLE AND PEDESTRIAN FACILITIES GRANTS. The
22 department of transportation shall award grants from the appropriation under
23 section 20.395 (2) (ny) of the statutes, as created by this act, to the department of

1 natural resources for the purpose of constructing pedestrian and bicycle facilities
2 along Lake Michigan in the city of Milwaukee.

3 (END)



State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

100 NORTH HAMILTON STREET
P. O. BOX 2037
MADISON, WI 53701-2037

ATTY. PETER J. DYKMAN
ACTING CHIEF

LEGAL SECTION: (608) 266-3561
LEGAL FAX: (608) 264-8522
REFERENCE SECTION: (608) 266-0341
REFERENCE FAX: (608) 266-5648

FAX TRANSMITTAL COVER SHEET

Date: 02-22-99

Time: 8:45 AM

Total pages transmitted, including this PAGE: 7

Please deliver this FAX to: Mary Ellen Vollbrecht

Telephone Number: 4-8554

FAX Number: ~~4-9200~~ 4-9200

MESSAGE: Draft For Lakebed Report

FROM: Mike Barman

IF THERE ARE ANY PROBLEMS WITH THIS FAX TRANSMITTAL,
PLEASE CALL (608) 266-3561.
THANK YOU