ASSEMBLY BILL 868 (LRB -3863)

An Act relating to: the conveyance of certain submerged lands to Brown County. (FE)

2005

12-09.	A.	Introduced by Representatives **Krawczyk**, **Van Roy** and **McCormick**; cosponsored by Senator **Hansen**.
12-09.	A.	Read first time and referred to committee on Natural Resources 660

2006

01-17.	A.	Department of Natural Resources Lakebed report received pursuant to s. 13.097, Wisconsin Statutes.
01-18.	A.	Public hearing held.
01-26.	A.	Fiscal estimate received.
01-26.	A.	Executive action taken.
02-02.	A.	Report passage recommended by committee on Natural Resources, Ayes 15, Noes 0 781
02-02.	A.	Referred to committee on Rules 781
02-14.	A.	Placed on calendar 2-21-2006 by committee on Rules.
02-21.	A.	Read a second time 828
02-21.	A.	Ordered to a third reading 828
02-21.	A.	Rules suspended 828
02-21.	A.	Read a third time and **passed** 828
02-21.	A.	Ordered immediately messaged 829
02-27.	S.	Received from Assembly 634
02-27.	S.	Read first time and referred to committee on Natural Resources and Transportation 635
03-01.	S.	Executive action taken.
03-04.	S.	Report concurrence recommended by committee on Natural Resources and Transportation, Ayes 5, Noes 0 687
03-04.	S.	Available for scheduling.
05-03.	S.	Placed on calendar 5-4-2006 and made a special order at 11:16 A.M. by committee on Senate Organization.
05-04.	S.	Senator Cowles added as a cosponsor.
05-04.	S.	Read a second time.
05-04.	S.	Ordered to a third reading.
05-04.	S.	Rules suspended.
05-04.	S.	Read a third time and **concurred in**.
05-04.	S.	Ordered immediately messaged.
05-04.	A.	Received from Senate concurred in.

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2005
ENROLLED BILL

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ADOPTED DOCUMENTS:

☒ Orig ☐ Engr ___ SubAmdt ___ 05 -3863/1

Amendments to above (if none, write "NONE"): None

Corrections – show date (if none, write "NONE"): None

Topic Rel

5-9-06 S R Miller

Date Enrolling Drafter

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2005 ASSEMBLY BILL 868

December 9, 2005 – Introduced by Representatives KRAWCZYK, VAN ROY and MCCORMICK, cosponsored by Senator HANSEN. Referred to Committee on Natural Resources.

1 AN ACT **relating to:** the conveyance of certain submerged lands to Brown County.

Analysis by the Legislative Reference Bureau

This bill grants to Brown County (county) the rights and title to, and interest in, certain submerged land under the waters of Green Bay and dry land existing or created within that area. The bill authorizes the land to be used for restoring the chain of islands that formerly existed in the location of this land and that were known as the Cat Island Chain. The bill authorizes the county to restrict public access to, and public use of, the land during the bird breeding and nesting season. It also authorizes the county to impose reasonable regulations on the use of the land in order to protect the public safety and welfare. The bill requires the county to cooperate with the Department of Natural Resources in the development and implementation of plans for the construction of the Cat Island Chain and authorizes the county to erect structures that are limited to certain uses including the construction and maintenance of the Cat Island Chain. The bill prohibits the county from conveying the land to any person other than this state, a political subdivision of this state, or a special purpose district of this state.

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:

SECTION 1. Nonstatutory provisions.

(1) GRANT. This state grants to Brown County all rights and title to, and interest in, the land described in subsection (2) to be held and used by Brown County for the purposes described in subsection (3) and subject to the conditions under subsection (4).

(2) DESCRIPTION. The land to which Brown County is granted all rights and title to, and interest in, is submerged land under the waters of Green Bay and dry land that exists or may be created within that area and that is described as part of Sections 1, 12, and 13, Town 24 North, Range 20 East and part of Sections 7 and 18, Town 24 North, Range 21 East more fully described as follows: commencing at the Northwest Corner of Section 1, Town 24 North, Range 20 East; thence N. 87 degrees 56 minutes 55 seconds E. 2639.62 feet along the north line of Section 1 to the North 1/4 corner; thence continuing N. 87 degrees 56 minutes 55 seconds E. 134.72 feet along the north line of Section 1 to the meander corner on the north line of Section 1; thence S. 16 degrees 02 minutes 35 seconds E. 2634.74 feet to the point of beginning; thence S. 87 degrees 20 minutes 46 seconds E. 220.39 feet; thence S. 26 degrees 44 minutes 12 seconds W. 903.25 feet; thence S. 00 degrees 31 minutes 29 seconds W. 940.56 feet; thence S. 21 degrees 34 minutes 36 seconds E. 788.95 feet; thence S. 31 degrees 00 minutes 00 seconds E. 6035.27 feet; thence S. 89 degrees 59 minutes 59 seconds E. 1399.70 feet; thence S. 00 degrees 00 minutes 01 seconds E. 399.91 feet; thence S. 44 degrees 59 minutes 57 seconds W. 499.90 feet; thence S. 45 degrees 00 minutes 00 seconds E. 750.89 feet; thence S. 53 degrees 52 minutes 46 seconds E. 526.24 feet; thence S. 19 degrees 24 minutes 14 seconds W. 402.30 feet; thence S. 89 degrees 34 minutes 04 seconds W. 2695.72 feet; thence N. 42 degrees 51 minutes 26 seconds W. 2273.50 feet; thence N. 21 degrees 17 minutes 02 seconds W. 5167.96 feet; thence N.

59 degrees 00 minutes 00 seconds E. 1099.29 feet; thence N. 19 degrees 28 minutes 42 seconds W. 861.89 feet; thence N. 00 degrees 12 minutes 04 seconds E. 996.85 feet; thence N. 25 degrees 48 minutes 04 seconds E. 889.72 feet to the point of beginning.

(3) PURPOSES. Brown County may hold and use the land described in subsection (2) for the purposes of restoring the chain of islands that formerly existed in approximately this location and that were known as the Cat Island Chain, in order to have a place to deposit dredged materials from the navigation channel, to construct the islands and restore the function of the Cat Island Chain in protecting water quality in Green Bay, to restore the former terrestrial habitat and near–shore aquatic habitat of the Cat Island Chain, and to provide opportunities for public use.

(4) CONDITIONS.

(a) *Public access and use.* Brown County may restrict public access to, and public use of, the land granted under subsection (1) during the bird breeding and nesting season. Brown County is not required to provide facilities for public access to, and public use of, the land. Brown County may impose reasonable regulations on the use of the land in order to protect the public safety and welfare.

(b) *Design and construction.* Brown County shall cooperate with the department of natural resources in the development and implementation of plans for the construction of the Cat Island Chain to ensure that the purposes under subsection (3) are achieved and that the water quality in Green Bay is not adversely affected.

(c) *Structures.* Brown County may erect structures on the land granted under subsection (1) that are limited to the following purposes:

1. Facilitating public use of, and access to, the land.

2. Construction and maintenance of aids to navigation.

1 3. Construction and maintenance of the Cat Island Chain.

2 (d) *Commercial use.* Brown County may not license or permit any private
3 commercial use of the land granted under subsection (1).

4 (5) CONVEYANCE. Brown County may not convey all or any part of, any rights
5 to, or any interest in, the land granted under subsection (1) to any person other than
6 this state, a political subdivision of this state, or a special purpose district of this
7 state. If Brown County conveys the land granted under subsection (1) as authorized
8 under this subsection, the grantee shall comply with this SECTION.

9 **(END)**