2007 DRAFTING REQUEST

Bill

Receive	ed: 11/30/2006			Received By: mglass			
Wanted	: As time perm	its	Identical to LRB: By/Representing: Greg Gasper Drafter: mglass				
For: Jos	seph Leibham	(608) 266-2056					
This file	e may be shown	to any legislato					
May Co	ontact:			Addl. Drafters:			
Request Carbon Pre To No spece Topic:	via email: YES ter's email: copy (CC:) to: pic: cific pre topic gi	Sen.Leibha		visconsin.gov	Extra Copies:		
Instruc	etions:			÷.			
Same as	s SB 67 (LRB05	5-1918)					
Draftin	ng History:						
Vers.	<u>Drafted</u>	Reviewed	Typed	Proofed	Submitted	<u>Jacketed</u>	Required
/?	mglass 11/30/2006	wjackson 12/04/2006					State
/1			nnatzke 12/04/20	06	cduerst 12/04/2006	cduerst 01/11/2007	
FE Sent	For:						

<END>

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May Co	ontact:				Addl. Drafters:				
Subject	Nat. Re	s nav. water		Extra Copies:					
Submit	via email: YES								
Request	er's email:	Sen.Leibha	am@legis.v	visconsin.gov					
Carbon	copy (CC:) to:								
Pre To	pic:								
No spec	rific pre topic gi	ven							
Topic:									
Criteria	for removing a	bandoned dams							
Instruc	tions:								
Same as	SB 67 (LRB05	5-1918)							
 Draftin	g History:		***************************************	***************************************					
Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required		
/?	mglass 11/30/2006	wjackson 12/04/2006					State		
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<END>

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Bill

Received: 11/30/2006

Received By: mglass

Wanted: As time permits

Identical to LRB:

For: Joseph Leibham (608) 266-2056

By/Representing: Greg Gasper

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

Drafter: mglass

May Contact:

Addl. Drafters:

Subject:

Nat. Res. - nav. waters

Extra Copies:

Submit via email: YES

Requester's email:

Sen.Leibham@legis.wisconsin.gov

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Criteria for removing abandoned dams

Instructions:

Same as SB 67 (LRB05-1918)

Drafting History:

Vers.

Drafted

Reviewed

Typed

Proofed

Submitted

Jacketed

Required

/?

mglass

FE Sent For:

<END>

12/8

2005 - 2006 LEGISLATURE

0956/RM

LRB-1808911

MGG:kjrgf-

2007

2005 SENATE BILL 67

February 17, 2005 – Introduced by Senators Leibham, A. Lasee, Reynolds, Olsen and Grothman, cosponsored by Representatives Kestell, Pridemore, Lothian, Ott, LeMaureu, Hahn, F. Lasee, Petrowski, Hines and Vrakas. Referred to Committee on Natural Resources and Transportation.

LPS: Please PWF

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3

AN ACT to amend 31.187 (1) and 31.253 (1) of the statutes; relating to: removal

2 of abandoned dams.

Analysis by the Legislative Reference Bureau

Current law sets forth two procedures that the Department of Natural Resources (DNR) must follow before DNR has a dam removed from a waterway. If the dam is abandoned, DNR must give 60 days' written notice to the dam's owner, if the owner can be found. If not, DNR must publish a public notice three times in the county in which the dam is located.

Also for the removal of any dam by DNR, whether abandoned or not, DNR must hold a public informational hearing or publish a class 2 notice saying that it will remove the dam without a hearing unless one is requested in writing within 30 days.

This bill requires that, prior to beginning any of these procedures, DNR must consider the results the dam removal will have on the safety, health, and welfare of the persons who will be affected by the removal.

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:

Section 1. 31.187 (1) of the statutes is amended to read:

SENATE BILL 67

31.187 (1) The department may remove or cause to be removed, in such manner as it deems considers fit, old and abandoned dams in streams in this state upon giving after the department considers the results the removal will have on the safety. health, and welfare of the persons who will be affected by the removal. Before beginning the removal, the department shall give 60 days' notice in writing to the owner thereof, if the owner can be found. If the owner of the dam is unknown or cannot, by due diligence, be found, the department shall publish a class 3 notice, under ch. 985, in the county in which the dam is situated.

Section 2. 31.253 (1) of the statutes is amended to read:

31.253 (1) Opportunity for hearing prior to department action. Except as provided under sub. (4), prior to seeking or causing the removal of a dam under this chapter, the department shall consider the results the removal will have on the safety, health, and welfare of the persons who will be affected by the removal and shall hold a public informational hearing on the proposed removal or publish a class 2 notice under ch. 985 stating that it will seek or cause the removal of the dam without holding a public informational hearing unless a hearing is requested in writing within 30 days after the last publication of the notice. The department may hold further hearings or give further notice as it deems appropriate.

Duerst, Christina

From:

Gasper, Greg

Sent:

Thursday, January 11, 2007 11:25 AM

To:

LRB.Legal

Subject:

Draft Review: LRB 07-0956/1 Topic: Criteria for removing abandoned dams

Please Jacket LRB 07-0956/1 for the SENATE.