



CR 81-232

State of Wisconsin

DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny
Secretary

BOX 7921
MADISON, WISCONSIN 53707

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STATE OF WISCONSIN)
DEPARTMENT OF NATURAL RESOURCES) ss

AUG 23 1982
1:45
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TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Carroll D. Besadny, Secretary of the Department of Natural Resources and custodian of the official records of said Department, do hereby certify that the annexed copy of Natural Resources Board Order No. F-44-81 was duly approved and adopted by this Department on March 24, 1982 and July 29, 1982. I further certify that said copy has been compared by me with the original on file in this Department and that the same is a true copy there of, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department at General Executive Facility #2 in the City of Madison, this 18th day of August, 1982

Carroll D. Besadny
Carroll D. Besadny, Secretary

(SEAL)

11-1-82

ORDER OF THE STATE OF WISCONSIN NATURAL RESOURCES BOARD
AMENDING, REPEALING AND RECREATING, AND CREATING RULES

.....
IN THE MATTER of amending s. NR 1.93(2)(a) .
& (b)7.; repealing and recreating s. .
NR 1.93(3); and creating s. NR 1.93(4)(a)3. .
of the Wisconsin Administrative Code .
relating to charging public access boat .
launching fees .
.....

F-44-81

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Analysis prepared by Department of Natural Resources

The rules allow the department to act administratively on petitions of local units of government for approval of access fees higher than those currently allowed. Language in the rules sets more specific justification for higher fees and improves the notification requirements for public involvement in the review. These rule changes will speed the review and approval process and should improve conditions for public involvement in the consideration of fees.

Pursuant to authority vested in the State of Wisconsin Natural Resources Board by ss. 29.50, 30.77 and 227.014, Stats., the State of Wisconsin Natural Resources Board hereby amends, repeals and recreates, and creates rules interpreting ss. 29.50 and 30.77, Stats., as follows:

SECTION 1. NR 1.93(2)(a) is amended to read:

(a) A city, village, town or county may petition the department in writing for approval of launching fees in excess of the fee established in sub. (1). Documentation of expenses directly attributable to the operation and maintenance of the access site, fees collected for the use of a site for the up to 5 years preceding the petition, the fees proposed, and such other information as it deems pertinent or the department requests shall be submitted along with the petition.

SECTION 2. NR 1.93(2)(b)7. is amended to read:

7. Traffic management at heavily used sites. Personnel costs shall be at normal wage rates commensurate with the work performed.

SECTION 3. NR 1.93(3) is repealed and recreated to read:

(3)(a) Upon receipt of the petition and supporting information under sub. (2)(a), the department shall publish a class 1 notice under ch. 985, Stats., in the county in which the access site lies, informing the public of the facts and proposals in the petition. Copies of the notice shall be sent to committees of the assembly and senate with jurisdiction of natural resource issues. Within 60 days of receipt of the petition and supporting information under sub. (2), the department shall issue a determination of the reasonableness of the proposed fees.

(b) Upon objection to the decision by the petitioner, a legislative committee or any other person filing a written comment on the petition prior to issuance, the matter will be considered as and set for a class 1 proceeding under s. 227.01(2)(a), Stats. The determination as a result of such hearing shall be issued within 30 days from the date that the record is closed.

SECTION 4. NR 1.93(4)(a)3. is created to read:

3. Public interest in the site.

The foregoing rules were approved and adopted by the State of Wisconsin Natural Resources Board on March 24, 1982 and July 29, 1982.

The rules contained herein shall take effect as provided in s. 227.026(1)
(intro.), Stats.

Dated at Madison, Wisconsin August 18, 1982

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

By Carroll D. Besadny
Carroll D. Besadny, Secretary

(SEAL)