

CR 86-139

State of Wisconsin

DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny  
Secretary

STATE OF WISCONSIN )  
 ) SS  
DEPARTMENT OF NATURAL RESOURCES )

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Bruce B. Braun, Deputy 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. AA-42-86 was duly approved and adopted by this Department on September 18, 1986. 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 thereof, 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 11<sup>th</sup> day of November, 1986.

*Bruce B. Braun*  
Bruce B. Braun, Deputy Secretary

(SEAL)

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1-1-87

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

.....  
IN THE MATTER of repealing s. NR 7.03(3); .  
renumbering ss. NR 7.03(1), (2), (4), (5) & . AA-42-86  
(7) and 7.05(a) to (c); renumbering and amending .  
s. NR 7.03(6); repealing and recreating s. NR 7.04; .  
and creating ss. NR 7.03(4), (6), (7), & (10) and .  
7.05 (4) and (5) of the Wisconsin Administrative .  
Code pertaining to the recreational boating .  
facilities program .  
.....

Analysis Prepared by The Department of Natural Resources

Section 30.92, Stats., establishes the recreational boating facilities program. This program, administered by the department with the approval of the Wisconsin Waterways Commission, provides financial assistance to governmental units for the development of recreational boating facilities and the preparation of feasibility studies related to recreational boating facilities. Chapter NR 7 interprets and implements s. 30.92, Stats.

The proposed rule changes to ch. NR 7 accomplish the following:

1. Make terminology changes and additions consistent with modifications to s. 30.92, Stats., that occurred through 1985 Wisconsin Act 29 (Budget Bill).
2. Define certain terms and add standard provisions regarding the administration of the recreational boating facilities program.
3. Expand the list of eligible items for cost-sharing to include sanitary facilities, parking lots, security lighting, and the management and operation of locks and facilities which provide access between waterways for operators of recreational watercraft.

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Pursuant to the authority vested in the State of Wisconsin Natural Resources Board by ss. 30.92 and 227.11(2)(a), Stats., the State of Wisconsin Natural Resources Board hereby promulgates rules interpreting s. 30.92, Stats., as follows:

- SECTION 1. NR 7.03(1) and (2) are renumbered NR 7.03(2) and (3).
- SECTION 2. NR 7.03(3) is repealed.
- SECTION 3. NR 7.03(4) and (5) are renumbered NR 7.03(5) and (8), respectively.
- SECTION 4. NR 7.03(6) is renumbered NR 7.03(9) and amended to read:

NR 7.03(9) "Safe recreational boating facilities" means places where the public has access to the water by means of breakwaters and other similar physical structures, either naturally or artificially constructed, which provide safety and convenience for operators of recreational watercraft. "Recreational boating facilities" also includes locks and facilities which provide access between waterways for operators of recreational watercraft. Safe recreational boating facilities on the Great Lakes are commonly referred to as harbors of refuge. Safe recreational boating facilities on inland waters are commonly referred to as public accesses or launching ramps.

SECTION 5. NR 7.03(7) is renumbered NR 7.03 (1).

SECTION 6. NR 7.03(4), (6) and (7) are created to read:

(4) "Governmental unit" means the department, a city, village, town, county, public inland lake protection and rehabilitation district organized under ch. 33, Stats., or the Fox river management commission.

(6) "Project agreement" means a contract between the sponsor and department setting forth the obligations with regard to a portion or all of a specific project.

(7) "Project period" means the period of time specified in the project agreement during which all work shall be completed.

SECTION 7. NR 7.03(10) is created to read:

NR 7.03(10) "Secretary" means the secretary of the department.

SECTION 8. NR 7.04 is repealed and recreated to read:

NR 7.04 GENERAL AIDS PROVISIONS. (1) Claims for payment shall be submitted within 6 months after the project termination date.

(2) Project expenditures shall be within the project period, project scope, and project amount as shown on the project agreement.

(3) A request for a project extension shall be submitted prior to the project termination date.

(4) All payments are contingent upon final audit. All financial records, including all documentation to support entries in the accounting records to substantiate changes for each project, shall be kept available by governmental units for review by state officials for a period of 3 years after final payment.

SECTION 9. NR 7.05(a) to (c) are renumbered 7.05(1) to (3).

SECTION 10. NR 7.05(4) and (5) are created to read:

(4) Support facilities limited to parking lots, sanitary facilities or security lighting for the convenience of boaters.

(5) Management and operation of locks and facilities which provide access between waterways for operators of recreational watercraft.

SECTION 11. TERMINOLOGY CHANGES. Wherever the term "municipality" or "municipalities" appears in the following sections of the code, the term "governmental unit" or "governmental units", respectively, is substituted: NR 7.02; 7.06(1), (2), (4)(a)2.e.; 7.07(1), (2)(a)(intro.) and 2.; 7.08(1),(2)(a)(intro.) and 2.; 7.09(4)(a), (5), (6); 7.10(1).

The foregoing rules were approved and adopted by the State of Wisconsin Natural Resources Board on September 18, 1986.

The rules shall take effect as provided in s. 227.22(2)(intro.), Stats.

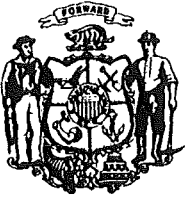
Dated at Madison, Wisconsin November 10, 1986

STATE OF WISCONSIN  
DEPARTMENT OF NATURAL RESOURCES

(SEAL)

By Carroll D. Besadny  
Carroll D. Besadny, Secretary

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9/30/86



State of Wisconsin

DEPARTMENT OF NATURAL RESOURCES

*Carroll D. Besadny*  
Secretary

November 10, 1986

IN REPLY REFER TO: 1020

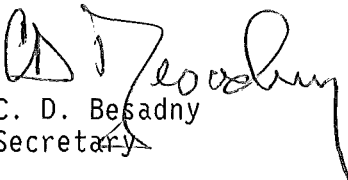
Mr. Orlan L. Prestegard  
Revisor of Statutes  
Suite 904  
30 W. Mifflin Street

Dear Mr. Prestegard:

Enclosed are two copies, including one certified copy, of State of Wisconsin Natural Resources Board Order No. AA-42-86. These rules were reviewed by the Assembly Committee on Tourism, Recreation and Forest Productivity and the Senate Committee on Energy and Environmental Resources pursuant to s. 227.19, Stats. Summaries of the final regulatory flexibility analysis and comments of the legislative review committees is also enclosed.

You will note that this order takes effect following publication. Kindly publish it in the Administrative Code accordingly.

Sincerely,

  
C. D. Besadny  
Secretary

Enc.  
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