

CHAPTER 339

1410

1981 Senate Bill 461

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CHAPTER 339 , Laws of 1981

AN ACT to amend 30.10 (4) (c), 87.30 (1m) (b) and 144.26 (2) (d) 2 of the statutes, relating to determining the navigability of farm drainage ditches and the applicability of flood plain and shoreland zoning to land adjacent to farm drainage ditches.

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

SECTION 1. 30.10 (4) (c) of the statutes is amended to read:

30.10 (4) (c) Notwithstanding any other provision of law, farm drainage ditches ~~in drainage districts established under ch. 88~~ are not navigable within the meaning of this section ~~except where~~ unless it is shown that the ditches were navigable streams before ditching ~~or had a previous stream history~~. For purposes of this paragraph, "farm drainage ditch" means any artificial channel which drains water from lands which are used for agricultural purposes.

SECTION 2. 87.30 (1m) (b) of the statutes is amended to read:

87.30 (1m) (b) Those parts of ~~such the~~ drainage ditches adjacent to ~~such these~~ lands were nonnavigable streams before ditching ~~or had no previous stream history~~; and

SECTION 3. 144.26 (2) (d) 2 of the statutes is amended to read:

144.26 (2) (d) 2. Those parts of ~~such the~~ drainage ditches adjacent to ~~such these~~ lands were nonnavigable streams before ditching ~~or had no previous stream history~~; and
