



**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 1997 ASSEMBLY BILL 912**

March 24, 1998 – Offered by Representative HANDRICK.

1 **AN ACT** *to create* 30.134 of the statutes; **relating to:** the conveyance of riparian
2 rights to use a navigable water.

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

3 **SECTION 1.** 30.134 of the statutes is created to read:

4 **30.134 Prohibition of conveyance of riparian rights to use navigable**
5 **waters. (1)** The legislature finds all of the following:

6 (a) That owners of riparian land abutting navigable waters have attempted to
7 transfer the riparian rights to berth a watercraft and to place structures or deposits
8 in the navigable waters to other persons without transferring the full set of riparian
9 rights that are appurtenant to the riparian land.

10 (b) That the conveyance of these riparian rights separate from the full set of
11 riparian rights is contrary to the public trust in navigable waters that is established

1 under article IX, section 1, of the constitution and exceeds the exercise of reasonable
2 riparian rights.

3 (c) That to reduce confusion and to protect public rights in navigable waters,
4 the rights of other riparian owners and the public welfare it is appropriate to codify
5 limits on the ability to transfer these riparian rights.

6 (2) No owner of riparian land that abuts a navigable water may transfer, by
7 deed, conveyance of an interest in a condominium or in any other manner, any of the
8 following separate from the full set of riparian rights that are appurtenant to the
9 riparian land:

10 (a) The riparian right to berth a watercraft.

11 (b) The riparian right to place a structure or deposit in the navigable water.

12 (3) Subsection (2) does not apply to a lease or a license with a term of one year
13 or less.

14 (END)