



# Tony Evers

OFFICE OF THE GOVERNOR

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April 15, 2022

TO THE HONORABLE MEMBERS OF THE SENATE:

I am vetoing Senate Bill 900 in its entirety.

This bill would allow municipalities and private landowners to create title over formerly submerged lands in the Great Lakes waters – land which the state of Wisconsin currently holds in public trust for the people of Wisconsin – and certain commercial waterways. Under the bill, a person may submit an application to a municipality for a determination of the location of the proposed shoreline. The bill would require the Department of Natural Resources to adopt a determination by a municipality unless the department finds a municipality's public interest determination lacked substantial evidence, or the property is not upland. The latter determination would not warrant a full rejection, but would rather require the Department to modify the proposed shoreline accordingly.

I am vetoing this bill in its entirety because I object to impinging on the constitutional public trust doctrine under Article IX, Section 1 of the Wisconsin Constitution. This bill would open the door to the whittling away of public land by allowing the transfer of public lands to private entities for private use without a rigorous review process. While I appreciate the Legislature's efforts to clarify the law in this area, I believe that this bill as drafted would violate the constitutional public trust doctrine in certain applications and, in its current form, could likely lead to litigation.

Respectfully submitted,

  
Tony Evers  
Governor