

1977 Senate Bill 366

Date published: May 25, 1978

## CHAPTER 406, Laws of 1977

AN ACT to amend 20.370 (1) (do) and 23.09 (9) of the statutes, relating to providing public water access aids to federally recognized tribes of Indians.

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

SECTION 1. 20.370 (1) (do) of the statutes is amended to read:

20.370 (1) (do) *Aids--fish, wildlife and forest recreation.* From moneys allocated under sub. (7) (a), the amounts in the schedule for wildlife habitat development and planning on county forest lands, recreational development on county forest lands under s. 23.09 (11) and public water access aids to local units of government or federally recognized tribes or bands of Indians under s. 23.09 (9).

SECTION 2. 23.09 (9) of the statutes is amended to read:

23.09 (9) PUBLIC ACCESS TO WATERS. The governing body of any county, town, city ~~or~~, village or federally recognized tribe or band of Indians which, by resolution, indicates its desire to acquire or improve lands for the purpose of providing public access to any navigable lake or stream wholly or partially in the county, town, city ~~or~~, village or Indian reservation may make application to the department for the apportionment of funds for state aid to counties, towns, cities ~~or~~, villages or federally recognized tribes or bands of Indians for the purpose. ~~Such~~ The application shall state the name of the lake or stream and the location ~~thereof~~ of the lake or stream and shall include an estimate of the total cost of the project. The department shall ~~thereupon~~, upon receipt of the application, investigate the proposed project and it shall consider the distance the lake or stream lies from the nearest public highway, the existing access ~~thereto~~ to the highway, the terrain of the proposed project and whether it is of a practical nature from the standpoint of labor, development and cost, and whether it will best serve the public interest and need. If the department finds that the proposed public access project will best serve the public interest and need of the state as a whole, it may give preliminary approval to ~~such~~ the project. ~~Thereupon~~ After preliminary approval the county, town, city ~~or~~, village or federally recognized tribe or band of Indians shall prepare and submit plans and specifications and cost analysis of

the project to the department for final approval. Upon final approval, the department shall encumber a sum equal to one-half of the approved cost estimate of ~~such the~~ project. When the project is completed, the department shall pay to the county, town, city ~~or~~, village ~~such or federally recognized tribe or band of Indians~~ the encumbered sum or an amount not greater than one-half of the actual cost of ~~such the~~ project, whichever is ~~the lesser less~~. The actual cost of ~~such the~~ project shall be determined by the department by audit of the ~~municipality's~~ applicant's cost records before ~~such the~~ payment is made to the county, town, city ~~or~~, village ~~or federally recognized tribe or band of Indians~~.

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