



**ASSEMBLY SUBSTITUTE AMENDMENT 1,  
TO 2005 ASSEMBLY BILL 187**

May 24, 2005 - Offered by Representative FRISKE.

- 1 **AN ACT to create** 23.0916 of the statutes; **relating to:** information about real  
2 property purchased with stewardship money and public access to that property.

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***Analysis by the Legislative Reference Bureau***

Current law authorizes the state to incur public debt for certain conservation activities under the Warren Knowles-Gaylord Nelson Stewardship 2000 Program (stewardship program), which is administered by the Department of Natural Resources (DNR). The stewardship programs consist of the Warren Knowles-Gaylord Nelson program that began in 1990 and the Warren Knowles-Gaylord Nelson 2000 program that began in 2000.

Current law grants the state the authority to bond for various conservation purposes under the stewardship programs. The stewardship 2000 program consists of four subprograms: one for land acquisition; one for property development and local assistance; one for bluff protection; and one for the Baraboo Hills. Purposes for which bonding under the land acquisition subprogram may be used include land acquisition for habitat and natural areas and land acquisition that preserves or enhances the state's water resources. Bonding under the property development and local acquisition subprogram may be used only for nature-based outdoor recreation, as defined in rules promulgated by DNR, with limited exceptions. Under this subprogram, DNR may award grants or state aid to certain local governmental units, including the Kickapoo Reserve Management Board, and nonprofit conservation organizations to acquire lands for nature-based, outdoor recreation purposes.

This bill requires DNR to create and make available for a fee a directory of all land purchased under the stewardship programs that is open to the public. The bill requires DNR to provide an interactive mapping tool at its Web site that identifies public land purchased with stewardship money. The owner of land purchased under the stewardship programs, or DNR if the property is surrounded by DNR property, is required to provide notice of public access with specific signs along the access roads and property lines. If some activities are prohibited or restricted on the land, the signs required by the bill must include that information. If an owner of land purchased under the stewardship programs fails to comply with the requirements under the bill, or fails to replace any sign after being notified of the need to replace the sign, the owner is not eligible for any grants or subprogram under the stewardship programs until the owner complies with the requirements or replaces the sign.

If DNR allows an organization to charge a fee for hunting on land purchased with stewardship money, the fee may not exceed the amount charged for admission of a resident's vehicle to a state park for a day.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

1           **SECTION 1.** 23.0916 of the statutes is created to read:

2           **23.0916 Warren Knowles-Gaylord Nelson stewardship programs**  
3 **property access and information. (1) DEFINITIONS.** In this section:

4           (a) “Department land” has the meaning given in s. 23.0917 (1) (c).

5           (b) “Land” has the meaning given in s. 23.0917 (1) (d).

6           (c) “Nonprofit conservation organization” has the meaning given in s. 23.0955  
7 (1).

8           (d) “Stewardship programs” means the stewardship programs under ss.  
9 23.0915 and 23.0917.

10           **(2) LAND MAPPING AND DIRECTORY.** (a) Within 48 months after the effective date  
11 of this paragraph .... [revisor inserts date], the department shall establish and  
12 maintain an interactive mapping tool at the department's Web site that identifies all

1 land purchased under the stewardship programs that is open for public access.  
2 Public access to the mapping tool at the Web site shall be available without charge.

3 (b) Within 48 months after the effective date of this paragraph .... [revisor  
4 inserts date], the department shall make available a directory of all land purchased  
5 under the stewardship programs that is open for public access. The directory shall  
6 be organized by county and town and shall identify the legal description of the  
7 location of the land. The directory shall be updated at least every 2 years. The  
8 department may charge a fee for the directory, but the fee may not exceed the cost  
9 of the publication of the directory. In lieu of the department preparing and making  
10 available a directory, the department may provide to the public at the department's  
11 cost, a map, book, or directory that meets the requirements of this subsection and  
12 that is published by a private entity.

13 **(3) NOTICE OF ACCESS TO STEWARDSHIP PROGRAMS PROPERTY.** (a) The owner of land  
14 purchased under the stewardship programs on or after the effective date of this  
15 paragraph .... [revisor inserts date], shall, within 6 months after the disbursement  
16 of stewardship program funds, provide notice of public access to that land by the  
17 placement of signs adequate to give notice. The owner of land purchased under the  
18 stewardship programs before the effective date of this paragraph .... [revisor inserts  
19 date], shall provide notice of public access to that land by the placement of signs  
20 adequate to give notice within 48 months after the effective date of this paragraph  
21 .... [revisor inserts date]. The area of each sign shall be at least 108 square inches,  
22 and each sign shall be made of a durable substance. The signs shall be placed at  
23 major access points to the property.

24 (b) If the land that is purchased under the stewardship programs on or after  
25 the effective date of this paragraph .... [revisor inserts date], is surrounded by

1 department land, the department shall, within 6 months after the disbursement of  
2 stewardship program funds, provide notice of public access to the land purchased  
3 under the stewardship programs by the placement of signs adequate to give notice  
4 at the major access points to the department land. If the land that is purchased  
5 under the stewardship programs before the effective date of this paragraph ....  
6 [revisor inserts date], is surrounded by department land, the department shall  
7 provide notice of public access to the land purchased under the stewardship  
8 programs by the placement of signs adequate to give notice at the major access points  
9 to the department land within 48 months after the effective date of this paragraph  
10 .... [revisor inserts date]. The area of each sign shall be at least 108 square inches,  
11 and each sign shall be made of a durable substance.

12 (c) The signs required under pars. (a) and (b) shall include information on the  
13 primary activities that are restricted or prohibited on the land and the name of the  
14 owner of the property or a person to contact regarding the land. Signs shall also be  
15 placed at the specified major access points that give notice that the land was acquired  
16 in whole or in part using stewardship program funds.

17 (d) If the land described under par. (a) or (b) has a cumulative acreage of 10  
18 acres or more, the signs under par. (a) or (b) shall also include one of the following:

- 19 1. The postal address or telephone number of the owner of the land.
- 20 2. The postal address or telephone number of a person to contact regarding the  
21 land.
- 22 3. An Internet Web site address where a person can locate the information  
23 listed in subd. 1. or 2.

1 (e) The department shall provide to the legislature biennially under s. 13.172  
2 (2) a list of all land purchased under the stewardship programs for which public  
3 access has been restricted or prohibited and the reasons for that action.

4 (f) If the owner of land purchased under the stewardship programs before, on,  
5 or after the effective date of this paragraph ... [revisor inserts date], fails to comply  
6 with the requirements of par. (a), that person is not eligible for any program or grant  
7 under the stewardship programs until the department determines that the person  
8 is in compliance with par. (a).

9 (g) If the department is notified that a sign required under par. (a) or (b) needs  
10 replacing, within 28 days after receiving that notification the department shall  
11 determine if the sign needs to be replaced. The department shall replace any sign  
12 required under par. (b) within 28 days after determining that the sign needs to be  
13 replaced. Within 7 days after determining that a sign required under par. (a) needs  
14 to be replaced, the department shall notify the owner of that determination. The  
15 owner of land purchased under the stewardship programs that placed signs as  
16 required under par. (a) shall be ineligible for any program or grant under the  
17 stewardship programs until the sign is replaced if the owner fails to replace a needed  
18 sign within 3 months after receiving notice from the department that the sign needs  
19 to be replaced.

20 (h) If the department authorizes a nonprofit conservation organization to  
21 charge a fee for hunting on land purchased under the stewardship programs, the fee  
22 for the hunting season may not exceed the sum of the fee for a daily resident vehicle  
23 admission receipt under s. 27.01 (7) (f) 2. and the issuing fee for a daily vehicle  
24 admission receipt under s. 27.01 (7) (gr).

