

1999 ASSEMBLY BILL 680

February 1, 2000 – Introduced by JOINT LEGISLATIVE COUNCIL. Referred to Committee on Conservation and Land Use.

1 **AN ACT to create** 23.099 of the statutes; **relating to:** requiring the department
2 of natural resources to promulgate rules establishing policies for the
3 acceptance of contributions from private sources, prohibiting the department
4 of natural resources from selling the naming rights of certain properties under
5 its jurisdiction and granting rule-making authority.

Analysis by the Legislative Reference Bureau

This bill is explained in the NOTES provided by the joint legislative council.
For further information see the ***state and local*** fiscal estimate, which will be printed as an appendix to this bill.

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

PREFATORY NOTE: This bill was prepared for the joint legislative council's special committee on incentives for resource stewardship. The joint legislative council established the special committee by a June 24, 1998, mail ballot and directed it to study "means to encourage and promote private efforts to conserve and protect the natural values of land and water through an appropriate legislative framework and the use of economic incentives". The bill requires the department of natural resources (DNR) to promulgate administrative rules adopting policies to be followed by the DNR in accepting and using donations from private parties.

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This bill is explained in more detail in the SECTION note following the provisions of the bill.

1 **SECTION 1.** 23.099 of the statutes is created to read:

2 **23.099 Contributions to department from private sources; naming**
3 **rights. (1) DEFINITIONS.** In this section:

4 (a) “Contribution” means anything of value, including money, real or personal
5 property, or human effort.

6 (b) “Private source” means any individual or entity that is not a governmental
7 unit.

8 **(2) POLICY ON CONTRIBUTIONS; RULE REQUIRED.** The natural resources board shall
9 establish by rule policies and limitations for the acceptance and use, by the
10 department, of contributions from private sources. The rule shall include policies for
11 all of the following:

12 (a) Procedures for the acceptance of contributions.

13 (b) Acceptance of anonymous contributions.

14 (c) Solicitation of contributions from private sources.

15 (d) Decisions regarding the use of contributions from private sources.

16 (e) Conditions imposed by donors on the use of contributions from private
17 sources.

18 (f) Methods for recognizing the provision of contributions from private sources.

19 (g) Granting exclusive rights or franchises in return for contributions from
20 private sources.

21 (h) Cooperative activities involving the department and any person providing
22 contributions from private sources.

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1 (i) Records kept by the department regarding contributions from private
2 sources.

3 **(3) NAMING RIGHTS.** The department may not sell the right to name parks, state
4 forests, trails, natural areas or wildlife areas under its jurisdiction.

NOTE: This bill creates s. 23.099, stats., which requires the natural resources board to establish by rule policies and limitations regarding the acceptance and use of contributions to the DNR from private sources.

The purpose of this rule-making is to develop policies in the DNR that will encourage and facilitate partnerships between the DNR and private organizations or individuals, enhance the ability of DNR to leverage private resources and develop policies for the public acknowledgement of private contributions to the DNR.

The rules will apply to a contribution of any type that has value, whether the contribution consists of cash, property or, in the case of individuals, physical effort from a “private source”, which is defined to be mean any individual and any entity that is not a governmental unit, such as a partnership, corporation or non-governmental association.

The bill prohibits the DNR from selling the naming rights for state parks, forests, trails, natural areas or wildlife areas.

The special committee recommends that the DNR promulgate the rules for contributions from private sources in two stages. The first stage would build on current rules and recent internal DNR studies related to the acceptance of contributions. This portion of the rules could be promulgated soon after this bill is enacted into law. The second stage would relate to the solicitation of contributions by the DNR.

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(END)