

2003 DRAFTING REQUEST

Bill

Received: **09/11/2003**

Received By: **rnelson2**

Wanted: **Soon**

Identical to LRB:

For: **Dale Schultz (608) 266-0703**

By/Representing: **John Stolzenberg**

This file may be shown to any legislator: **NO**

Drafter: **rnelson2**

May Contact:

Addl. Drafters:

Subject: **Nat. Res. - LWSR stewardship**

Extra Copies: **John Stolzenberg, LC**

Submit via email: **YES**

Requester's email: **Sen.Schultz@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Information about Stewardship properties

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?				_____			State
/P1	rnelson2 10/27/2003	kgilfoy 11/24/2003	rschluet 11/25/2003	_____	Inorthro 11/25/2003		State
/P2	rnelson2 12/04/2003	kgilfoy 12/04/2003	jfrantze 12/04/2003	_____	sbasford 12/04/2003		State

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/P3	rnelson2 12/09/2003	kgilfoy 12/09/2003	pgreensl 12/09/2003	_____	Inorthro 12/09/2003		State
/1	rnelson2 12/11/2003	kgilfoy 12/11/2003	pgreensl 12/11/2003	_____ _____ _____	sbasford 12/11/2003	sbasford 12/11/2003 sbasford 12/11/2003	

FE Sent For:

At
Intro.

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11-12/11
KMG
12/11/03
P819R

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13-12/9
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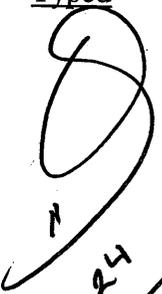
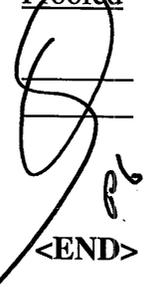
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1?	rnelson2	1/1 - 11/24 KMG					
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Handwritten notes: 1/1 - 11/24, KMG

Handwritten signatures and numbers: 24, 3, <END>

FE Sent For:

DRAFTING INSTRUCTIONS FOR A BILL TO PROVIDE INFORMATION ON AND ACCESS TO
LAND PURCHASED WITH STEWARDSHIP FUNDS

20. 866 (2) (22)

1. Internet-based Stewardship land locator.

a. Direct the Department of Natural Resources (DNR) to establish an interactive mapping tool at the DNR's web site that identifies all publicly accessible property acquired by the DNR, a local government, or a nonprofit conservation organization with Stewardship funds within an area identified by a user of the mapping tool. (Note: the DNR has committed to creating a similar mapping tool for its property; see the last paragraph of text at <http://www.dnr.state.wi.us/org/caer/cfa/lr/stewardship/dnrprojects.html>)

23. 914
needed?

- i. Include in "publicly accessible property" property acquired in fee simple and property rights purchased with an easement that include the right of public access
- ii. Require the DNR to make the mapping tool available to the public within nine months after the effective date of this provision.
- iii. Specify that the DNR may not charge for the use of the mapping tool at its Web site. (This item implies that the DNR may charge for the electronic database that supports the mapping tool under the Open Records Law.)

FE

b. Do not provide an appropriation in the initial draft for the development of the interactive mapping tool.

2. Stewardship land directory.

a. Direct the DNR to publish a directory of all publicly accessible property acquired by the DNR, a local government, or a nonprofit conservation organization with Stewardship funds identified in item 1. a. i.

- i. Require the directory to be organized by county and town and to identify the legal description of the location of the property.
- ii. Require the DNR to publish the directory within one year after the effective date of this provision and to update the directory at least biennially.

b. Authorize the DNR to charge a fee for the directory, subject to s. 23.165(5).

c. Do not provide an appropriation in the initial draft for the development and publishing of the directory.

3. Public access to Stewardship land.

a. Establish that all property acquired with Stewardship funds by the DNR, a local government or a nonprofit conservation organization shall be open to the public unless one of the following occurs:

- i. The DNR closes the property to public access under another statute (such as s. 23.29 (11)).
- ii. The DNR determines that it is necessary to close the property to public access to protect species of plants, wild animals or other natural features or if the right of public access is not acquired as part of the rights purchased with an easement. (Note: this requirement already exists in s. 23.096 (3) (bn) for property acquired in fee simple by a nonprofit conservation organization with a Stewardship grant.)

b. Require the owner of property acquired with Stewardship funds to provide notice of public access by the placement of signs. [Note: s. NR 51.904 (8) (f) contains a similar notice requirement that

provides for notification "by placement of signs or in any other manner approved by the Department." This bill would preclude the latter method of notification.]

- i. Apply this requirement to property acquired on or after the effective date of this provision starting on the effective date.
 - ii. Apply this requirement to property acquired before the effective date of this provision within 6 months after the effective date.
- c. Direct the DNR, if the DNR determines that it is necessary to close property acquired in fee simple or by easement with Stewardship funds to public access under item 3. a. ii., to report the determination and the reasons for the determination to the Legislature under s. 13.172 (2) within 30 days after making the determination.

Prepared at the request of

Sen. Dale Shultz,

By John Stolzenberg,

Legislative Council,

September 4, 2003

Revised, September 11, 2003



State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-3270/P1

RPN: King

12/2 Tues.

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Gen. Cat.

1 AN ACT/...; relating to: access to information about real property purchased with
2 stewardship money.

Analysis by the Legislative Reference Bureau

This is a preliminary draft. An analysis will be provided in a later version.
For further information see the *state* 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:

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

4 23.0916 Warren Knowles-Gaylord Nelson stewardship programs

5 property access and information. (1) DEFINITION. In this program: section

6 (am) "Governmental unit" has the meaning given in s. 23.09 (19) (a) 2.

7 (b) "Land" has the meaning given in s. 23.0917 (1) (d).

8 (c) "Nonprofit conservation organization" has the meaning given in s. 23.0955

9 (1).

paragraph 1... [

1

(1) "Stewardship programs" means the Warren Knowles-Gaylord/Nelson stewardship programs under ss. 23.0915 and 23.0917.

2

3

(2) LAND MAPPING AND DIRECTORY. (a) Within nine months after the effective date of this subsection, [revisor inserts date], the department shall establish and

4

maintain an interactive mapping tool at the department's website that identifies all land purchased under the stewardship programs. Public access to the mapping tool

5

at the website shall be available without charge.

6

7

(b) Within 12 months after the effective date of this subsection, [revisor inserts date], the department shall publish a directory of all publicly accessible and

8

purchased under the stewardship programs. The directory shall be organized by county and town and shall identify the legal description of the location of the land.

9

10

The directory shall be updated at least every two years. The department may charge a fee for the directory, subject to the limit under s. 23.165 (5).

11

12

(3) ACCESS TO STEWARDSHIP PROGRAM PROPERTY. (a) Except as provided under par. (c), the public shall have access to all of the following:

13

14

1. Land purchased under the stewardship programs that is owned by the state and under the jurisdiction of the department.

15

16

2. Land purchased under the stewardship programs or under s. 23.096 (2) that is owned by a nonprofit conservation organization.

17

18

3. Land purchased under the stewardship programs that is owned by a governmental unit.

19

20

(b) The owner of land purchased under the stewardship programs after the effective date of this paragraph, [revisor inserts date], shall provide notice of public

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access to that land by the placement of signs adequate to give notice adjacent to the land. The owner of land purchased under the stewardship programs before the

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paragraph 1... [

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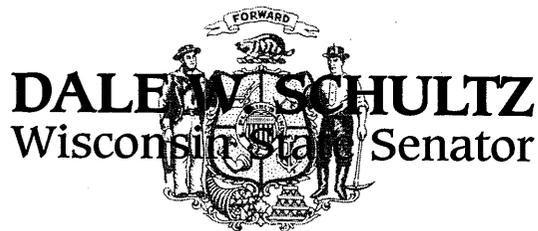
effective date of this paragraph ~~revisor inserts date~~, shall provide notice of public access to that land by the placement of signs adequate to give notice adjacent to the land within ~~12~~ ⁶ months after the effective date of this paragraph ~~revisor inserts date~~.

(c) Public access to land purchased under the stewardship programs may be restricted or prohibited as provided ⁱⁿ ~~under~~ s. 23.29 (11), if public access was not acquired as part of the purchase, or if the department determines that the restriction or prohibition is necessary for public safety or to protect wild animals, plants, or other natural features. If the department determines after the effective date of this paragraph ~~revisor inserts date~~, that public access to any land purchased under the stewardship programs ~~is~~ restricted or prohibited, the department shall report that determination and the reasons for the determination to the legislature under s. 13.172 (2) within 30 days after making the determination.

(3)

should be

(END)



To; Robert P Nelson, Senior Attorney
Legislative Reference Bureau
Legal/Drafting

Dear Atty. Nelson,

Please have your staff make the following changes to LRB 3270/P1. (Attached).

Page 2, Line 13.

At the end of this line add:

“but not to exceed the cost of publication.”

Senator Schultz would like to add specifications for the required signage such as:

“Signs shall be placed on all access roads to the property and property lines of the parcel , with additional signs at a minimum distance of 1000 yards from the adjacent sign where practicable.”

“Signs shall be at least 10”x12” made of a durable substance, and highly visible from adjacent properties or public rights of way.”

“Signs shall include information on what activities are restricted on the property and include the name of the title holder of the property and contact information.”

Page 3, Line 8.

After “protect” and before “wild” insert endangered or threatened

Page 3, Line 9.

Before “natural” insert “unique”

Senator Schultz asks that a penalty be included similar to the following,

If the titleholder of any property referenced in this section is not in compliance with the signage provisions of this statute, that entity is not eligible to qualify for any program under the provisions under 23.0915 and 23.0917, until the department determines that the title holder has come into compliance.

Thank you.

Questions on this request can be directed to John O'Brien at 26 6-0703



State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-3270/P1
RPN:kmg:rs

2

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

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

Analysis by the Legislative Reference Bureau

This is a preliminary draft. An analysis will be provided in a later version.
For further information see the *state* 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:

- 3 SECTION 1. 23.0916 of the statutes is created to read:
- 4 **23.0916 Warren Knowles-Gaylord Nelson stewardship programs**
- 5 **property access and information. (1) DEFINITIONS.** In this section:
- 6 (am) "Governmental unit" has the meaning given in s. 23.09 (19) (a) 2.
- 7 (b) "Land" has the meaning given in s. 23.0917 (1) (d).
- 8 (c) "Nonprofit conservation organization" has the meaning given in s. 23.0955
- 9 (1).

1 (d) "Stewardship programs" means the stewardship programs under ss.
2 23.0915 and 23.0917.

3 (2) LAND MAPPING AND DIRECTORY. (a) Within 9 months after the effective date
4 of this paragraph [revisor inserts date], the department shall establish and
5 maintain an interactive mapping tool at the department's website that identifies all
6 land purchased under the stewardship programs. Public access to the mapping tool
7 at the website shall be available without charge.

8 (b) Within 12 months after the effective date of this paragraph [revisor
9 inserts date], the department shall publish a directory of all publicly accessible land
10 purchased under the stewardship programs. The directory shall be organized by
11 county and town and shall identify the legal description of the location of the land.
12 The directory shall be updated at least every 2 years. The department may charge
13 a fee for the directory, *but the fee may not exceed the cost of the publication of the directory*
subject to the limit under s. 23.165(5).

14 (3) ACCESS TO STEWARDSHIP PROGRAMS PROPERTY. (a) Except as provided in par.
15 (c), the public shall have access to all of the following:

16 1. Land purchased under the stewardship programs that is owned by the state
17 and under the jurisdiction of the department.

18 2. Land purchased under the stewardship programs or under s. 23.096 (2) that
19 is owned by a nonprofit conservation organization.

20 3. Land purchased under the stewardship programs that is owned by a
21 governmental unit.

22 (b) The owner of land purchased under the stewardship programs *or under s. 23.096(2)* on or after
23 the effective date of this paragraph [revisor inserts date], shall provide notice of
24 public access to that land by the placement of signs adequate to give notice adjacent
25 to the land. The owner of land purchased under the stewardship programs *or under s. 23.096(2)* before

1 the effective date of this paragraph [revisor inserts date], shall provide notice of
2 public access to that land by the placement of signs adequate to give notice adjacent
3 to the land within 6 months after the effective date of this paragraph [revisor
4 inserts date]. *Insert 3-4*

5 (c) Public access to land purchased under the stewardship programs *or under s. 23.096(2)* may be
6 restricted or prohibited as provided in s. 23.29 (11), if public access was not acquired
7 as part of the purchase, or if the department determines *or* that the restriction or
8 prohibition is necessary for public safety or to *endangered or threatened to protect* wild animals, plants, or ~~other~~
9 *unique* natural features. If the department determines after the effective date of this
10 paragraph [revisor inserts date], that public access to any land purchased under
11 the stewardship programs *or under s. 23.096(2)* should be restricted or prohibited, the department shall
12 report that determination and the reasons for the determination to the legislature
13 under s. 13.172 (2) within 30 days after making the determination.

14

(END)

*Insert ✓
3-13*

2003-2004 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3270/P2ins
RPN:kmg:rs

1 insert 3-4: ✓

2 ~~No 9~~ The signs shall be at least 10 inches high by 12 inches wide, made of a durable
3 substance, with wording that is visible from adjacent properties or public rights of
4 way. The signs shall be placed on all access roads to the land, on the property lines
5 of the parcel of land and, where practicable, at intervals of not more than 1,000 yards
6 along the property lines. The signs shall include information about any activities
7 that are restricted or prohibited on the land, the name of the owner of the property,
8 and the name and telephone number of a person to call regarding the land.

9
10 insert 3-13: ✓

11 (d) If the owner of land purchased under the stewardship programs or under
12 s. 23.096 (2) fails to comply with the requirements of ~~par~~ (b), that person is not
13 eligible for any program or grant under s. 23.0915, 23.0917, or 23.096 (2) until the
14 department determines that the person is in compliance with par. (b). *par.*

Nelson, Robert P.

From: OBrien, John
Sent: Monday, December 08, 2003 10:00 AM
To: Nelson, Robert P.
Cc: Stolzenberg, John
Subject: LRB 3270/P2 Stewardship

Robert,

Please make the following changes to LRB 3270/P2

Page 2 Line 6

After "programs" insert "including properties on which partial property rights or easments have been obtained."

Robert, use your best judgement on what are the common terms of usage for "partial property rights and easments" as noted above.

Page 2 Line 9

Delete "publically accessible"

Page 3 Line 17

After "features". insert "Those properties do not have to be disclosed on the land mapping website or printed directory."

Page 3 Line 22

After "determination." insert within 90 days of the effective date of this paragraph, the department shall provide to the legislature under s.13.172 a list of all properties previously purchased under the stewardship program which have been restricted or access prohibited and the reasons for those restrictions.

John O'Brien, Committee Clerk
Senate Agriculture, Financial institutions and Insurance.
Senator Dale Schultz, Chair.
John.O'Brien@legis.state.wi.us
(800) 978 8008 (Toll Free In State Only)
(608) 26 6-0703



D-Note

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

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Gen. Cat -

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4 of this paragraph [revisor inserts date], the department shall establish and
5 maintain an interactive mapping tool at the department's website that identifies all
6 land purchased under the stewardship programs, ^{except as provided in sub. (3)(c)} Public access to the mapping tool
7 at the website shall be available without charge.

8 (b) Within 12 months after the effective date of this paragraph [revisor
9 inserts date], the department shall publish a directory of all ~~publicly accessible~~ land
10 purchased under the stewardship programs, ^{except as provided in sub. (3)(c)} The directory shall be organized by
11 county and town and shall identify the legal description of the location of the land.
12 The directory shall be updated at least every 2 years. The department may charge
13 a fee for the directory, but the fee may not exceed the cost of the publication of the
14 directory.

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21 3. Land purchased under the stewardship programs that is owned by a
22 governmental unit.

23 (b) The owner of land purchased under the stewardship programs or under s.
24 23.096 (2) on or after the effective date of this paragraph [revisor inserts date],
25 shall provide notice of public access to that land by the placement of signs adequate

1 to give notice adjacent to the land. The owner of land purchased under the
 2 stewardship programs or under s. 23.096 (2) before the effective date of this
 3 paragraph [revisor inserts date], shall provide notice of public access to that land
 4 by the placement of signs adequate to give notice adjacent to the land within 6
 5 months after the effective date of this paragraph [revisor inserts date]. The signs
 6 shall be at least 10 inches high by 12 inches wide, made of a durable substance, with
 7 wording that is visible from adjacent properties or public rights of way. The signs
 8 shall be placed on all access roads to the land, on the property lines of the parcel of
 9 land and, where practicable, at intervals of not more than 1,000 yards along the
 10 property lines. The signs shall include information about any activities that are
 11 restricted or prohibited on the land, the name of the owner of the property, and the
 12 name and telephone number of a person to call regarding the land.

13 (c) Public access to land purchased under the stewardship programs or under
 14 s. 23.096 (2) may be restricted or prohibited as provided in s. 23.29 (11), if public
 15 access was not acquired as part of the purchase, or if the department determines that
 16 ~~the department is not required to include these lands on the~~ the restriction or prohibition is necessary for public safety or to protect endangered
 17 ~~website or directory under sub. (2).~~ *mapping* or threatened wild animals or plants, or to protect unique natural features. If the
 18 department determines after the effective date of this paragraph [revisor inserts
 19 date], that public access to any land purchased under the stewardship programs or
 20 under s. 23.096 (2) should be restricted or prohibited, the department shall report
 21 that determination and the reasons for the determination to the legislature under
 22 s. 13.172 (2) within 30 days after making the determination.

23 (d) If the owner of land purchased under the stewardship programs or under
 24 s. 23.096 (2) fails to comply with the requirements of par. (b), that person is not

the access to which
Within 90 days after the effective date of this paragraph [revisor inserts date] the department shall provide to the legislature under s. 13.172 a list of all land purchased under the stewardship programs or under s. 23.096 (2) whose access has been restricted or prohibited and the reasons for that action.

1 eligible for any program or grant under s. 23.0915, 23.0917, or 23.096 (2) until the
2 department determines that the person is in compliance with par. (b).

3 (END)

P- Note

*I did not add the phrase about
"properties ^{on} which ^{measurements} have been obtained" suggested
in Page 2, line 6, because that phrase is
already ^u ^m ^{sum} ^{med} in the definition
of "Lead" in the draft. See s. 23.0917
c) (d).*

RPA

~

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-3270/P3dn
RPN:kmg:pg

December 9, 2003

I did not add the phrase about "properties ... on which ... easements have been obtained" suggested on page 2, line 6, because that phrase is already subsumed in the definition of "Land" in the draft. *See s. 23.0917 (1) (d).*

Robert P. Nelson
Senior Legislative Attorney
Phone: (608) 267-7511
E-mail: robert.nelson@legis.state.wi.us

Nelson, Robert P.

From: OBrien, John
Sent: Thursday, December 11, 2003 6:42 AM
To: Nelson, Robert P.
Subject: FW: LRB 3270/P3

Robert,

Make this last change then
Please send over a copy of LRB 3270/P3 with analysis and ready for introduction ASAP.

CHANGE

Page 4 line 4

After "person"
Insert , organization or government body.

Thanks.

*No s. 990.01 (26)
defines "person" to
include all of
these.*

John O'Brien, Committee Clerk
Senate Agriculture, Financial institutions and Insurance.
Senator Dale Schultz, Chair.
John.O'Brien@legis.state.wi.us
(800) 978 8008 (Toll Free In State Only)
(608) 26 6-0703



900
State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-3270/RS
RPN:kmg:pg

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

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.

Analysis by the Legislative Reference Bureau

This is a preliminary draft. An analysis will be provided in a later version.
For further information see the *state* fiscal estimate, which will be printed as
an appendix to this bill.

inserts
a and "A" and
and "B" →

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

3 SECTION 1. 23.0916 of the statutes is created to read:
4 23.0916 Warren Knowles-Gaylord Nelson stewardship programs
5 property access and information. (1) DEFINITIONS. In this section:
6 (am) "Governmental unit" has the meaning given in s. 23.09 (19) (a) 2.
7 (b) "Land" has the meaning given in s. 23.0917 (1) (d).
8 (c) "Nonprofit conservation organization" has the meaning given in s. 23.0955
9 (1).

1 (d) “Stewardship programs” means the stewardship programs under ss.
2 23.0915 and 23.0917.

3 (2) LAND MAPPING AND DIRECTORY. (a) Within 9 months after the effective date
4 of this paragraph [revisor inserts date], the department shall establish and
5 maintain an interactive mapping tool at the department’s website that identifies all
6 land purchased under the stewardship programs, except as provided in sub. (3) (c).
7 Public access to the mapping tool at the website shall be available without charge.

8 (b) Within 12 months after the effective date of this paragraph [revisor
9 inserts date], the department shall publish a directory of all land purchased under
10 the stewardship programs, except as provided in sub. (3) (c). The directory shall be
11 organized by county and town and shall identify the legal description of the location
12 of the land. The directory shall be updated at least every 2 years. The department
13 may charge a fee for the directory, but the fee may not exceed the cost of the
14 publication of the directory.

15 (3) ACCESS TO STEWARDSHIP PROGRAMS PROPERTY. (a) Except as provided in par.
16 (c), the public shall have access to all of the following:

17 1. Land purchased under the stewardship programs that is owned by the state
18 and under the jurisdiction of the department.

19 2. Land purchased under the stewardship programs or under s. 23.096 (2) that
20 is owned by a nonprofit conservation organization.

21 3. Land purchased under the stewardship programs that is owned by a
22 governmental unit.

23 (b) The owner of land purchased under the stewardship programs or under s.
24 23.096 (2) on or after the effective date of this paragraph [revisor inserts date],
25 shall provide notice of public access to that land by the placement of signs adequate

1 to give notice adjacent to the land. The owner of land purchased under the
2 stewardship programs or under s. 23.096 (2) before the effective date of this
3 paragraph [revisor inserts date], shall provide notice of public access to that land
4 by the placement of signs adequate to give notice adjacent to the land within 6
5 months after the effective date of this paragraph [revisor inserts date]. The signs
6 shall be at least 10 inches high by 12 inches wide, made of a durable substance, with
7 wording that is visible from adjacent properties or public rights of way. The signs
8 shall be placed on all access roads to the land, on the property lines of the parcel of
9 land and, where practicable, at intervals of not more than 1,000 yards along the
10 property lines. The signs shall include information about any activities that are
11 restricted or prohibited on the land, the name of the owner of the property, and the
12 name and telephone number of a person to call regarding the land.

13 (c) Public access to land purchased under the stewardship programs or under
14 s. 23.096 (2) may be restricted or prohibited as provided in s. 23.29 (11), if public
15 access was not acquired as part of the purchase, or if the department determines that
16 the restriction or prohibition is necessary for public safety or to protect endangered
17 or threatened wild animals or plants, or to protect unique natural features. The
18 department is not required to include these lands on the mapping website or
19 directory under sub. (2). If the department determines after the effective date of this
20 paragraph [revisor inserts date], that public access to any land purchased under
21 the stewardship programs or under s. 23.096 (2) should be restricted or prohibited,
22 the department shall report that determination and the reasons for the
23 determination to the legislature under s. 13.172 (2) within 30 days after making the
24 determination. Within 90 days after the effective date of this paragraph [revisor
25 inserts date], the department shall provide to the legislature under s. 13.172 a list

1 of all land purchased under the stewardship programs or under s. 23.096 (2) the
2 access to which has been restricted or prohibited and the reasons for that action.

3 (d) If the owner of land purchased under the stewardship programs or under
4 s. 23.096 (2) fails to comply with the requirements of par. (b), that person is not
5 eligible for any program or grant under s. 23.0915, 23.0917, or 23.096 (2) until the
6 department determines that the person is in compliance with par. (b).

7 (END)

BILL

insert
and A

1 elimination of bonding authority under the Warren Knowles-Gaylord Nelson
2 Stewardship 2000 Program.

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).

Current law grants the state the authority to bond for various conservation purposes under the stewardship program. The stewardship 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.

The bill prohibits any further moneys from being committed under the stewardship program, and any further debt from be contracted under the stewardship program, after June 30, 2004.

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:

3 **SECTION 1.** 20.866 (2) (ta) of the statutes is amended to read:

4 20.866 (2) (ta) *Natural resources; Warren Knowles-Gaylord Nelson*
5 *stewardship 2000 program.* From the capital improvement fund a sum sufficient for
6 the Warren Knowles-Gaylord Nelson stewardship 2000 program under s. 23.0917.
7 The state may contract public debt in an amount not to exceed \$572,000,000 for this
8 program. Except as provided in s. 23.0917 (4g) (b), (4m) (k), (5) and (5m), the amounts
9 obligated, as defined in s. 23.0917 (1) (e), under this paragraph may not exceed

insert
and A

✓

2003-2004 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3270/lins
RPN:kmg:pg

insert anlB:

This bill requires DNR to create and maintain a mapping tool on DNR's website that identifies all land purchased under the stewardship programs and that is available to the public at no charge. The bill grants the public access to all lands purchased with stewardship money that is owned by the state, a governmental unit, or ~~by a~~ nonprofit conservation organization. The owner of the land is required to provide notice of public access with specific signs along the access roads and property lines. Some properties may have public access restricted under the bill if DNR determines that some restriction is necessary for public safety, to protect endangered or threatened animals or plants, or to protect unique natural features. If access is restricted, the signs required by the bill must include that information. If an owner of the land purchased under the stewardship programs fails to comply with the requirements under the bill, the owner is not eligible for any grants or program under the stewardship programs until ~~that person~~ complies with the requirements.

the owner

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-3270/1dn
RPN:kmg:pg
↑

John;

I did not add "organization or government body" after "person" as requested because s. 990.01 (26) defines "person" in the statutes to include these.

Robert P. Nelson
Senior Legislative Attorney
Phone: (608) 267-7511
E-mail: robert.nelson@legis.state.wi.us

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3270/1dn
RPN:kmg:pg

December 11, 2003

John,

I did not add "organization or government body" after "person" as requested because s. 990.01 (26) defines "person" in the statutes to include these.

Robert P. Nelson
Senior Legislative Attorney
Phone: (608) 267-7511
E-mail: robert.nelson@legis.state.wi.us

Basford, Sarah

From: O'Brien, John
Sent: Thursday, December 11, 2003 2:54 PM
To: LRB.Legal
Subject: Draft review: LRB 03-3270/1 Topic: Information about Stewardship properties

It has been requested by <O'Brien, John> that the following draft be jacketed for the SENATE:

Draft review: LRB 03-3270/1 Topic: Information about Stewardship properties