

2005 ASSEMBLY BILL 187

March 10, 2005 – Introduced by Representatives FRISKE, GUNDERSON, GARD, GRONEMUS, KAUFERT, AINSWORTH, MURSAU, NERISON, LOTHIAN, VOS, OTT, M. WILLIAMS, PETROWSKI, WOOD, TOWNSEND, MONTGOMERY, LEMAHIEU, PRIDEMORE, MUSSER, HINES and MOLEPSKE, cosponsored by Senator KANAVAS. Referred to Committee on Natural Resources.

- 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

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

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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 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, the owner is not eligible for any grants or subprogram under the stewardship programs until the owner complies with the requirements.

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.

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 18 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
13 land purchased under the stewardship programs that is open for public access.
14 Public access to the mapping tool at the Web site shall be available without charge.

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1 (b) Within 18 months after the effective date of this paragraph [revisor
2 inserts date], the department shall make available a directory of all land purchased
3 under the stewardship programs that is open for public access. The directory shall
4 be organized by county and town and shall identify the legal description of the
5 location of the land. The directory shall be updated at least every 2 years. The
6 department may charge a fee for the directory, but the fee may not exceed the cost
7 of the publication of the directory. In lieu of the department preparing and making
8 available a directory, the department may provide to the public at the department's
9 cost, a map, book, or directory that meets the requirements of this subsection and
10 that is published by a private entity.

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

21 (b) If the land that is purchased under the stewardship programs on or after
22 the effective date of this paragraph [revisor inserts date], is surrounded by
23 department land, the department shall provide notice of public access to the land
24 purchased under the stewardship programs by the placement of signs adequate to
25 give notice at the major access points to the department land. If the land that is

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1 purchased under the stewardship programs before the effective date of this
2 paragraph [revisor inserts date], is surrounded by department land, the
3 department shall provide notice of public access to the land purchased under the
4 stewardship programs by the placement of signs adequate to give notice at the major
5 access points to the department land within 18 months after the effective date of this
6 paragraph [revisor inserts date]. The area of each sign shall be at least 108 square
7 inches, and each sign shall be made of a durable substance.

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

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

16 (e) If the owner of land purchased under the stewardship programs before, on,
17 or after the effective date of this paragraph [revisor inserts date], fails to comply
18 with the requirements of par. (a), that person is not eligible for any program or grant
19 under the stewardship programs until the department determines that the person
20 is in compliance with par. (a).

21 (f) If the department authorizes a nonprofit conservation organization to
22 charge a fee for hunting on land purchased under the stewardship programs, the fee
23 for the hunting season may not exceed the sum of the fee for a daily resident vehicle

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1 admission receipt under s. 27.01 (7) (f) 2. and the issuing fee for a daily vehicle

2 admission receipt under s. 27.01 (7) (gr).

3 (END)