

2005 DRAFTING REQUEST

Bill

Received: 09/15/2004

Received By: rnelson2

Wanted: As time permits

Identical to LRB:

For: Donald Friske (608) 266-7694

By/Representing: Tim Gary

This file may be shown to any legislator: NO

Drafter: rnelson2

May Contact:

Addl. Drafters:

Subject: Nat. Res. - LWSR stewardship

Extra Copies:

Submit via email: YES

Requester's email: Rep.Friske@legis.state.wi.us

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Information and access available about property purchased with stewardship money.

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>
/?	rnelson2 09/22/2004	chanaman 09/22/2004		_____			State
/1			rschluet 09/22/2004	_____	lemery 09/22/2004		State
/2	rnelson2 09/22/2004	lkunkel 10/12/2004 lkunkel 10/15/2004	jfrantze 10/18/2004	_____	sbasford 10/18/2004	lemery 02/28/2005	

Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

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/1			rschluet 09/22/2004	_____	lemery 09/22/2004		

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12 lmk 10/12 J 10/18 Jb Ro 10/18

LRB-0208

09/22/2004 11:36:49 AM

Page 2

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<END>

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See Attached

5 0368/1

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/?	rnelson2						
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FE Sent For:

<END>

Nelson, Robert P.

From: Gary, Tim
Sent: Tuesday, September 14, 2004 3:03 PM
To: Nelson, Robert P.
Subject: 2003 SB 394

Bob,

Could you please draft 2003 SB 394, as amended by the Senate, for the 2005 session?

Thank you in advance.

Sincerely,
Tim Gary
Research Assistant for
Representative Donald Friske

SENATE BILL 394 (LRB -3270)

An Act to create 23.0916 of the statutes; relating to: information about real property purchased with stewardship money and public access to that property. (FE)

2004

02-20.	S.	Introduced by Senators Schultz, Kedzie, Welch, A. Lasee, Kanavas, Stepp, Brown and Reynolds; cosponsored by Representatives Johnsrud, Ladwig, Jeskewitz, Musser, Ainsworth, J. Wood, Gunderson, Petrowski, Gronemus, Albers, Van Roy, Freese, Weber, Kestell, LeMahieu and Krawczyk.	
01-14.	S.	Read first time and referred to committee on Environment and Natural Resources	538
02-19.	S.	Public hearing held.	
02-20.	S.	Fiscal estimate received.	
02-23.	S.	Executive action taken.	
02-24.	S.	Report introduction and adoption of Senate Substitute Amendment 1 recommended by committee on Environment and Natural Resources, Ayes 4, Noes 1 (LRB s0368)	625
02-24.	S.	Report passage as amended recommended by committee on Environment and Natural Resources, Ayes 4, Noes 1	625
02-24.	S.	Available for scheduling.	
03-02.	S.	LRB correction	658
03-03.	S.	Placed on calendar 3-4-2004 by committee on Senate Organization.	
03-04.	S.	Read a second time	670
03-04.	S.	Senate substitute amendment 1 adopted	670
03-04.	S.	Ordered to a third reading	670
03-04.	S.	Referred to joint committee on Finance	670
03-04.	S.	Withdrawn from joint committee on Finance and taken up	670
03-04.	S.	Ordered to a third reading	670
03-04.	S.	Rules suspended	670
03-04.	S.	Placed on the calendar of 3-4-2004 following Senate Bill 403	670
03-04.	S.	Placed on the calendar of 3-4-2004 following Senate Bill 412	670
03-04.	S.	Placed on the calendar of 3-4-2003 following Senate Bill 417	670
03-04.	S.	Read a third time and passed , Ayes 32, Noes 1	671
03-04.	S.	Ordered immediately messaged	671
03-04.	A.	Received from Senate	799
03-04.	A.	Read first time and referred to committee on Natural Resources	799
03-05.	A.	Public hearing held.	
03-05.	A.	Executive action taken.	
03-09.	A.	Report concurrence recommended by committee on Natural Resources, Ayes 10, Noes 0	810
03-09.	A.	Referred to committee on Rules	810
03-31.	A.	Failed to concur in pursuant to Senate Joint Resolution 1	913

2003-2004 LEGISLATURE

CORRECTIONS IN:

**SENATE SUBSTITUTE AMENDMENT 1,
TO 2003 SENATE BILL 394**

Prepared by the Legislative Reference Bureau
(February 26, 2004)

1. Page 3, line 15: delete "contract" and substitute "contact".

(END)

2005 BILL

- 1 *for cat* 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).

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.

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 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.

BILL

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 program 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 DIRECTORY. Within 18 months after the effective date of this subsection
11 ... [revisor inserts date], the department shall make available a directory of all land
12 purchased under the stewardship programs that is open for public access. The
13 directory shall be organized by county and town and shall identify the legal
14 description of the location of the land. The directory shall be updated at least every
15 2 years. The department may charge a fee for the directory, but the fee may not
16 exceed the cost of the publication of the directory. In lieu of the department preparing
17 and making available a directory, the department may provide to the public at the

BILL

1 department's cost, a map, book, or directory that meets the requirements of this
2 subsection and that is published by a private entity.

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

13 (b) If the land that is purchased under the stewardship programs on or after
14 the effective date of this paragraph [revisor inserts date], is surrounded by
15 department land, the department shall provide notice of public access to the land
16 purchased under the stewardship programs by the placement of signs adequate to
17 give notice at the major access points to the department land. If the land that is
18 purchased under the stewardship programs before the effective date of this
19 paragraph [revisor inserts date], is surrounded by department land, the
20 department shall provide notice of public access to the land purchased under the
21 stewardship programs by the placement of signs adequate to give notice at the major
22 access points to the department land within 18 months after the effective date of this
23 paragraph [revisor inserts date]. The area of each sign shall be at least 108 square
24 inches, and each sign shall be made of a durable substance.

BILL

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

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

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

14 (f) If the department authorizes a nonprofit conservation organization to
15 charge a fee for hunting on land purchased under the stewardship programs, the fee
16 for the hunting season may not exceed the sum of the fee for a daily resident vehicle
17 admission receipt under s. 27.01 (7) (f) 2. and the issuing fee for a daily vehicle
18 admission receipt under s. 27.01 (7) (gr).

19 (END)



State of Wisconsin
2005 - 2006 LEGISLATURE

2
LRB-0208/1
RPN:cmh:rs
mk
d
cmh

2005 BILL

D.N. inadvertently
I inadvertently left out part of
SSA 1 to SB 394 from last session.
session.
RPN

Propn

- 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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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 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.

The stewardship programs consist of Knowles-Gaylord Nelson program that began in 1990 and the Warren Knowles-Gaylord Nelson program that began in 2000.

The bill requires DNR to provide an interactive mapping tool at its website that identifies public land purchased with stewardship money.

BILL

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 program under the stewardship program until the owner complies with the requirements.

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

10 (2) ~~LAND DIRECTORY~~ *Insert 2-10* Within 18 months after the effective date of this subsection *paragraph*
11 [revisor inserts date], the department shall make available a directory of all land
12 purchased under the stewardship programs that is open for public access. The
13 directory shall be organized by county and town and shall identify the legal
14 description of the location of the land. The directory shall be updated at least every
15 2 years. The department may charge a fee for the directory, but the fee may not
16 exceed the cost of the publication of the directory. In lieu of the department preparing
17 and making available a directory, the department may provide to the public at the

BILL

1 department's cost, a map, book, or directory that meets the requirements of this
2 subsection and that is published by a private entity.

3 (3) NOTICE OF ACCESS TO STEWARDSHIP PROGRAMS PROPERTY. (a) The owner of land
4 purchased under the stewardship programs on or after the effective date of this
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6 by the placement of signs adequate to give notice. The owner of land purchased
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13 (b) If the land that is purchased under the stewardship programs on or after
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15 charge a fee for hunting on land purchased under the stewardship programs, the fee
16 for the hunting season may not exceed the sum of the fee for a daily resident vehicle
17 admission receipt under s. 27.01 (7) (f) 2. and the issuing fee for a daily vehicle
18 admission receipt under s. 27.01 (7) (gr).

19 (END)

Insert 200

1 (2) LAND MAPPING AND DIRECTORY. (a) Within 18 months after the effective date
2 of this paragraph [revisor inserts date], the department shall establish and
3 maintain an interactive mapping tool at the department's website that identifies all
4 land purchased under the stewardship programs that is open for public access.
5 Public access to the mapping tool at the website shall be available without charge.

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

16 (3) ACCESS TO STEWARDSHIP PROGRAMS PROPERTY.

17 (b) The owner of land purchased under the stewardship programs on or after
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19 public access to that land by the placement of signs adequate to give notice. The
20 owner of land purchased under the stewardship programs before the effective date
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23 effective date of this paragraph [revisor inserts date]. The area of each sign shall
24 be at least 108 square inches and made of a durable substance. The signs shall be
25 placed at major access points to the property.

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0208/2dn
RPN:lmk&cmh:jf

October 18, 2004

I inadvertently left out part of SSA1 to SB394 from last session.

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

Emery, Lynn

From: Gary, Tim
Sent: Monday, February 28, 2005 12:34 PM
To: LRB.Legal
Subject: Draft review: LRB 05-0208/2 Topic: Information and access available about property purchased with stewardship money.

It has been requested by <Gary, Tim> that the following draft be jacketed for the ASSEMBLY:

Draft review: LRB 05-0208/2 Topic: Information and access available about property purchased with stewardship money.