2007 ASSEMBLY BILL 304

May 2, 2007 – Introduced by Representatives J. OTT, FRISKE, GRONEMUS, LOTHIAN, BALLWEG, ALBERS, PRIDEMORE, MURSAU, VOS, MEYER, GUNDREUM, NASS and GUNDERSON, cosponsored by Senators LEHMAN, DARLING, OLSN, SCHULTZ and ROESSLER. Referred to Committee on Natural Resources.

1 **AN ACT** to create 23.0916 of the statutes; relating to: information about land acquired with stewardship money and public access to that land.

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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 stewardship programs, administered by the Department of Natural Resources (DNR). One stewardship program began in 1990 and ended in 2000, and the current program began in 2000 and is scheduled to end in 2009. Under both programs, debt is incurred to acquire land for various conservation purposes. The state itself may acquire the land or DNR may award grants or other state aid to certain local governmental units, the Kickapoo Reserve Management Board, and non-profit conservation organizations.

This bill requires DNR to create and make available, for a fee, a directory of all land acquired 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 these lands. The owner of land acquired under the stewardship programs, or DNR, if the property is surrounded by DNR land, 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 acquired 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 under the stewardship programs, 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:

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

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

(a) “Department land” has the meaning given in s. 23.0917 (1) (c).
(b) “Land” has the meaning given in s. 23.0917 (1) (d).
(c) “Nonprofit conservation organization” has the meaning given in s. 23.0955 (1).
(d) “Stewardship land” means land that is acquired in whole or in part with funding from one or both stewardship programs.
(e) “Stewardship program” means the stewardship program under s. 23.0915 or 23.0917.

(2) LAND MAPPING AND DIRECTORY. (a) Within 48 months after the effective date of this paragraph .... [revisor inserts date], the department shall establish and maintain an interactive mapping tool at the department’s Web site that identifies all stewardship land that is open for public access. Public access to the mapping tool at the Web site shall be available without charge.

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

(3) Notice of Access to Stewardship Land. (a) An owner of stewardship land acquired on or after the effective date of this paragraph .... [revisor inserts date], shall, within 6 months after the disbursement of the stewardship program funds, provide notice of public access to the stewardship land by the placement of signs adequate to give notice. The owner of stewardship land acquired before the effective date of this paragraph .... [revisor inserts date], shall provide notice of public access to the stewardship land by the placement of signs adequate to give notice within 48 months after the effective date of this paragraph .... [revisor inserts date]. The area of each sign shall be at least 108 square inches, and each sign shall be made of a durable substance. The signs shall be placed at major access points to the stewardship land.

(b) If the stewardship land that is acquired on or after the effective date of this paragraph .... [revisor inserts date], is surrounded by department land, the department shall, within 6 months after the disbursement of stewardship program funds, provide notice of public access to the stewardship land by the placement of signs adequate to give notice at the major access points to the department land. If the stewardship land that is acquired before the effective date of this paragraph .... [revisor inserts date], is surrounded by department land, the department shall
provide notice of public access to the stewardship land by the placement of signs adequate to give notice at the major access points to the department land within 48 months after the effective date of this paragraph .... [revisor inserts date]. The area of each sign shall be at least 108 square inches, and each sign shall be made of a durable substance.

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

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

1. The postal address or telephone number of the owner of the stewardship land.

2. The postal address or telephone number of a person to contact regarding the stewardship land.

3. An Internet Web site address where a person can locate the information listed in subd. 1. or 2.

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

(f) If an owner of any stewardship land fails to comply with the requirements of par. (a), that person is not eligible for any subprogram or grant or other state aid
under the stewardship programs until the department determines that the person
is in compliance with par. (a).

(g) If the department is notified that a sign required under par. (a) or (b) needs
replacing, within 28 days after receiving that notification the department shall
determine if the sign needs to be replaced. The department shall replace any sign
required under par. (b) within 28 days after determining that the sign needs to be
replaced. Within 7 days after determining that a sign required under par. (a) needs
to be replaced, the department shall notify the owner of that determination. The
owner of stewardship land that placed signs as required under par. (a) shall be
ineligible for any subprogram or grant or other state aid under the stewardship
programs if the sign is not replaced within 3 months after receiving the notice.

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

(4) CONTACT INFORMATION. An owner of stewardship land shall provide
information requested by the department that will enable the department to contact
that owner.