

**2009 DRAFTING REQUEST**

**Bill**

Received: 03/26/2009

Received By: rkite

Wanted: As time permits

Identical to LRB:

For: Legislative Council - JLC

By/Representing: Don Salm

This file may be shown to any legislator: NO

Drafter: rkite

May Contact:

Addl. Drafters:

Subject: Nat. Res. - miscellaneous

Extra Copies:

Submit via email: YES

Requester's email: don.salm@legis.wisconsin.gov

Carbon copy (CC:) to: dan.schmidt@legis.wisconsin.gov

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**Pre Topic:**

No specific pre topic given

---

**Topic:**

Creation of a nonmotorized recreation and transportation trails council

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**Instructions:**

See attached

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**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>
/?							
/P1	rkite 04/10/2009	nnatzke 04/17/2009	rschluet 04/17/2009	_____	cduerst 04/17/2009		
/1	rkite 04/23/2009	jdye 04/23/2009	jfrantze 04/23/2009	_____	cduerst 04/23/2009	cduerst 04/24/2009	

FE Sent For:

*None*

<END>

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/P1	rkite 04/10/2009	nnatzke 04/17/2009	rschluet 04/17/2009		cduerst 04/17/2009		

FE Sent For:

*1 4/23 jld*  
*4/17/09*  
*ph/RS*  
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By/Representing: Don Salm

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Extra Copies: MGG

Submit via email: YES

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1?	rkite	/PI nwn 4/13		_____			

FE Sent For:

<END>

1       **AN ACT** to create 15.347 (20) and 23.177 of the statutes; **relating to:** creating a  
2                   nonmotorized recreation and transportation trails council.

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

**JOINT LEGISLATIVE COUNCIL PREFATORY NOTE:** This bill draft was prepared for the Joint Legislative Council's Special Committee on Enhancing Recreational Trails for Non-Motorized Use.

The draft creates the Nonmotorized Recreation and Transportation Trails Council in the Department of Natural Resources (DNR). The draft requires the governor to appoint and determine the number of members on the council. In appointing the members, the draft directs the governor to seek geographic diversity in the membership and to consider appointing members from statutorily specified categories. These categories include, but are not limited to: water trails, pedestrian travel, bicycle commuters, equestrian trail riding, long-distance hiking, nature-based activities (e.g., bird watching, nature study, hunting, fishing), snow sports (e.g., cross-country skiing and snowshoeing), bicycling, local forests and parks, trail accessibility, tourism promotion, and tribal lands.

The council is directed to carry out studies and make recommendations to the legislature, governor, DNR, and Department of Transportation (DOT) on all matters related to nonmotorized recreation transportation and trails, including matters relating to the categories specified above and other related categories and issues. The DNR and DOT must seek the advice of and consult with the council regarding the planning, acquisition, development, maintenance, and management of these trails.

3           **SECTION 1.** 15.347 (20) of the statutes is created to read:

4           15.347 (20) NONMOTORIZED RECREATION AND TRANSPORTATION TRAILS COUNCIL. (a)

5           There is created in the department of natural resources a nonmotorized recreation and  
6           transportation trails council.

7           (b) In appointing the members of the council, the governor shall seek geographic  
8           diversity in the membership. The governor shall appoint members who personally undertake

1 nonmotorized trail activities or who participate in organizations that own, maintain, or  
2 promote nonmotorized trails and nonmotorized trail activities. The governor shall choose  
3 members who represent as many as possible of the following nonmotorized trails and trail  
4 activities or interests, or any other nonmotorized trails and trail activities or interests identified  
5 by the governor:

6 1. Water trails.

7 2. Pedestrian travel.

8 3. Horseback riding and buggy driving.

9 4. Long-distance hiking.

10 5. Nature-based activities, such as bird watching, nature study, hunting, and fishing.

11 6. Snow sports.

12 7. Bicycling of all forms, including trail riding, mountain biking, commuting, and  
13 long-distance bicycling.

14 8. Local forests or parks.

15 9. Providing for and improving trail accessibility.

16 10. Tourism promotion.

17 11. Tribal lands.

18 (b) If any member of the council is unable to attend a meeting of the council, the  
19 secretary of natural resources may appoint an alternate for that meeting to ensure that the full  
20 range of nonmotorized trails and activities is represented at the meeting.

**NOTE:** Creates the Nonmotorized Recreation and Transportation Trails Council in the DNR. The governor is required to appoint, and determine the number of, members on the council. In appointing the members, the governor must seek geographic diversity in the membership and must consider appointing members from statutorily specified categories, or other categories identified by the governor.

1           **SECTION 2.** 23.177 of the statutes is created to read:

2           **23.177 Nonmotorized Recreation and Transportation Trails Council. (1) DUTIES**  
3           **OF COUNCIL.** The nonmotorized recreation and transportation trails council shall carry out  
4           studies and make recommendations to the legislature, governor, department of natural  
5           resources, and department of transportation on all matters related to nonmotorized recreation  
6           and transportation trails, including matters relating to trails and trail uses identified in s.  
7           15.347 (20).

8           **(2) DUTIES OF DEPARTMENTS OF NATURAL RESOURCES AND TRANSPORTATION.**

9           (a) The department of natural resources and department of transportation shall seek the  
10          advice of and consult with the council regarding the planning, acquisition, development,  
11          maintenance, and management of nonmotorized recreation and transportation trails.

12          (b) The department shall maintain a Web site where a person may locate information  
13          about the council, including all meeting notices and agendas.

14          (c) The department shall prepare written minutes of each meeting of the council and  
15          shall make them available on the council's Web site.

**NOTE:** Directs the Nonmotorized Recreation and Transportation Trails Council, which is created in this draft, to carry out studies and make recommendations to the legislature, governor, DNR, and DOT on all matters related to nonmotorized recreation and transportation trails, including matters relating to the categories specified in s. 15.347 (20), created in this draft, and other related categories and issues. The DNR and DOT must seek the advice of and consult with the council regarding the planning, acquisition, development, maintenance, and management of these trails. The DNR is required to maintain a Web site where a person may locate information relating to the council.

16

(END)



to the categories specified above and other related categories and issues. ~~The~~ DNR and DOT must seek the advice of and consult with the council regarding the planning, acquisition, development, maintenance, and management of these trails.

to serve at the pleasure of the governor

1 SECTION 1. 15.347 (20) of the statutes is created to read:

2 15.347 (20) NONMOTORIZED RECREATION AND TRANSPORTATION TRAILS COUNCIL. (a)

3 There is created in the department of natural resources a nonmotorized recreation  
4 and transportation trails council.

indeterminate for indeterminate term

5 (b) In appointing the members of the council, the governor shall seek

6 geographic diversity in the membership. The governor shall appoint members who  
7 personally undertake nonmotorized trail activities or who participate in  
8 organizations that own, maintain, or promote nonmotorized trails and nonmotorized  
9 trail activities. The governor shall choose members who represent as many as

10 possible of the following nonmotorized trails and trail activities or interests, or any  
11 other nonmotorized trails and trail activities or interests identified by the governor:

- 12 1. Water trails. *Persons who engage in activities on related to nonmotorized trail use*
- 13 2. Pedestrian travel. *Pedestrians*
- 14 3. Horseback riding and buggy driving. *Persons who engage in*
- 15 4. Long-distance hiking. *Persons who engage in*
- 16 5. Nature-based activities, such as bird watching, nature study, hunting, and  
17 fishing. *Persons who engage in*
- 18 6. Snow sports. *Persons who engage in*
- 19 7. Bicycling of all forms, including trail riding, mountain biking, commuting,  
20 and long-distance bicycling. *Persons who represent*
- 21 8. Local forests or parks. *Persons who are interested in*
- 22 9. Providing for and improving trail accessibility. *Persons who are interested in*
- 23 10. Tourism promotion. *Persons who are interested in*

11. Tribal lands. *represent*  
*Persons who represent*

2 (b) If any member of the council is unable to attend a meeting of the council,  
3 the secretary of natural resources may appoint an alternate for that meeting to  
4 ensure that the full range of nonmotorized trails *interests* and activities is represented at the  
5 meeting.

*Department of Natural Resources*  
NOTE: Creates the Nonmotorized Recreation and Transportation Trails Council *(council)*  
in the ~~DNB~~. The governor is required to appoint, and determine the number of, members  
on the council. In appointing the members, the governor must seek geographic diversity  
in the membership and must consider appointing members from statutorily specified  
categories, or other categories identified by the governor.

6 SECTION 2. 23.177 of the statutes is created to read:

7 **23.177 Nonmotorized Recreation and Transportation Trails Council.**

8 (1) DUTIES OF COUNCIL. The nonmotorized recreation and transportation trails  
9 council shall carry out studies and make recommendations to the legislature,  
10 governor, department of natural resources, and department of transportation on all  
11 matters related to nonmotorized recreation and transportation trails, including  
12 matters relating to trails and trail uses identified in s. 15.347 (20) *activities or interests specified*  
*nonmotorized* *(b) 1. to 11*

13 (2) DUTIES OF DEPARTMENTS OF NATURAL RESOURCES AND TRANSPORTATION.

14 (a) The department of natural resources and department of transportation  
15 shall seek the advice of and consult with the council regarding the planning,  
16 acquisition, development, maintenance, and management of nonmotorized  
17 recreation and transportation trails.

18 (b) The department shall *establish and* maintain a Web site where a person may locate  
19 information about the council, including all meeting notices and agendas.

20 (c) The department shall prepare written minutes of each meeting of the  
21 council and shall make them available on the council's Web site *established under par. (b)*  
*(council)*

NOTE: Directs the Nonmotorized Recreation and Transportation Trails Council,  
which is created in this ~~draft~~ *bill* to carry out studies and make recommendations to the

SECTION 2

(b) 1. to "11."

The Department of Natural Resources (DNR)

The Department of Transportation (DOT)

legislature, governor, ~~DNR~~, and ~~DOT~~ on all matters related to nonmotorized recreation and transportation trails, including matters relating to the categories specified in s. 15.347 (20), created in this ~~draft~~ and other related categories and issues. ~~the~~ DNR and DOT must seek the advice of and consult with the council regarding the planning, acquisition, development, maintenance, and management of these trails. ~~The~~ DNR is required to maintain a Web site where a person may locate information relating to the council.

bill

1

(END)

D-note

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

LRB-2466/P1dn

RNK:f:...

nwn

Date

Based on ~~the~~ changes in the draft, I have made  
you may wish to make other  
changes in the Notes.

I have made some changes in this draft, principally in s. 15.347 (20) (b). Please review these changes and let me know if they are O.K. I have also made some other minor changes in the Notes.

The draft does not provide for the length of terms of the members of the council. Consequently, I have added a sentence to provide that the terms are indeterminate. If this is O.K., do you want to mention this in the Notes?

Please give me a call if you have any questions.

Robin N. Kite  
Legislative Attorney  
Phone: (608) 266-7291  
E-mail: robin.kite@legis.wisconsin.gov

at the  
pleasure of  
the governor

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

LRB-2466/P1dn  
RNK:nwn:rs

April 17, 2009

I have made some changes in this draft, principally in s. 15.347 (20) (b). Please review these changes and let me know if they are O.K. I have also made some other minor changes in the Notes. Based on the changes I have made in the draft, you may wish to make other changes in the Notes.

The draft does not provide for the length of terms of the members of the council. Consequently, I have added a sentence to provide that the terms are at the pleasure of the governor. If this is O.K., do you want to mention this in the Notes?

Please give me a call if you have any questions.

Robin N. Kite  
Legislative Attorney  
Phone: (608) 266-7291  
E-mail: robin.kite@legis.wisconsin.gov

## **Kite, Robin**

---

**From:** Salm, Don  
**Sent:** Thursday, April 23, 2009 11:02 AM  
**To:** Kite, Robin  
**Cc:** Schmidt, Dan  
**Subject:** From Don Salm----RE: Drafts for Leg Council Trails Study Committee

**Importance:** High

Hi Robin---

Received LRB-2465/P1 (Trespass on Public Lands) and LRB-2466/P1 (Trails Council) and agree with the changes you have made in the drafts (including those noted in the Drafter's Notes). So ready for final with the following added changes (which you suggested in your dn) in the Notes in 2466/P1:

- Add reference to "terms at the pleasure of the governor" in the LC Pref Note and in Note to SECTION 1.
- In Note to SECTION 2, insert "establish and" before "maintain" in the final sentence.

Are you working on the Funding Draft (WLC: 0343/3, relating to nonmotorized trail maintenance, granting rule-making authority, and making appropriations)? Do you have an approximate date when that will be finished? Sen. Sullivan's (Sullivan was the Chair) office called and wanted a rough date.

We plan on submitting the jackets for the 3 drafts at the same time so they'll be sequentially numbered as bills.

Thanks,

Don Salm, Leg Council



800n  
State of Wisconsin  
2009 - 2010 LEGISLATURE

RM run  
LRB-2466/P1

RNK:nwn:rs  
L+jld

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

2009 BILL

IN  
4/23

X

Regen

- 1 AN ACT *to create* 15.347 (20) and 23.177 of the statutes; **relating to:** creating
- 2 a Nonmotorized Recreation and Transportation Trails Council. ✓

***Analysis by the Legislative Reference Bureau***

This bill is explained in the NOTES provided by the Joint Legislative Council in the bill. ✓

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

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This bill was prepared for the Joint Legislative Council's Special Committee on Enhancing Recreational Trails for Non-Motorized Use.

The bill creates the Nonmotorized Recreation and Transportation Trails Council (council) in the Department of Natural Resources (DNR). The bill requires the governor to appoint and determine the number of members on the council. In appointing the members, the bill directs the governor to seek geographic diversity in the membership and to consider appointing members from statutorily specified categories. These categories include, but are not limited to: water trails, pedestrian travel, equestrian trail riding, long-distance hiking, nature-based activities (e.g., bird watching, nature study, hunting, fishing), snow sports (e.g., cross-country skiing and snowshoeing), bicycling, local forests and parks, trail accessibility, tourism promotion, and tribal lands.

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3           There is created in the department of natural resources a nonmotorized recreation  
4           and transportation trails council. ✓

5           (b) The governor shall appoint members of the council to serve at the pleasure  
6           of the governor. ✓ In appointing the members of the council, the governor shall seek  
7           geographic diversity in the membership. The governor shall appoint members who  
8           personally undertake nonmotorized trail activities or who participate in  
9           organizations that own or maintain nonmotorized trails or that promote  
10          nonmotorized trail activities. The governor shall appoint members who represent  
11          as many as possible of the following groups, or who represent persons who engage  
12          in other nonmotorized trail activities or who have other interests related to  
13          nonmotorized trail used identified by the governor:

14           1. Persons who engage in activities on water trails.

15           2. Pedestrians.

16           3. Persons who engage in horseback riding and buggy driving.

17           4. Persons who engage in long-distance hiking.

18           5. Persons who engage in nature-based activities, such as bird watching,  
19          nature study, hunting, and fishing.

20           6. Persons who engage in snow sports.

21           7. Persons who engage in bicycling of all forms, including trail riding, mountain  
22          biking, commuting, and long-distance bicycling.

23           8. Persons who represent local forests or parks.

1 9. Persons who are interested in providing for and improving trail accessibility.

2 10. Persons who are interested in tourism promotion.

3 11. Persons who represent tribal lands.

4 (c) If any member of the council is unable to attend a meeting of the council, the  
5 secretary of natural resources may appoint an alternate for that meeting to ensure  
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✓  
all of whom are appointed to  
serve at the governor's pleasure

8 SECTION 2. 23.177 of the statutes is created to read:

9 **23.177 Nonmotorized Recreation and Transportation Trails Council.**

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11 council ✓ shall carry out studies and make recommendations to the legislature,  
12 governor, department of natural resources, and department of transportation on all  
13 matters related to nonmotorized recreation and transportation trails, including  
14 matters relating to nonmotorized trail activities or interests specified in s. 15.347  
15 (20) (b) 1. to 11.

16 (2) DUTIES OF DEPARTMENTS OF NATURAL RESOURCES AND TRANSPORTATION.

17 (a) The department of natural resources and department of transportation  
18 shall seek the advice of, and consult with, the council regarding the planning,  
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22 may locate information about the council, including all meeting notices and agendas.

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- 2 council and shall make them available on the Web site established under par. (b).

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3

(END)  
establish and ✓

**Duerst, Christina**

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**From:** Salm, Don  
**Sent:** Friday, April 24, 2009 10:47 AM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB 09-2466/1 Topic: Creation of a nonmotorized recreation and transportation trails council

Please Jacket LRB 09-2466/1 for the SENATE.