



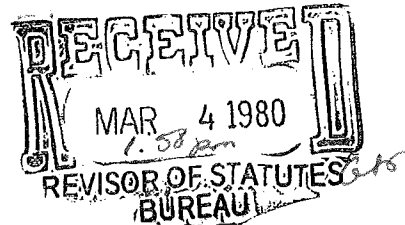
NR 2
State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Anthony S. Earl
Secretary

BOX 7921
MADISON, WISCONSIN 53707

IN REPLY REFER TO: _____

STATE OF WISCONSIN)
)
DEPARTMENT OF NATURAL RESOURCES) SS



TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Anthony S. Earl, Secretary of the Department of Natural Resources and custodian of the official records of said Department, do hereby certify that the annexed copy of Natural Resources Board Order No. X-54-79 was duly approved and adopted by this Department on October 24, 1979. I further certify that said copy has been compared by me with the original on file in this Department and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department at General Executive Facility #2 in the City of Madison, this 1ST day of March, 1980.

Anthony S. Earl

Anthony S. Earl, Secretary

(SEAL)

ORDER OF THE STATE OF WISCONSIN NATURAL RESOURCES BOARD

.....
IN THE MATTER of the creation of section .
NR 2.195 of the Wisconsin Administrative .
Code pertaining to public access to public . X-54-79
records and information .
.....

Analysis Prepared by Department of Natural Resources

NR 2.195, Wis. Adm. Code, restates the requirements of the statutes regarding public records of agencies and their availability. The records are available to all persons requesting to see them or obtain copies whether the requesting party is a private or municipal corporation, organization or other person. A reproduction cost will be assessed to obtain copies of 10 or more pages of public records.

Pursuant to the authority vested in the State of Wisconsin Natural Resources Board by sections 13.56, 16.61, 19.21, 23.11, 227.014 and 227.02(1)(e), Wisconsin Statutes, the State of Wisconsin Natural Resources Board hereby creates rules interpreting sections 16.61 and 19.21, Wisconsin Statutes, as follows:

SECTION 1 - Section NR 2.195 is created to read:

NR 2.195 Public records and information. (1) It is vital that the public receive factual information on the affairs of state government through all forms of communication. Whether such information is requested by media representatives or individual citizens, department employes should assist in securing facts necessary to allow understanding of and participation in government and government agencies.

(2) Authorization to provide information. (a) All department employes are authorized to answer questions within their competency, whether these are asked by the public or by representatives of the news media. Employes, in turn, are responsible for the factual accuracy of the information they provide.

(b) The following are the only exceptions to this "freedom-of-information" policy. Employees will not release information within the 6 stated exceptions without prior approval from the bureau of legal services. The exceptions are:

1. Law enforcement, auditing or other investigational information that might prejudice later court cases or quasi-judicial hearings;
2. Comment on a case before, during or after court or quasi-judicial hearings prior to a decision (except as a witness);
3. Financial, medical, social or personal histories and disciplinary data which may unduly damage reputations;
4. Discussions of personalities in personnel actions or in training sessions for state employes;
5. Information of a confidential nature that might inhibit private competitive rights, the investment of state funds or the state's bargaining power in acquisition and disposal of land and facilities;
6. Information specifically excluded from public inspection by law. (See section NR 2.19, Wis. Adm. Code).

(3) In cases where the district or bureau director are concerned that the public interest in withholding inspection outweighs the public interest in permitting it, the file or requested information shall be provided to the secretary, deputy secretary or division administrator for review with the bureau of legal services and for determination.

(4) District directors are designated as custodians of department district records and files and are delegated the responsibility for them as well as the authority to provide copies or inspection as provided herein.

(5) Requests for copies. (a) Requests for copies of records and files must be complied with unless the records fall within the aforementioned categories. The requestor shall pay the copying charge for 10 or more pages. For 9 or less

pages, there will be no charge. Copies shall be provided to the requestor within a reasonable period of time, but as soon as possible taking into consideration other duties and assignments.

(b) When a request concerns a large amount of copy work (i.e., more than 100 pages), the file and request may be sent to the copying facility at GEF #2. In such cases, the requestor must make an advance payment of the copying charge and be informed that there will be a 10-day to 2-week processing period. The payment must accompany the copying request to the central office facility.

(6) Meetings and information activities. (a) All formal meetings of state agencies and bodies, including advisory councils, will be open to the communication media and to the public, except where the matters under discussion fall in the categories listed in s. 19.85, Stats.

(b) Department employes are authorized and encouraged to participate in information activities contributing to a better understanding of the functions of state government, including radio and television programs, speeches, group contacts and magazine articles.

The foregoing rules were approved and adopted by the State of Wisconsin Natural Resources Board on October 24, 1979.

The rules contained herein shall take effect upon publication as provided in section 227.026, Wisconsin Statutes.

Dated at Madison, Wisconsin 29 February 1980

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

By Anthony S. Earl
Anthony S. Earl, Secretary

(SEAL)



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Anthony S. Earl
Secretary

March 4, 1980

BOX 7921
MADISON, WISCONSIN 53707

IN REPLY REFER TO: 1020

Mr. Orlan L. Prestegard
Revisor of Statutes
411 West
C A P I T O L

Dear Mr. Prestegard:

Enclosed are two copies, including one certified copy, of State of Wisconsin Natural Resources Board Order No. X-54-79. These rules were reviewed by the Assembly Committee on State Affairs and the Senate Committee on Natural Resources and Tourism pursuant to sec. 227.018, Stats. There were no comments.

You will note that this order takes effect upon publication. Kindly publish it in the Administrative Code accordingly.

Sincerely,

A handwritten signature in black ink, appearing to read 'Anthony S. Earl', written over a circular stamp.

Anthony S. Earl
Secretary

Enc.