



## 2009 ASSEMBLY BILL 370

August 12, 2009 - Introduced by Representatives GUNDERSON, HUEBSCH, HUBLER, BALLWEG, BIES, BROOKS, FRISKE, KERKMAN, KESTELL, LEMAHIEU, LOTHIAN, MEYER, NASS, NERISON, A. OTT, J. OTT, PETERSEN, PETROWSKI, SPANBAUER, STRACHOTA, SUDER, TOWNSEND and VOS, cosponsored by Senators KEDZIE, SCHULTZ, DARLING, HARSDFORF, HOPPER, KAPANKE, LEIBHAM and OLSEN. Referred to Committee on Natural Resources.

1     **AN ACT** *to renumber* 23.09165 (2); *to amend* 23.0917 (6m) (a); and *to create*  
2           23.09165 (2) (bc) and 23.09165 (3) (ec) of the statutes; **relating to:** information  
3           about land purchased with stewardship funding and approval by the Joint  
4           Committee on Finance of certain activities and projects that receive  
5           stewardship funding.

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

Current law authorizes the state to incur public debt for conservation under the Warren Knowles-Gaylord Nelson Stewardship 2000 Program (stewardship program), which is administered by the Department of Natural Resources (DNR). In addition to this stewardship program, conservation activities were also funded under the original stewardship program that began in 1990 and ended in 2000.

Current law grants the state the authority to bond to acquire land for the state under the stewardship program. Under the stewardship program, DNR may also award grants to certain local governmental units and nonprofit conservation organizations for conservation purposes.

Before the enactment of 2009 Wisconsin Act 28, the 2009-11 biennial budget act (budget act), DNR was required to make available a directory of all land that was purchased with funding from both stewardship programs (stewardship land) and that was open to public. DNR was also required to provide a list of all stewardship land acquired before October 27, 2007, for which public access had been prohibited or restricted and the reason for the restriction or prohibition. The deadline for

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making available the directory and list was October 28, 2011. The budget act repealed these requirements.

This bill restores the requirements to make available the directory and list. The bill changes the deadline so that these requirements must be completed within three years after this bill becomes law.

Under current law, DNR may not obligate money under the stewardship programs for certain projects or activities before DNR gives written notice of the proposed project or activity to the Joint Committee on Finance (JCF). With some exceptions, this procedure applies only when the amount of debt to be incurred for the project or activity exceeds \$750,000. Upon receipt of the notice, if JCF does not notify DNR within 14 days after the date of DNR's notification that JCF has scheduled a meeting to review the proposed project or activity, DNR can obligate the money. Current law contains a provision requiring that at such a review meeting the proposed project or activity will be approved unless a majority of the JCF members who attend the meeting vote to modify or deny the proposal. This bill removes this provision.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

1           **SECTION 1.** 23.09165 (2) of the statutes, as affected by 2009 Wisconsin Act 28,  
2 is renumbered 23.09165 (2) (ac).

3           **SECTION 2.** 23.09165 (2) (bc) of the statutes is created to read:

4           23.09165 (2) (bc) Within 36 months after the effective date of this paragraph  
5 .... [LRB inserts date], the department shall make available a directory of all  
6 stewardship land that is open for public access. The directory shall be organized by  
7 county and town and shall clearly show the location of the stewardship land and  
8 named or numbered roads. The directory shall be updated at least every 2 years.  
9 The department may charge a fee for the directory, but the fee may not exceed the  
10 cost of the publication of the directory. In lieu of the department preparing and  
11 making available a directory, the department may provide to the public at the

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

3 **SECTION 3.** 23.09165 (3) (ec) of the statutes is created to read:

4 23.09165 (3) (ec) Within 36 months after the effective date of this paragraph  
5 .... [LRB inserts date], the department shall provide a list of all stewardship land that  
6 was acquired before October 27, 2007, and for which public access has been restricted  
7 or prohibited and the reasons for that action.

8 **SECTION 4.** 23.0917 (6m) (a) of the statutes, as affected by 2009 Wisconsin Act  
9 28, is amended to read:

10 23.0917 (6m) (a) The department may not obligate from the appropriation  
11 under s. 20.866 (2) (ta) for a given project or activity any moneys unless it first  
12 notifies the joint committee on finance in writing of the proposal. The committee may  
13 schedule a meeting to review the department's proposal only if at least 5 members  
14 of the committee, one of whom is a cochairperson, object to the proposal in writing.  
15 If the cochairpersons of the committee do not notify the department within 14  
16 working days after the date of the department's notification that the committee has  
17 scheduled a meeting to review the proposal, the department may obligate the  
18 moneys. If, within 14 working days after the date of the notification by the  
19 department, the cochairpersons of the committee notify the department that the  
20 committee has scheduled a meeting to review the proposal, the department may  
21 obligate the moneys only upon approval of the committee unless par. (b) applies. ~~A  
22 proposal as submitted by the department is approved unless a majority of the  
23 members of the committee who attend the meeting to review the proposal vote to  
24 modify or deny the proposal.~~

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(END)