

Senate Bill 626

Published
August 2, 1966.

Chapter 623

AN ACT to create 20.280 (6) and 30.251 of the statutes, relating to the preservation of the Wolf river in Menominee county and the areas adjacent to said waters, making an appropriation, and granting rule-making power.

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

SECTION 1. At the appropriate place in the schedule of 20.005 (2) (a) of the statutes insert the following amounts for the purposes indicated:

	20.280		1966-67
<i>Conservation commission</i>			
Wolf river preservation	(6)		
General program opns.	(a)	A	\$150,000
Formula payments	(b)	S	\$

SECTION 2. 20.280 (6) of the statutes is created to read:

20.280 (6) WOLF RIVER PRESERVATION. (a) *General program operations.* Annually the amounts in the schedule for Wolf river preservation.

(b) *Formula payments.* A sum sufficient for payment of the amounts agreed upon under s. 30.251 (3) (f), but the payment to present owner or lessees other than the company, town or county shall not exceed \$5,000.

SECTION 3. 30.251 of the statutes is created to read:

30.251 WOLF RIVER PRESERVATION. (1) As used in this section unless the context requires otherwise:

(a) "County" means Menominee county and "county board" means the county board of that county.

(b) "Town" means the town of Menominee, and "town board" means the town board of that town.

(c) "Company" means Menominee Enterprises, Inc.

(d) "Area" means the area described in sub. (3) (a).

(2) The legislature finds that the scenic beauty, wildlife and recreational resources of the Wolf river in the county are seriously threatened by cottage development now built and to be built along the shores. It is probable that there will be federal legislation which will provide for such preservation of the river; and, therefore, the legislature for the purpose of preserving such waters as a scenic waterway, makes the following offer to the county, the town, the company, and other owners and lessees in the area specified in sub. (3) (a).

(3) The state will pay, from the appropriation made by s. 20.280 (6), sums as provided in sub. (2) and on the following conditions:

(a) Beginning one week after the acceptance of the offer, no new structure of any kind shall be commenced on or in the waters of the Wolf river in Menominee county nor within 200 feet outward from the shore lines of said river from the northern county boundary through Keshena Falls and all construction in progress in said area shall be discontinued by all parties concerned.

(b) There shall be free public access for fishing and camping privileges but hunting shall be forbidden by the general public.

(c) In the acceptance of the offer it shall be specified just how the appropriation made by s. 20.280 (6) (a) shall be prorated among those initially accepting this offer.

(d) The county and the town agree that the moneys under this section shall be paid to Menominee Enterprises, Inc. for the following purposes:

1. Cost sharing in federal projects or matching funds.
2. Debt retirement including retirement of common stock and bonds.
3. Interest or dividends to Menominee Enterprises, Inc. shareholders.
4. Payment to Menominee county for tax relief.

(e) That this agreement terminates at the end of 3 years or when the legislature fails to appropriate funds for this purpose or when federal legislation superseding this section is enacted and approved by the county, town and company.

(f) If any private owner or lessee, other than the company, of property in the area or waters specified in par. (a) fail to join any such agreement between the county, town and the company, the governor may approve the agreement made by the parties, and payments shall be made to the parties of the agreement as made, but the agreement shall also provide that the county, town and the company shall endeavor to have such private owners and lessees join in the agreement and provide a formula for ascertaining the amount to be paid to each. Any such separate agreement shall be effective when approved by the governor and the amount agreed upon shall be certified from the appropriation made by s. 20.280 (6) (b).

(g) The county board and the town board are directed to meet in special session within 30 days after the effective date of this section, or if such day is a legal holiday, then on next business day, and, together with the officials of the company, and representatives of owners and lessees of property in the areas described in par. (a), consider and act on said

offer. The officials of the company and other area representatives of owners and lessees are requested to attend such meetings. The district attorney of the county, the attorney general or his representative, a representative of the conservation commission, and a representative of the department of resource development shall, and any other representative attorney or person may, attend such meetings. The chairman of the county board shall as soon as possible after the effective date of this section cause to be published in the newspaper in which county resolutions or ordinances are published, a notice of the time, place and purpose of the meeting.

(h) The conservation commission, in agreement with the county board of Memominee county, town and company, shall make such rules as are necessary for the protection and reasonable use of the area.

(4) No payment shall be made from the appropriation made by s. 20.280 (6) unless approved by the governor.

(5) The conservation commission shall inspect the area to ascertain the participants' compliance with the agreement, and if noncompliance is found the commission shall institute proper proceedings to effect compliance.

(6) Payments from the appropriation made by s. 20.280 (6) shall be made on certification by the conservation commission.

Approved July 1, 1966.
