



## 1995 ASSEMBLY BILL 1093

March 28, 1996 - Introduced by Representatives OURADA, SERATTI and GARD.  
Referred to Joint committee on Finance.

1     **AN ACT** *to renumber* 27.016 (1) (a); *to renumber and amend* 27.016 (1) (b) and  
2           27.016 (5); *to repeal and recreate* 27.016 (5) and 27.016 (7); and *to create*  
3           23.0915 (2r), 27.016 (1) (ag), 27.016 (1) (b) 1., 27.016 (1) (b) 2. and 27.016 (5) (b)  
4           and (c) of the statutes; **relating to:** grants to friends groups and expenditures  
5           and encumbrances from the heritage state parks and forests trust fund and  
6           funding for the initial development and surfacing of the Mountain Bay State  
7           Trail.

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### *Analysis by the Legislative Reference Bureau*

Under current law, the department of natural resources (DNR) may award matching grants to "friends groups" that are established for the benefit of state parks, state forests in the southern part of the state and state recreation areas. Funding for these grants comes from the heritage state parks and forests trust fund (heritage fund), which is a nonlapsible trust fund consisting of gifts and contributions made to the fund and moneys received from the sale of utility easements in state parks, southern state forests and state recreation areas. Under current law, for a friends group to be eligible for grant, it must have established an endowment fund for the park, forest or recreation area and may only use the interest generated from the endowment fund as matching funds for the grant. Under current law, the grant from DNR equals 50% of the matching funding provided by the friends group.

The bill makes the following changes to this grant program:

1. It expands the types of friends groups that are eligible for the grants to include those groups that operate state parks, southern state forests or state recreation areas.

2. It increases the amount of the grant from DNR to equal the amount of the friends group's matching funds.

3. Until July 1, 2001, the bill allows a friends group to use collected revenues as matching funds for the grant in addition to the interest generated by the endowment fund. For a given amount of collected revenues to qualify as matching funds, the friends group must deposit an equal amount of collected revenues in its endowment fund.

The bill requires that there be a minimum cash balance of \$100,000 in the heritage fund. Beginning with fiscal year 2001-02, after DNR provides the moneys for the grants to friends groups that it has approved, DNR may not spend in any fiscal year more than \$50,000 from the heritage fund for the operation and maintenance of state parks, southern state forests or state recreation areas. Until that date, DNR may not expend any moneys for such maintenance and operation.

Finally, from the moneys designated for the Lower Wisconsin State Riverway in the stewardship fund, the bill sets aside \$400,000 for the initial development and surfacing of the Mountain Bay State Trail.

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.** 23.0915 (2r) of the statutes is created to read:

2           23.0915 (2r) MOUNTAIN BAY STATE TRAIL. (a) From the moneys appropriated  
3 under s. 20.866 (2) (tz), the department shall set aside for a period beginning on July  
4 1, 1996, and ending on June 30, 1998, \$400,000 to be expended only for the initial  
5 development and surfacing of the Mountain Bay State Trail.

6           (b) For purposes of sub. (1) and s. 23.09 (2q) (b), moneys set aside and expended  
7 under this subsection shall be treated as moneys designated and expended for Lower  
8 Wisconsin State Riverway acquisition.

9           **SECTION 2.** 27.016 (1) (a) of the statutes, as created by 1995 Wisconsin Act 27,  
10 is renumbered 27.016 (1) (am).

11           **SECTION 3.** 27.016 (1) (ag) of the statutes is created to read:

1           27.016 (1) (ag) “Collected revenues” means revenues collected by a friends  
2 group from the operation of, or for the benefit of, a state park, southern state forest  
3 or state recreation area.

4           **SECTION 4.** 27.016 (1) (b) of the statutes, as created by 1995 Wisconsin Act 27,  
5 is renumbered 27.016 (1) (b) (intro.) and amended to read:

6           27.016 (1) (b) (intro.) “Friends group” ~~has the meaning given in s. 23.098 (1).~~  
7 means a nonstock, nonprofit corporation described under section 501 (c) (3) or (4) of  
8 the internal revenue code and exempt from taxation under section 501 (a) of the  
9 internal revenue code that is organized for any of the following purposes:

10          **SECTION 5.** 27.016 (1) (b) 1. of the statutes is created to read:

11          27.016 (1) (b) 1. To raise funds for a state park, a southern state forest or a state  
12 recreation area.

13          **SECTION 6.** 27.016 (1) (b) 2. of the statutes is created to read:

14          27.016 (1) (b) 2. To operate a state park, southern state forest or state recreation  
15 area under a written lease or other written contract with the department.

16          **SECTION 7.** 27.016 (5) of the statutes, as affected by 1995 Wisconsin Acts 27 and  
17 .... (this act), is repealed and recreated to read:

18          27.016 (5) The amount of a grant under this section shall equal 100% of the  
19 amount of matching funds that are provided by the friends group for the grant. A  
20 friends group may only use the interest generated by the endowment fund for  
21 purposes of providing the matching funds. The matching funds and the grant may  
22 be used only for the operation and maintenance of the state park, southern state  
23 forest or state recreation area that the endowment fund was established to benefit.

24          **SECTION 8.** 27.016 (5) of the statutes, as created by 1995 Wisconsin Act 27, is  
25 renumbered 27.016 (5) (a) and amended to read:

1           27.016 (5) (a) The amount of a grant under this section shall equal ~~50%~~ 100%  
2 of the amount of matching funds that are provided by the friends group for the grant.  
3 ~~A friends group may only use the interest generated by the endowment fund for~~  
4 ~~purposes of providing the matching funds.~~

5           (d) The matching funds and the grant may be used only for the operation and  
6 maintenance of the state park, southern state forest or state recreation area that the  
7 endowment fund was established to benefit.

8           **SECTION 9.** 27.016 (5) (b) and (c) of the statutes are created to read:

9           27.016 (5) (b) For the purpose of providing the matching funds, a friends group  
10 may only use the following:

- 11           1. The interest generated by the endowment fund.
- 12           2. Collected revenues, subject to the requirement under par. (c).

13           (c) The amount of collected revenues that qualify under par. (b) 2. shall equal  
14 the amount of collected revenues that the friends group deposits in its endowment  
15 fund.

16           **SECTION 10.** 27.016 (7) of the statutes, as created by 1995 Wisconsin Act 27, is  
17 repealed and recreated to read:

18           27.016 (7) (a) Beginning on July 1, 2001, from the appropriation under s.  
19 20.370 (1) (eq), and after having encumbered and expended the amounts necessary  
20 for the grants approved under sub. (6), the department may in each fiscal year  
21 expend and encumber not more than \$50,000 for the operation and maintenance of  
22 state parks, southern state forests and state recreation areas.

23           (b) The department may not encumber or expend any moneys as authorized  
24 under par. (a) and sub. (6) if the encumbrance or expenditure will result in the

1 heritage state parks and forests trust fund having an unencumbered balance of less  
2 than \$100,000 on June 30, 1997, or on any June 30 thereafter.

3 **SECTION 11. Nonstatutory provisions; administration.**

4 (1) MOUNTAIN BAY STATE TRAIL INITIAL DEVELOPMENT. The department of  
5 administration shall ensure completion of the initial development and surfacing of  
6 the Mountain Bay State Trail no later than October 1, 1997.

7 **SECTION 12. Nonstatutory provisions; building commission.**

8 (1) 1995-97 STATE BUILDING PROGRAM ADDITIONS. In 1995 Wisconsin Act 27,  
9 section 9108 (1), the following new subdivision is created to add the following new  
10 project to the 1995-97 state building program and the appropriate totals are  
11 increased by the amount shown:

12 (h) DEPARTMENT OF NATURAL RESOURCES

13 *2m. Projects financed by existing general fund*  
14 *supported borrowing — stewardship Lower*  
15 *Wisconsin State Riverway funds:*

16 Mountain Bay State Trail initial development and  
17 surfacing \$400,000

18 **SECTION 13. Effective dates.** This act takes effect on July 1, 1996, except as  
19 follows:

20 (1) The repeal and recreation of section 27.016 (5) of the statutes takes effect  
21 on July 1, 2001.

22 (END)