



2003 SENATE BILL 215

July 22, 2003 – Introduced by Senators COWLES, BRESKE and HANSEN, cosponsored by Representatives JOHNSRUD, ALBERS, OTT, POCAN, MILLER and STASKUNAS. Referred to Committee on Environment and Natural Resources.

1 **AN ACT to renumber** 93.70; **to amend** 25.29 (1) (c); and **to create** 20.115 (7) (st),
2 20.115 (7) (sv), 92.10 (9) and 93.70 (2) of the statutes; **relating to:** the formula
3 used for calculating the estimated motorboat gas tax payment; implementation
4 of the Conservation Reserve Enhancement Program; implementation of county
5 land and water resource management plans; and making appropriation.

Analysis by the Legislative Reference Bureau

Current law requires that an amount equal to 1.4 times the estimated motorboat gas tax payment be transferred each fiscal year from the transportation fund to the conservation fund. The estimated motorboat gas tax payment for each fiscal year is calculated by multiplying the number of registered motorboats on January 1 of the previous fiscal year by 50 gallons and then multiplying this product by the excise tax imposed on gasoline and diesel fuel on April 1 of the previous fiscal year. This bill increases the number of gallons used in calculating the estimated motorboat gas tax payment from 50 to 80 gallons, beginning with fiscal year 2004-05.

Current law authorizes the Department of Agriculture, Trade and Consumer Protection (DATCP) to participate in the federal Conservation Reserve Enhancement Program (CREP) under which payments are made to landowners for measures to improve water quality, erosion control, and wildlife habitat. This bill authorizes DATCP to make payments to counties that provide assistance in implementing CREP. The payments to a county may be up to \$250 per landowner

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who participates in CREP with the assistance of the county. In addition, the bill provides funding to DATCP for two project positions to administer CREP.

Current law requires counties to prepare land and water resource management plans. Under the Land and Water Resource Management Planning Program, current law also requires DATCP to provide funds to counties with approved land and water resource management plans. Counties may use the funds, among other purposes, for county land conservation staff. This bill authorizes DATCP to provide funds to counties, in addition to the funds provided under the Land and Water Resource Management Planning Program, for staff to implement land and water resource management plans.

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

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

1 **SECTION 1.** 20.005 (3) (schedule) of the statutes: at the appropriate place, insert
2 the following amounts for the purposes indicated:

				2003-04	2004-05
3					
4	20.115	Agriculture, trade and consumer			
5		protection, department of			
6	(7)	AGRICULTURAL RESOURCE MANAGEMENT			
7	(st)	County soil and water assistance	SEG C	-0-	1,375,000
8	(sv)	Conservation Reserve Enhance-			
9		ment Program administration	SEG A	-0-	125,000

10 **SECTION 2.** 20.115 (7) (st) of the statutes is created to read:

11 20.115 (7) (st) *County soil and water assistance.* From the conservation fund,
12 as a continuing appropriation, the amounts in the schedule for payments to counties
13 for implementing the Conservation Reserve Enhancement Program under s. 93.70
14 (2) and for implementing county land and water resource management plans under
15 s. 92.10 (9).

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1 **SECTION 3.** 20.115 (7) (sv) of the statutes is created to read:

2 20.115 (7) (sv) *Conservation Reserve Enhancement Program administration.*
3 From the conservation fund, the amounts in the schedule for administration of the
4 Conservation Reserve Enhancement Program under s. 93.70.

5 **SECTION 4.** 25.29 (1) (c) of the statutes is amended to read:

6 25.29 (1) (c) For fiscal year ~~1992-93~~ 2004-05, and for each fiscal year
7 thereafter, an amount equal to the estimated motorboat gas tax payment multiplied
8 by 1.4. The estimated motorboat gas tax payment is calculated by multiplying the
9 number of motorboats registered under s. 30.52 on January 1 of the previous fiscal
10 year by ~~50~~ 80 gallons and multiplying that product by the excise tax imposed under
11 s. 78.01 (1) on April 1 of the previous fiscal year.

12 **SECTION 5.** 92.10 (9) of the statutes is created to read:

13 92.10 (9) FUNDING FOR COUNTY STAFF. From the appropriation under s. 20.115
14 (7) (st), the department may provide funds, in addition to any funds provided under
15 s. 92.14 (3), to counties for staff to implement land and water resource management
16 plans approved under sub. (4) (d).

17 **SECTION 6.** 93.70 of the statutes is renumbered 93.70 (1).

18 **SECTION 7.** 93.70 (2) of the statutes is created to read:

19 93.70 (2) If a county enters into an agreement with the department under
20 which the county provides assistance in implementing the Conservation Reserve
21 Enhancement Program, the department may make payments to the county from the
22 appropriation under s. 20.115 (7) (st) equal to up to \$250 per landowner who
23 participates in the Conservation Reserve Enhancement Program with the assistance
24 of the county.

25 **SECTION 8. Nonstatutory provisions.**

