

**1981 Assembly Bill 36**

**Date published: November 18, 1981**

**CHAPTER 59 , Laws of 1981**

**AN ACT** to amend 28.06 (1), (2) and (5) and 119.04 (1); and to create 118.025 of the statutes, relating to authorizing the department of natural resources to distribute free trees to schools for arbor day observance and increasing an appropriation.

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

**SECTION 1.** 28.06 (1), (2) and (5) of the statutes are amended to read:

28.06 (1) **LIMITATION.** Only planting stock of species and sizes suitable for forest and woodlot planting and for planting by school pupils to celebrate arbor day under s. 118.025 shall be produced in state forest nurseries. The department may employ labor at prevailing local wages for nursery operation or reforestation.

(2) **DISTRIBUTION.** In addition to use of planting stock on state lands, the department may distribute stock for growing forest products, for establishing windbreaks or shelterbelts, for control of soil erosion, and for game food or cover, but not for ornamental or landscape planting except by school pupils celebrating arbor day. Prices of planting stock shall be approved annually by the department and shall be based on the cost of production and packaging. To encourage forest planting free stock may be allotted to any nonprofit organization or any school for the celebration of arbor day under s. 118.025.

(5) **FORFEITURES.** Any person who uses planting stock which he or she knows was produced in state forest nurseries for any purpose other than those specified in sub. (2) or for ornamental or landscape planting except as specified in sub. (2) shall forfeit not more than \$500.

SECTION 2. 118.025 of the statutes is created to read:

**118.025 Arbor day observance.** A school principal may request one free tree provided from state forest nurseries by the department of natural resources under s. 28.06 for each 4th grade pupil in the school for planting in conjunction with an annual observance and celebration of arbor day.

SECTION 3. 119.04 (1) of the statutes is amended to read:

**119.04 Public instruction laws applicable.** (1) Subchapters IV and VII of ch. 115, ch. 121 and ss. 66.03 (3) (c), 115.01 (1) and (2), 115.28 (15), 115.34, 115.345, 115.76, 115.77, 115.79 to 115.89, 118.015, 118.025, 118.03, 118.04, 118.06, 118.07, 118.10, 118.12 (1), 118.125, 118.126, 118.135, 118.14, 118.15, 118.16, 118.18, 118.19 (3) (b) and (7), 118.20, 118.24 (2) (c) to (f), 118.255, 120.12 (15), 120.13 (1), (19) and (26), 120.49 (6) and (14) and 120.61 are applicable to the board of school directors and to schools in 1st class cities.

SECTION 4. **Appropriation change.** The appropriation to the department of natural resources under section 20.370 (1) (mu) of the statutes, as affected by the laws of 1981, is increased by \$3,100 for fiscal year 1981-82 and by \$3,100 for fiscal year 1982-83 to provide free forest nursery planting stock under section 28.06 of the statutes to schools where 4th grade pupils celebrate arbor day under section 118.025 of the statutes, as created by this act.

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