

**1999 DRAFTING REQUEST**

**Assembly Amendment (AA-ASA1-AB133)**

Received: **06/19/99**

Received By: **gibsom**

Wanted: **Soon**

Identical to LRB:

For: **Assembly Republican Caucus 70892**

By/Representing: **Anderson**

This file may be shown to any legislator: **NO**

Drafter: **gibsom**

May Contact:

Alt. Drafters: **kuesejt**

Subject: **Nat. Res. - LWSR stewardship**

Extra Copies: **RNK  
MES  
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**Pre Topic:**

ARC:.....Anderson - Am. #302,

**Topic:**

Stewardship 2000 program

**Instructions:**

See Attached

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/P1	gibsom 06/22/99	chanaman 06/22/99	haueca 06/23/99	_____	lrb_docadmin 06/23/99		
/1	gibsom 06/23/99 gibsom 06/24/99	chanaman 06/23/99	kfollet 06/24/99	_____ _____	lrb_docadmin 06/24/99		
/2	gibsom 06/26/99		haueca 06/26/99	_____	lrb_docadmin 06/26/99		

Vers.    Drafted    Reviewed    Typist    Proofed    Submitted    Jacketed    Required

FE Sent For:

<END>

**1999-2000 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRBb0757/?ins  
MGG.....

- 1.** Page 163, line 17: after that line insert:

“(ad) Land acquisition—principal

repayment and interest                      GPR S                      -0-                      -0-”

- 2.** Page 323, line 9: after that line insert:

**SECTION ??.** 20.370 (7) (ad) of the statutes is created to read:

20.370 (7) (ad) *Land acquisition—principal repayment and interest.* All moneys received from proceeds from the sale of land under s. 23.0917 (5m) (b) 2. to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing land acquisition under s. 23.0917 (5m) from the appropriation under s. 20.866 (2) (ta).”

- 3.** Page 400, line 24: delete “\$404,000,000” and substitute “\$350,000,000”.

- 4.** Page 401, line 1: delete “\$40,400,000” and substitute “\$35,000,00”.

- 5.** Page 418, line 16: delete lines 16 to 18.

- 6.** Page 431, line 15: after that line insert:

“(am) “Available bonding authority” means the annual bonding authority as adjusted under sub. (5) and (transfers from crop).”

- 7.** Page 431, line 22: after that line insert:

“(dm) “Nonprofit conservation organization” has the meaning given in s. 23.0955 (1).”

- 8.** Page 432, line 5: after that line insert:

“(h) “State conservation reserve enhancement subprogram: means the subprogram under sub. (2) (a) 5.

(i) "Total bonding authority" means the total amount that may be obligated under a subprogram under the Warren Knowles-Gaylord Nelson stewardship 2000 program over the entire duration of the program."

**9.** Page 432, line 7: delete "for conservation and recreational".

**10.** Page 432, line 9: after "acquisition" insert "for conservation and recreational".

**11.** Page 432, line 10: after that line insert:

"3. A subprogram for bluff protection.

4. A subprogram for land acquisition in the Baraboo Hills for conservation purposes.

5. A subprogram to enable the state to participate in the state conservation reserve enhancement program as approved by the secretary of the federal department of agriculture under 16 USC 3834 (f) (4)."

**12.** Page 433, line 8: delete that line.

**13.** Page 433, line 10: delete that line.

**14.** Page 433, line 11: delete lines 11 to 12 and substitute:

"(dm) Except as provided in subs. (5) and (5m), the department may not obligate under the subprogram for land acquisition more than the following amounts:

1. For fiscal year 2000-01, \$10,000,000.
2. For fiscal year 2001-02, \$13,500,000.
3. For fiscal year 2002-03, \$15,500,000.
4. For fiscal year 2003-04, \$19,000,000.

5. For each fiscal year beginning with 2004-05 and ending with fiscal year 2009-10, \$19,500,000.”.

**15.** Page 434, line 19: delete lines 9 to 19 and substitute:

“(dm) Except as provided in sub. (5), the department may not obligate under the subprogram for property development and local assistance more than the following amounts:

1. For fiscal year 2000-01, \$8,100,000.
2. For fiscal year 2001-02, \$11,000,000.
3. For fiscal year 2002-03, \$12,700,000.
4. For each fiscal year beginning with 2003-04 and ending with fiscal year 2009-10, \$15,500,000.”.

**16.** Page 434, line 21: after that line insert:

“(4g) BLUFF PROTECTION. (a) Except as provided in par. (b) and sub. (5), the department may not obligate under the subprogram for bluff protection more than the following amounts:

1. For fiscal year 2000-01, \$1,900,000.
2. For each fiscal year beginning with 2001-02 and ending with fiscal year 2003-04, \$500,000.

(b) If the total amount obligated for the subprogram for bluff protection on June 30, 2004, is less than \$3,400,000, the department shall calculate the unobligated amount by subtracting the total obligated amount from \$3,400,000. The department shall then adjust the available bonding authority for the subprogram for property development and local assistance by increasing the available bonding authority an amount equal to the unobligated amount.

(c) The department may not obligate moneys for the subprogram for bluff protection after June 30, 2004.”.

**Insert A**

(4r) STATE CONSERVATION RESERVE ENHANCEMENT SUBPROGRAM. (a) *Limits* Except as provided in sub. (5), the department may not obligate under the subprogram for bluff protection more than the following amounts:

1. For fiscal year 2000–01, \$10,000,000.
2. For fiscal year 2001–02, \$10,000,000.
3. For fiscal year 2002–03, \$6,300,000.

**Insert B**

**17.** Page 434, line 22: delete lines 22 to 25 and substitute:

**Insert C**

**18.** Page 435, line 6: delete lines 6 to 9 and substitute:

**Insert D**

**19.** Page 435, line 13: after “(c)” insert “, (cm), (d)”.

**20.** Page 435, line 14: substitute “(e)” for “(d)”.

**21.** Page 435, line 19: after that line insert:

**Insert E**

**22.** Page 435, line 16: substitute “(3), (4) or (4g)” for “(3) or (4)”.

**23.** Page 435, line 121: substitute “(3), (4) or (4g)” for “(3) or (4)”.

**24.** Page 436, line 9: after that line insert:

**Insert F**

**((5m) ADJUSTMENTS FOR LAND ACQUISITIONS.** (a) The department, subject to the approval of the governor and the joint committee on finance under s. 13.101, may obligate from the subprogram under land acquisition an amount not in excess of the total bonding authority for that subprogram for the acquisition of land.

(b) For land acquired under this paragraph, all of the following apply:

1. The department shall sell a portion of the acquired land.

2. All proceeds from the sale of the land up to the amount of the amount obligated under par. (a) shall be deposited in the general fund and credited to the appropriation account under s. 20.370 (7) (ad). Notwithstanding s. 25.29 (1) (a), the proceeds in excess of the amount obligated under par. (a) shall be deposited in the general fund

3. For bonds that are retired within 3 years after the date that the land was acquired by the department, the department shall adjust the available bonding authority for the subprogram for land acquisition by increasing the available bonding authority for the fiscal year in which the bonds are retired by an amount equal to the total amount of the bonds issued for the sale that have been retired in that fiscal year.

4. For bonds that are not retired within 3 years after the date that the land was acquired by the department, the department shall adjust the available bonding authority for the subprogram for land acquisition by decreasing the available bonding authority for the fiscal year in which the bonds are retired by an amount equal to the total amount of the bonds that have been retired in that fiscal year and, if necessary, shall decrease for each subsequent fiscal year the available bonding authority in an amount equal to that available bonding authority or equal to the amount still needed to equal the total amount of the retired bonds, whichever is less,

until the available bonding authority has been decreased by an amount equal to the total of the retired bonds.

(c) The department of administration shall monitor all transactions under this subsection to ensure compliance with federal law.”.

**25.** Page 436, line 10: delete lines 10 to 19 and substitute:

**Insert G**

**26.** Page 436, line 21: substitute “(b), (c) and (dm)” for “(b) and (c)”.

**27.** Page 437, line 2: after “price” insert “, except as provided in par. (dm)”.

**28.** Page 437, line 5: after “increase” insert “, except as provided in par. (dm)”.

**29.** Page 437, line 12: after that line insert:

(dm) The amount that the department provides as a grant or state aid from the appropriation under s. 20.866 (2) (ta) to a governmental unit under. s. 23.09 (19), (20) or (20m) or 30.277 may not exceed an amount equal to the lowest property tax assessment of the land under s. 70.32 in the three taxable years preceding the year in which the acquisition of the land occurs.”.

**30.** Page 438, line 4: after that line insert:

“(d) The department may not acquire land using moneys from the appropriation under s. 20.866 (2) (ta) without the prior approval of a majority vote of the members–elect of the county board of supervisors of the county in which the land is located if at least 66% of the land in the county is owned or under the jurisdiction of the state, the federal government or a local governmental unit, as defined in s. 66.299 (1) (a). Before determining whether to approve the acquisition, the county in which the land is located shall post notices that inform the residents of the community surrounding the land of the possible acquisition. ”.



**31.** Page 451, line 23: after that line insert:

“(5) MILWAUKEE LAKESHORE STATE PARK. (a) From the appropriation under s. 20.866 (2) (tz), the department may expend up to \$500,000 for the development of a state park which will provide access to Lake Michigan in the city of Milwaukee. For the purposes of s. 23.0915 (1), moneys provided from the appropriation under s. 20.866 (2) (tz) shall be treated as moneys expended for general property development.

(b) From the appropriation under s. 20.866 (2) (ta), the department may expend up to \$500,000 for the development of a state park which will provide access to Lake Michigan in the city of Milwaukee. For purposes of s. 23.0917, moneys provided from the appropriation under s. 20.866 (2) (ta) shall be treated as moneys obligated under the subprogram for property development and local assistance.

(6) SHEBOYGAN; RIVERFRONT PARK. From the appropriation under s. 20.866 (2) (tz), the department shall provide \$173,763 for the development and expansion of Workers Water Street Riverfront Park in the city of Sheboygan. For purposes of s. 23.0915 (1), moneys provided from the appropriation under s. 20.866 (2) (tz) shall be treated as moneys expended for any of the purposes specified under s. 23.0915 (1) (a) to (k) or any combination of those purposes.”.

**32.** Page 488, line 21: after “in bluff land” insert “along the Great Lakes”.

**Insert H**

(END)

**1999-2000 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRBb0757/linsJTK  
JTK:.....

**1.** Page 418, line 16: delete lines 16 to 18.

**2.** Page 1487, line 12: after that line insert (and adjust the appropriate totals accordingly):

“Milwaukee Lakeshore State Park development 500,000

(Total project all funding sources \$1,000,000)”.

**3.** Page 1487, line 16: after that line insert:

“3. *Projects funded by general fund supported borrowing authority —  
stewardship 2000 funds:*

Milwaukee Lakeshore State Park development 500,000

(Total project all funding sources \$1,000,000)”.

**4.** Page 1501, line 21: after that line insert:

“(8n) MILWAUKEE LAKESHORE STATE PARK DEVELOPMENT. Notwithstanding section 18.04 (2) of the statutes, as affected by this act, the building commission shall not authorize public debt to be contracted from the appropriation under section 20.866 (2) (ta) of the statutes, as created by this act, for the development of Milwaukee Lakeshore State Park, as authorized under sub. (1) (f) 3., prior to July 1, 2000.”

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRBb0757/1dn  
MGG:cmh:kjf

June 23, 1999

1. The version does not contain the Baraboo Hills-DOT provisions. They will be included in a subsequent version of this draft once they are drafted.

2. Please review this draft carefully to ensure it complies with your intent. In particular, please review the paragraphs regarding transfers and removal of obligation limits under s. 23.0917 (4g) (b) and (4r) (b).

3. Note that s. 23.0917 (5m) allows obligation of amounts only from the land acquisition subprogram.

4. It is possible that a Wisconsin court would find this legislation regarding the parks in Milwaukee and Sheboygan to be a "private or local bills." which, under Article IV, section 18, of the Wisconsin constitution, must be enacted as single-subject legislation. If so this legislation cannot validly be enacted as part of the budget bill, which clearly encompasses more than one subject. In light of this, the caucus may wish to consider introduction of this legislation as a separate bill.

Mary Gibson-Glass  
Senior Staff Counsel  
267-3215



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRBb0757/2  
MGG&JTK:cmh:ch

ARC:.....Anderson - Am. #302, Stewardship 2000 program

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 1999 ASSEMBLY BILL 133

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 163, line 17: after that line insert:

3 "(ag) Land acquisition—principal

4 repayment and interest PR C -0- -0-".

5 2. Page 323, line 9: after that line insert:

6 "SECTION 333d. 20.370 (7) (ag) of the statutes is created to read:

7 20.370 (7) (ag) *Land acquisition—principal repayment and interest.* All

8 moneys received from proceeds from the sale of land under s. 23.0917 (5m) (b) 2. to

9 reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred

1 in financing land acquisition under s. 23.0917 (5m) from the appropriation under s.  
2 20.866 (2) (ta).”.

3 **3.** Page 399, line 22: before “(aq),” insert “(ag)”.

4 **4.** Page 400, line 24: delete “\$404,000,000” and substitute “\$350,000,000”.

5 **5.** Page 400, line 25: delete “(5)” and substitute “(4g) (b), (4m) (k), (4r) (b), (5)  
6 and (5m)”.

7 **6.** Page 401, line 1: delete “\$40,400,000” and substitute “\$35,000,00”.

8 **7.** Page 418, line 16: delete lines 16 to 18.

9 **8.** Page 431, line 15: after that line insert:

10 “(am) “Available bonding authority” means the annual bonding authority as it  
11 may be adjusted under sub. (4g) (b), (4m) (k), (4r) (b), (5) or (5m).”.

12 **9.** Page 431, line 22: after that line insert:

13 “(dm) “Nonprofit conservation organization” has the meaning given in s.  
14 23.0955 (1).”.

15 **10.** Page 432, line 5: after that line insert:

16 “(h) “State conservation reserve enhancement subprogram” means the  
17 subprogram under sub. (2) (a) 5.

18 (i) “Total bonding authority” means the total amount that may be obligated  
19 under a subprogram under the Warren Knowles–Gaylord Nelson stewardship 2000  
20 program over the entire duration of the program.”.

21 **11.** Page 432, line 7: delete “for conservation and recreational”.

22 **12.** Page 432, line 9: after “acquisition” insert “for conservation or  
23 recreational”.

1           **13.** Page 432, line 10: after that line insert:

2           “3. A subprogram for bluff protection.

3           4. A subprogram for land acquisition in the Baraboo Hills for conservation  
4 purposes.

5           5. A subprogram to enable the state to participate in the state conservation  
6 reserve enhancement program as approved by the secretary of the federal  
7 department of agriculture under 16 USC 3834 (f) (4).”.

8           **14.** Page 432, line 11: substitute “Except as provided in sub. (5m), no” for “No”.

9           **15.** Page 433, line 8: delete that line.

10          **16.** Page 433, line 10: delete that line.

11          **17.** Page 433, line 11: delete lines 11 to 12 and substitute:

12          “(dm) Except as provided in subs. (4m) (k), (4r) (b), (5) and (5m), the department  
13 may not obligate under the subprogram for land acquisition more than the following  
14 amounts:

15           1. For fiscal year 2000–01, \$10,000,000.

16           2. For fiscal year 2001–02, \$13,500,000.

17           3. For fiscal year 2002–03, \$15,500,000.

18           4. For fiscal year 2003–04, \$19,000,000.

19           5. For each fiscal year beginning with 2004–05 and ending with fiscal year  
20 2009–10, \$19,500,000.”.

21          **18.** Page 434, line 9: delete lines 9 to 19 and substitute:

22          “(dm) Except as provided in subs. (4r) (b) and (5), the department may not  
23 obligate under the subprogram for property development and local assistance more  
24 than the following amounts:

1           1. For fiscal year 2000–01, \$8,100,000.

2           2. For fiscal year 2001–02, \$11,000,000.

3           3. For fiscal year 2002–03, \$12,700,000.

4           4. For each fiscal year beginning with 2003–04 and ending with fiscal year  
5 2009–10, \$15,500,000.”

6           **19.** Page 434, line 21: after that line insert:

7           “(4g) BLUFF PROTECTION. (a) Except as provided in par. (b) and subs. (4r) (b) and  
8 (5), the department may not obligate under the subprogram for bluff protection more  
9 than the following amounts:

10           1. For fiscal year 2000–01, \$1,900,000.

11           2. For each fiscal year beginning with 2001–02 and ending with fiscal year  
12 2003–04, \$500,000.

13           (b) If the total amount obligated for the subprogram for bluff protection on June  
14 30, 2004, is less than \$3,400,000, the department shall calculate the unobligated  
15 amount by subtracting the total obligated amount from \$3,400,000. The department  
16 shall then adjust the available bonding authority for the subprogram for property  
17 development and local assistance by increasing the available bonding authority in  
18 an amount equal to the unobligated amount.

19           (c) The department may not obligate moneys for the subprogram for bluff  
20 protection after June 30, 2004.

21           **(4m)** BARABOO HILLS. (a) *Definitions.* In this subsection:

22           1. “Assigned amount” means the sum of the amounts made available for  
23 expenditure under par. (g) and the amounts set aside by the department under par.

24           (h) 1.

1           2. "Federal nontransportation moneys" means moneys received from the  
2 federal government that are not deposited in the transportation fund and that are  
3 not credited to the appropriations under ss. 20.115 (2) (m) and 20.445 (1) (ox).

4           3. "Local governmental unit" means a city, village, town, county, lake sanitary  
5 district, as defined in s. 30.50 (4q) or a public inland lake protection and  
6 rehabilitation district.

7           4. "Nonprofit conservation organization" has the meaning given in s. 23.0955  
8 (1).

9           (b) *Matching funding.* The department shall provide funding under the  
10 subprogram for the Baraboo Hills to match the value of land acquisitions that are  
11 certified as qualifying matching land acquisitions under par. (e).

12           (c) *Overall requirements.* 1. Except as provided in sub. (4r) (b), the department  
13 may obligate not more than \$5,000,000 under the subprogram for the Baraboo Hills.

14           2. The amount of moneys, other than federal moneys, that may be used by local  
15 governmental units or nonprofit conservation organizations to make land  
16 acquisitions that are certified as qualifying matching land acquisitions under par.  
17 (e) may not exceed \$2,500,000.

18           3. Land that is either certified as a qualifying matching land acquisition under  
19 par. (e) or (h) 2. or acquired with moneys made available for expenditure under par.  
20 (g) or (h) 2. may not be department land or land that is otherwise owned or under the  
21 jurisdiction of the state on the effective date of this subdivision .... [revisor inserts  
22 date].

23           (d) *Matching land acquisitions; requirements.* The department may only  
24 certify as a qualifying matching land acquisition in the Baraboo Hills an acquisition  
25 to which all of the following apply:



1           1. The land is being acquired for conservation purposes.

2           2. The land is being acquired by the federal government, by a local  
3 governmental unit or by a nonprofit conservation organization.

4           3. Any federal moneys being used for the acquisition are federal  
5 nontransportation moneys.

6           (e) *Matching land acquisitions; certification.* The department shall certify  
7 which land acquisitions qualify as matching land acquisitions for the subprogram for  
8 the Baraboo Hills and shall determine the values of these matching land acquisitions  
9 as provided in par. (f).

10           (f) *Matching land acquisitions; valuation.* The value of a land acquisition that  
11 is certified as a qualifying matching land acquisition under par. (e) shall be  
12 calculated as follows:

13           1. For land that is acquired by purchase at fair market value, the value shall  
14 equal the sum of the purchase price and the costs incurred by the federal  
15 government, local governmental unit or nonprofit conservation organization in  
16 acquiring the land.

17           2. For land that is acquired by gift or bequest or by purchase at less than fair  
18 market value, the value shall equal the sum of the appraised fair market value of the  
19 land at the time of the acquisition and the costs incurred by the acquiring entity in  
20 acquiring the land. The acquiring entity shall supply the appraisal upon which the  
21 appraised fair market value is based.

22           (g) *Matching land acquisitions; available moneys.* For each land acquisition  
23 that is certified as a qualifying matching land acquisition under par. (e) the  
24 department shall make available for expenditure moneys in an amount that equals  
25 the value of the land acquisition, as calculated under par. (f). This paragraph does

1 not apply to a land acquisition that is acquired with moneys committed by the federal  
2 government, local governmental unit or nonprofit conservation organization under  
3 par. (h).

4 (h) *Matching land acquisitions; future commitments.* 1. In addition to the  
5 moneys made available for expenditure under par. (g), the department shall set aside  
6 moneys in amounts that equal amounts that the federal government, local  
7 governmental units or nonprofit conservation organizations commit for the  
8 acquisition of land in the Baraboo Hills for conservation purposes. Federal moneys  
9 that are committed under this paragraph shall be federal nontransportation  
10 moneys. The department may set aside moneys under this paragraph only for  
11 commitments that are made before January 1, 2006.

12 2. For each land acquisition that is made by using moneys that are committed  
13 by the federal government, a local governmental unit or a nonprofit conservation  
14 organization under this paragraph and that is certified as a qualifying matching  
15 land acquisition under par. (e), the department shall make available for expenditure  
16 moneys in an amount that equals the value of the land acquisition, as calculated  
17 under par. (f), after the acquisition is certified.

18 (i) *Available moneys; uses.* The moneys made available for expenditure under  
19 par. (g) or (h) 2. may be used by the department to acquire land in the Baraboo Hills  
20 for conservation purposes and to award grants to local governmental units and  
21 nonprofit conservation organizations.

22 (j) *Available moneys; grant requirements.* A local governmental unit or  
23 nonprofit conservation organization that receives a grant under par. (i) does not need  
24 to provide any matching funding. Land acquired with moneys from a grant awarded  
25 under par. (i) may not be certified by the department as a qualifying matching land

1 acquisition under par. (e). Grants awarded under par. (i) shall be used to acquire land  
2 for conservation purposes in the Baraboo Hills.

3 (k) *Unassigned amount.* If the assigned amount for the subprogram for the  
4 Baraboo Hills on January 1, 2006, is less than the available bonding authority, the  
5 department shall calculate the unassigned amount by subtracting the assigned  
6 amount from the available bonding authority. The department shall then adjust the  
7 annual bonding authority for the subprogram for land acquisition by increasing its  
8 annual bonding authority by an amount equal to this unassigned amount. The  
9 department shall expend any assigned amount that has not been expended before  
10 January 1, 2006, for acquisitions by the department of land for conservation  
11 purposes and for grants that meet the requirements under par. (j).

12 (L) *Highway construction required.* No moneys may be obligated for the  
13 subprogram for the Baraboo Hills before the department of transportation certifies  
14 to the department of natural resources that highway construction that will result in  
15 at least 4 traffic lanes has begun on the portion of USH 12 between the city of  
16 Middleton and the village of Sauk City.

17 (4r) STATE CONSERVATION RESERVE ENHANCEMENT SUBPROGRAM. (a) *Limits.*  
18 Except as provided in par. (b) 2. and sub. (5), the department may not obligate under  
19 the subprogram for state conservation reserve enhancement more than the following  
20 amounts:

- 21 1. For fiscal year 2000–01, \$10,000,000.
- 22 2. For fiscal year 2001–02, \$10,000,000.
- 23 3. For fiscal year 2002–03, \$6,300,000.

24 (b) *Transfers to other subprograms; removal of limits.* 1. If the available  
25 bonding authority for a given fiscal year under the subprogram under this subsection

1 is more than the subprogram's annual bonding authority, the department of  
2 agriculture, trade and consumer protection may transfer an amount not to exceed  
3 the difference between the subprogram's available bonding authority less the annual  
4 bonding authority to one or more of the other subprograms under sub. (3), (4), (4g)  
5 or (4m) if the board of agriculture, trade and consumer protection determines that  
6 all of the conditions under sub. (5) (e) apply.

7       2. If the total amount obligated for the state conservation reserve enhancement  
8 subprogram on June 30, 2003, is less than \$26,300,000, the department of  
9 agriculture, trade and consumer protection shall calculate the unobligated amount  
10 by subtracting the obligated amount from \$26,300,000. The department of  
11 agriculture, trade and consumer protection may then expend for this subprogram  
12 any portion of or all of this unobligated amount in one or more subsequent fiscal  
13 years.

14       3. The department of agriculture, trade and consumer protection may also  
15 transfer a portion or all of the unobligated amount under subd. 2. to one or more of  
16 the other subprograms under sub. (3), (4), (4g) or (4m) if the board of agriculture,  
17 trade and consumer protection determines that all of the conditions under sub. (5)  
18 (e) apply.”.

19       **20.** Page 434, line 22: delete lines 22 to 25 and substitute:

20       “(5) ADJUSTMENTS FOR SUBSEQUENT FISCAL YEARS. (a) If for a given fiscal year  
21 the amount from the moneys appropriated under s. 20.866 (2) (ta) for a subprogram  
22 under sub. (3), (4), (4g) or (4r) is less than the annual bonding authority for that  
23 subprogram for that given fiscal year, the department that obligates moneys under  
24 the subprogram shall adjust”.

1           **21.** Page 435, line 6: delete lines 6 to 9 and substitute:

2           “(b) If for a given fiscal year the amount from the moneys appropriated under  
3 s. 20.866 (2) (ta) for a subprogram under sub. (3), (4), (4g) or (4r) is more than the  
4 annual bonding authority for that subprogram for that given fiscal year, the  
5 department that obligates moneys under the subprogram shall adjust the annual  
6 bonding authority for that”.

7           **22.** Page 435, line 13: after “(c)” insert “, (cm), (d)”.

8           **23.** Page 435, line 14: substitute “(e)” for “(d)”.

9           **24.** Page 435, line 16: substitute “(3), (4) or (4g)” for “(3) or (4)”.

10          **25.** Page 435, line 19: after that line insert:

11          “(cm) The department of agriculture, trade and consumer protection may not  
12 obligate in a fiscal year an amount from the moneys appropriated under s. 20.866 (2)  
13 (ta) for the subprogram under sub. (4r) that exceeds the amount equal to the annual  
14 bonding authority for that subprogram as it may have been previously adjusted  
15 under pars. (a) and (b), except as provided in par. (e).”.

16          **26.** Page 435, line 21: substitute “(3), (4) or (4g)” for “(3) or (4)”.

17          **27.** Page 436, line 9: after that line insert:

18          “(e) For a given fiscal year, in addition to obligating the amount of the annual  
19 bonding authority for the subprogram under sub. (4r), or the amount equal to the  
20 annual bonding authority for that subprogram, as adjusted under pars. (a) and (b),  
21 whichever amount is applicable, the department of agriculture, trade and consumer  
22 protection may also obligate for that subprogram up to 100% of the subprogram’s  
23 annual bonding authority for that given fiscal year if the board of agriculture, trade

1 and consumer protection determines that the conditions specified in par. (d) 1. to 3.  
2 apply.

3 (5m) ADJUSTMENTS FOR LAND ACQUISITIONS. (a) Beginning in fiscal year  
4 1999–2000, the department, subject to the approval of the governor and the joint  
5 committee on finance under sub. (6), may obligate under the subprogram for land  
6 acquisition any amount not in excess of the total bonding authority for that  
7 subprogram for the acquisition of land.

8 (b) For each land acquisition transaction under this subsection, all of the  
9 following apply:

10 1. The department shall sell a portion of the acquired land.

11 2. All proceeds from the sale of the land up to the amount obligated under par.  
12 (a) as determined by the secretary of administration shall be deposited into the  
13 general fund and credited to the appropriation account under s. 20.370 (7) (ag).  
14 Notwithstanding s. 25.29 (1) (a), the proceeds in excess of the amount obligated  
15 under par. (a) shall be deposited into the general fund.

16 3. For bonds that are retired from the proceeds of the sale of the acquired land  
17 within 3 years after the date that the land was acquired by the department, the  
18 department shall adjust the available bonding authority for the subprogram for land  
19 acquisition by increasing the available bonding authority for the fiscal year in which  
20 the bonds are retired by an amount equal to the total amount of the bonds issued for  
21 the sale that have been retired in that fiscal year.

22 4. For bonds that are not retired from the proceeds of the sale of the acquired  
23 land within 3 years after the date that the land was acquired by the department, the  
24 department shall adjust the available bonding authority for the subprogram for land  
25 acquisition by decreasing the available bonding authority for the next fiscal year

1 beginning after the end of that 3-year period by an amount equal to the total amount  
2 of the bonds that have been retired from such proceeds in that fiscal year and, if  
3 necessary, shall decrease for each subsequent fiscal year the available bonding  
4 authority in an amount equal to that available bonding authority or equal to the  
5 amount still needed to equal the total amount of the bonds retired from such  
6 proceeds, whichever is less, until the available bonding authority has been decreased  
7 by an amount equal to the total of the not retired bonds.

8 (c) Notwithstanding sub. (2) (a) 1., land acquired under this subsection need  
9 not be for conservation or recreational purposes.

10 (d) The department of administration shall monitor all transactions under this  
11 subsection to ensure compliance with federal law and to ensure that interest on the  
12 bonds is tax-exempt for the holders of the bonds.”.

13 **28.** Page 436, line 10: delete lines 10 to 19 and substitute:

14 “(6) REVIEW BY JOINT COMMITTEE ON FINANCE. (a) The department of natural  
15 resources or the department of agriculture, trade and consumer protection may not  
16 obligate from the appropriation under s. 20.866 (2) (ta) for a given project or activity  
17 unless it first notifies the joint committee on finance in writing of the proposal. If the  
18 cochairpersons of the committee do not notify the department making the proposal  
19 within 14 working days after the date of that department’s notification that the  
20 committee has scheduled a meeting to review the proposal, the department making  
21 the proposal may obligate the moneys. If, within 14 working days after the date of  
22 the notification by the department making the proposal, the cochairpersons of the  
23 committee notify that department that the committee has scheduled a meeting to

1 review the proposal, the department making the proposal may obligate the moneys  
2 only upon approval of the committee.

3 (b) Paragraph (a) applies only to an amount for a project or activity that exceeds  
4 \$250,000 except as provided in par. (c).

5 (c) Paragraph (a) applies to any land acquisition under sub. (5m).”.

6 **29.** Page 436, line 21: substitute “(b), (c) and (dm)” for “(b) and (c)”.

7 **30.** Page 437, line 2: after “price” insert “, except as provided in par. (dm)”.

8 **31.** Page 437, line 5: after “increase” insert “, except as provided in par. (dm)”.

9 **32.** Page 437, line 12: after that line insert:

10 “(dm) The amount that the department provides as a grant or state aid from  
11 the appropriation under s. 20.866 (2) (ta) to a governmental unit under s. 23.09 (19),  
12 (20) or (20m) or 30.277 may not exceed an amount equal to the lowest property tax  
13 assessment of the land under s. 70.32 in the three taxable years preceding the year  
14 in which the acquisition of the land occurs.”.

15 **33.** Page 438, line 4: after that line insert:

16 “(d) The department may not acquire land using moneys from the  
17 appropriation under s. 20.866 (2) (ta) without the prior approval of a majority of the  
18 members–elect, as defined in s. 59.001 (2m), of the county board of supervisors of the  
19 county in which the land is located if at least 66% of the land in the county is owned  
20 or under the jurisdiction of the state, the federal government or a local governmental  
21 unit, as defined in s. 66.299 (1) (a). Before determining whether to approve the  
22 acquisition, the county in which the land is located shall post notices that inform the  
23 residents of the community surrounding the land of the possible acquisitions.



1 (e) If moneys from the appropriation under s. 20.866 (2) (ta) are used by a  
2 nonprofit conservation organization or an organization under s. 23.197 (4) to acquire  
3 land to which public access exists on the effective date of this paragraph .... [revisor  
4 inserts date], the nonprofit conservation organization shall ensure that adequate  
5 and appropriate public access, as determined by the department, continues to exist.”.

6 **34.** Page 451, line 23: after that line insert:

7 “(5) MILWAUKEE LAKESHORE STATE PARK. (a) From the appropriation under s.  
8 20.866 (2) (tz), the department may expend up to \$500,000 for the development of a  
9 state park which will provide access to Lake Michigan in the city of Milwaukee. For  
10 the purposes of s. 23.0915 (1), moneys provided from the appropriation under s.  
11 20.866 (2) (tz) shall be treated as moneys expended for general property  
12 development.

13 (b) From the appropriation under s. 20.866 (2) (ta), the department may expend  
14 up to \$500,000 for the development of a state park which will provide access to Lake  
15 Michigan in the city of Milwaukee. For purposes of s. 23.0917, moneys provided from  
16 the appropriation under s. 20.866 (2) (ta) shall be treated as moneys obligated under  
17 the subprogram for property development and local assistance.

18 (6) SHEBOYGAN; RIVERFRONT PARK. From the appropriation under s. 20.866 (2)  
19 (tz), the department shall provide \$173,763 for the development and expansion of  
20 Workers Water Street Riverfront Park in the city of Sheboygan. For purposes of s.  
21 23.0915 (1), moneys provided from the appropriation under s. 20.866 (2) (tz) shall be  
22 treated as moneys expended for any of the purposes specified under s. 23.0915 (1) (a)  
23 to (k) or any combination of those purposes.”.

24 **35.** Page 489, line 21: after “in bluff land” insert “along the Great Lakes”.



**1999 DRAFTING REQUEST**

**Assembly Amendment (AA-ASA1-AB133)**

Received: **06/19/99**

Received By: **gibsom**

Wanted: **Soon**

Identical to LRB:

For: **Assembly Republican Caucus 70892**

By/Representing: **Anderson**

This file may be shown to any legislator: **NO**

Drafter: **gibsom**

May Contact:

Alt. Drafters: **kuesejt**

Subject: **Nat. Res. - LWSR stewardship**

Extra Copies: **RNK  
MES  
RAC**

**Pre Topic:**

ARC:.....Anderson - Am. #302,

**Topic:**

Stewardship 2000 program

**Instructions:**

See Attached

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/P1	gibsom 06/22/99	chanaman 06/22/99	haugeca 06/23/99	_____	lrb_docadmin 06/23/99		
/1	gibsom 06/23/99 gibsom 06/24/99	chanaman 06/23/99	kfollet 06/24/99	_____	lrb_docadmin 06/24/99		
/2	gibsom 06/26/99		haugeca 06/26/99	_____	lrb_docadmin 06/26/99		

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/P1	gibsom 06/22/99	chanaman 06/22/99	haugeca 06/23/99	_____	lrb_docadmin 06/23/99		
/1	gibsom 06/23/99	chanaman 06/23/99	kfollet 06/24/99	_____	lrb_docadmin 06/24/99		
FE Sent For:		chan 06/24 12	CH 6-26	CH JP 26			<END>

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/P1	gibson 06/22/99	chanaman 06/22/99	haugeca 06/23/99	_____	lrb_docadmin 06/23/99		
FE Sent For:		<i>C m... 6/23 h</i>	<i>Kif 6/23</i>	<i>Kif/Jf 6/24 &lt;END&gt;</i>			

**1999 DRAFTING REQUEST**

**Assembly Amendment (AA-ASA1-AB133)**

Received: 06/19/99

Received By: gibsom

Wanted: Soon

Identical to LRB:

For: Assembly Republican Caucus 70892

By/Representing: Anderson

This file may be shown to any legislator: NO

Drafter: gibsom

May Contact:

Alt. Drafters: kuesejt

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**Pre Topic:**

ARC:.....Anderson - Am. #302,

**Topic:**

Stewardship 2000 program

**Instructions:**

See Attached

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
1/?	gibsom	CMM 6/22 /PI	CH 6-23	CH (2) /JF	DO NOT SUBMIT		

FE Sent For:

<END>

## IX. Stewardship

### JFC Action

The Joint Finance Committee modified the Governor's recommendation to allow the state to contract public debt in an amount not to exceed \$404 million for a reauthorized Warren Knowles-Gaylord Nelson Stewardship 2000 program. The committee set the annual bonding authority under the program at \$40.4 million.

### Motion

This motion modifies the Joint Committee on Finance and limits the price paid for certain properties by local units of government.

1. Reduce the total bonding authority to provide \$350 million over ten years (FY01 to FY10), at \$35 million annually.
2. Create or modify the following categories and funding levels:

Fiscal Year	Land Acquisition	Local Assistance and Property Development		Baraboo Hills	Great Lakes Bluffs
		CREP			
2000-01	\$10,000,000	\$ 8,100,000	\$10,000,000	\$5,000,000	\$1,900,000
2001-02	\$13,500,000	\$11,000,000	\$10,000,000		\$ 500,000
2002-03	\$15,500,000	\$12,700,000	\$ 6,300,000		\$ 500,000
2003-04	\$19,000,000	\$15,500,000			\$ 500,000
2004-05-	\$19,500,000	\$15,500,000			
2005-06	\$19,500,000	\$15,500,000			
2006-07	\$19,500,000	\$15,500,000			
2007-08	\$19,500,000	\$15,500,000			
2008-09	\$19,500,000	\$15,500,000			
2009-10	\$19,500,000	\$15,500,000			
<b>Total</b>	<b>\$175,000,000</b>	<b>\$140,300,000</b>	<b>\$26,300,000</b>	<b>\$5,000,000</b>	<b>\$3,400,000</b>
	<b>50%</b>	<b>40.1%</b>	<b>7.5%</b>	<b>1.4%</b>	<b>1%</b>

3. Allow the Department of Natural Resources, with the approval of the Governor and the Joint Committee on Finance under 13.10, to borrow from future years for advanced funding of land purchases. This provision is subject to the following conditions:

- A portion of the land must be resold.
- Proceeds from the resale must be used to retire the bonds used in the original purchase.
- Upon receipt of proceeds from the resale, the original bond issuance authority shall be restored in the amount of funds received.
- Any outstanding bonds after three years from the original sale shall be deducted from the amounts available from land acquisition for the following fiscal year and any subsequent fiscal year until the total in outstanding bonds is fully allocated.
- The Department of Administration shall monitor all transactions under this provision for ongoing compliance with federal law.

- Allocate \$500,000 bonding authority within the Property Development category in FY00 from the current Stewardship Program and \$500,000 bonding authority within the Local Assistance and Property Development category in FY01 from the Stewardship 2000 Program for development of the Milwaukee Lakeshore State Park.
- Restore the Conservation Reserve Enhancement Program category as follows:
- Provide \$26.3 million bonding authority (original amount minus the GPR provided by the Joint Committee on Finance).
  - Specify that the Department of Agriculture, Trade and Consumer Protection (DATCP) would administer the Conservation Reserve Enhancement Program (CREP) category.
  - Specify that DATCP may transfer a portion of the available bonding authority in a given year to any other categories if the Board of Agriculture, Trade and Consumer Protection finds that: a) insufficient moneys are available in the other categories for the project or activity; b) the land involved in the project or activity covers a large area or is uniquely valuable in conserving the natural resources of the state; and c) delaying or deferring all or part of the cost of the project or activity to a subsequent fiscal year is not reasonably possible. After July 1, 2003, DATCP may transfer a portion or all of the unobligated bonding authority if the Board finds that the three conditions apply.
  - Specify that the language in the JCF substitute amendment related to the transfer of funding between fiscal years applies to all categories.
- Restore the Governor's provisions related to the Baraboo Hills category (i.e., matching funds required for release of funds; match deadline of January 1, 2006; federal non-transportation match requirements).

4. The DNR shall make no contributions toward the purchase of property by any local unit of government in excess of the lowest assessment of the property upon which property taxes were paid for the three tax years preceding the year in which the property purchase transaction takes place.

5. Earmark \$173,763 BR (one-time funding) from FY 99-00 stewardship appropriation for the development and expansion of Workers Water Street Riverfront Park (City of Sheboygan) from the Warren Knowles-Gaylord Nelson Stewardship program. DNR will be given the authority to determine the specific category from which the funding will be appropriated.

6. DNR must enable counties who have 66% of their land in public ownership to hold a county board vote before the DNR can purchase land. The board must have a majority vote ruling in favor of DNR land acquisition before the purchasing process begins. The county board must post advance notice to the surrounding community affected by this purchase.

***Fiscal Impact***

This motion would save the state approximately \$53,826,237 BR over the biennium. (reducing the bonding authority from \$404 million BR to \$350 million BR saves \$54 million BR in funding. + \$173,763 BR must be considered = total savings of \$53,826,237 BR).





State of Wisconsin  
1999 - 2000 LEGISLATURE

LRBb07577  
MGG.....  
and  
JTK  
P1

Very, very soon

all this is updated

Anderson

302

2000

ARC:.....Unknown - Am. #00, Stewardship program

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

LFB AMENDMENT

TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45

1 At the locations indicated, amend the bill as follows:

2 1. Page 163, line 17: after that line insert:

SCHED

3 "(ad) Land acquisition—principal PR C  
4 repayment and interest GPR S -0- -0- ✓

5 2. Page 323, line 9: after that line insert:

6 " SECTION 333d 30 20.370 (7) (ad) of the statutes is created to read:

7 20.370 (7) (ad) Land acquisition—principal repayment and interest. All  
8 moneys received from proceeds from the sale of land under s. 23.0917 (5m) (b) 2. to  
9 reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred  
10 in financing land acquisition under s. 23.0917 (5m) from the appropriation under s.  
11 20.866 (2) (ta).".

11

↑

1           3. Page 400, line 24: delete "\$404,000,000" and substitute "\$350,000,000".

2           4. Page 401, line 1: delete "\$40,400,000" and substitute "\$35,000,00".

3           5. Page 418, line 16: delete lines 16 to 18.

4           6. Page 431, line 15: after that line insert:

5           "(am) "Available bonding authority" means the annual bonding authority as  
6 adjusted under sub. (5) and ~~(transfers from corp.)~~".

7           7. Page 431, line 22: after that line insert:

8           "(dm) "Nonprofit conservation organization" has the meaning given in s.  
9 23.0955 (1)".

10          8. Page 432, line 5: after that line insert:

11          "(h) "State conservation reserve enhancement subprogram" means the  
12 subprogram under sub. (2) (a) 5.

13          (i) "Total bonding authority" means the total amount that may be obligated  
14 under a subprogram under the Warren Knowles-Gaylord Nelson stewardship 2000  
15 program over the entire duration of the program."

16          9. Page 432, line 7: delete "for conservation and recreational".

17          10. Page 432, line 9: after "acquisition" insert "for conservation and  
18 recreational".

19          11. Page 432, line 10: after that line insert:

20            "3. A subprogram for bluff protection.

21            4. A subprogram for land acquisition in the Baraboo Hills for conservation  
22 purposes.

*W.P.O.  
please delete  
colon and  
substit with  
quotation  
marks*

1           5. A subprogram to enable the state to participate in the state conservation  
2 reserve enhancement program as approved by the secretary of the federal  
3 department of agriculture under 16 USC 3834 (f) (4).<sup>✓</sup>

4           **12.** Page 433, line 8: delete that line.<sup>✓</sup>

5           **13.** Page 433, line 10: delete that line.<sup>✓</sup>

6           **14.** Page 433, line 11: delete lines 11 to 12 and substitute:

7           “(dm) Except as provided in subs. (5)<sup>✓</sup> and (5m)<sup>✓</sup>, the department may not  
8 obligate under the subprogram for land acquisition more than the following  
9 amounts:

10           1. For fiscal year 2000–01, \$10,000,000.<sup>✓</sup>

11           2. For fiscal year 2001–02, \$13,500,000.

12           3. For fiscal year 2002–03, \$15,500,000.

13           4. For fiscal year 2003–04, \$19,000,000.

14           5. For each fiscal year beginning with 2004–05 and ending with fiscal year  
15 2009–10, \$19,500,000.<sup>✓</sup>

16           **15.** Page 434, line 19: delete lines 9 to 19 and substitute:<sup>✓</sup>

17           “(dm) Except as provided in sub. (5)<sup>✓</sup>, the department may not obligate under  
18 the subprogram for property development and local assistance more than the  
19 following amounts:

20           1. For fiscal year 2000–01, \$8,100,000.

21           2. For fiscal year 2001–02, \$11,000,000.

22           3. For fiscal year 2002–03, \$12,700,000.

23           4. For each fiscal year beginning with 2003–04 and ending with fiscal year  
24 2009–10, \$15,500,000.<sup>✓</sup>

1           **16.** Page 434, line 21: after that line insert:

2           “(4g) BLUFF PROTECTION. (a) Except as provided in par. (b) and sub. (5), the  
3 department may not obligate under the subprogram for bluff protection more than  
4 the following amounts:

- 5           1. For fiscal year 2000–01, \$1,900,000.
- 6           2. For each fiscal year beginning with 2001–02 and ending with fiscal year  
7 2003–04, \$500,000.

8           (b) If the total amount obligated for the subprogram for bluff protection on June  
9 30, 2004, is less than \$3,400,000, the department shall calculate the unobligated  
10 amount by subtracting the total obligated amount from \$3,400,000. The department  
11 shall then adjust the available bonding authority for the subprogram for property  
12 development and local assistance by increasing the available bonding authority<sup>in</sup>  
13 amount equal to the unobligated amount.

14           (c) The department may not obligate moneys for the subprogram for bluff  
15 protection after June 30, 2004.

16           → **Insert A**

17           (4r) STATE CONSERVATION RESERVE ENHANCEMENT SUBPROGRAM. (a) *Limits.* Except  
18 as provided in sub. (5), the department may not obligate under the subprogram for  
19 state conservation reserve enhancement  
~~bluff protection~~ more than the following amounts:

- 20           1. For fiscal year 2000–01, \$10,000,000.
- 21           2. For fiscal year 2001–02, \$10,000,000.
- 22           3. For fiscal year 2002–03, \$6,300,000.

23           → **Insert B**

24           **17.** Page 434, line 22: delete lines 22 to 25 and substitute:

1 → **Insert C**

2 **18.** Page 435, line 6: delete lines 6 to 9 and substitute:

3 → **Insert D**

4 **19.** Page 435, line 13: after "(c)" insert ", (cm), (d)".

5 **20.** Page 435, line 14: substitute "(e)" for "(d)".

6 **21.** Page 435, line 19: after that line insert:

7 → **Insert E**

8 **22.** Page 435, line 16: substitute "(3), (4) or (4g)" for "(3) or (4)".

9 **23.** Page 435, line <sup>21</sup>21: substitute "(3), (4) or (4g)" for "(3) or (4)".

10 **24.** Page 436, line 9: after that line insert:

11 **Insert F**

12 **(15m)** ADJUSTMENTS FOR LAND ACQUISITIONS. (a) The department, subject to the approval of the governor and the joint committee on finance under s. 13.101, may obligate from the subprogram under land acquisition an amount not in excess of the total bonding authority for that subprogram for the acquisition of land.

16 (b) For land acquired under this paragraph, all of the following apply:

17 1. The department shall sell a portion of the acquired land.

18 2. All proceeds from the sale of the land up to the amount of the amount obligated under par. (a) shall be deposited in the general fund and credited to the appropriation account under s. 20.370 (7) (ad). Notwithstanding s. 25.29 (1) (a), the proceeds in excess of the amount obligated under par. (a) shall be deposited in the general fund.

*move item* →

Handwritten circle around line 8.

Handwritten circle around line 9.

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Handwritten circle around "of the amount".

1           3. For bonds that are retired within 3 years after the date that the land was  
2 acquired by the department, the department shall adjust the available bonding  
3 authority for the subprogram for land acquisition by increasing the available  
4 bonding authority for the fiscal year in which the bonds are retired by an amount  
5 equal to the total amount of the bonds issued for the sale that have been retired in  
6 that fiscal year.

7           4. For bonds that are not retired within 3 years after the date that the land was  
8 acquired by the department, the department shall adjust the available bonding  
9 authority for the subprogram for land acquisition by decreasing the available  
10 bonding authority for the fiscal year in which the bonds are retired by an amount  
11 equal to the total amount of the bonds that have been retired in that fiscal year and,  
12 if necessary, shall decrease for each subsequent fiscal year the available bonding  
13 authority in an amount equal to that available bonding authority or equal to the  
14 amount still needed to equal the total amount of the retired bonds, whichever is less,  
15 until the available bonding authority has been decreased by an amount equal to the  
16 total of the retired bonds.

17           (c) The department of administration shall monitor all transactions under this  
18 subsection to ensure compliance with federal law.”

19           **25.** Page 436, line 10: delete lines 10 to 19 and substitute:

20           **Insert G**

21           **26.** Page 436, line 21: substitute “(b), (c) and (dm)” for “(b) and (c)”.

22           **27.** Page 437, line 2: after “price” insert “, except as provided in par. (dm)”.

23           **28.** Page 437, line 5: after “increase” insert “, except as provided in par. (dm)”.

24           **29.** Page 437, line 12: after that line insert:

1            " (dm) The amount that the department provides as a grant or state aid from the  
 2            appropriation under s. 20.866 (2) (ta) to a governmental unit under s. 23.09 (19), (20)  
 3            or (20m) or 30.277 may not exceed an amount equal to the lowest property tax  
 4            assessment of the land under s. 70.32 in the three taxable years preceding the year  
 5            in which the acquisition of the land occurs."

6            **30.** Page 438, line 4: after that line insert:

7            “(d) The department may not acquire land using moneys from the  
 8            appropriation under s. 20.866 (2) (ta) without the prior approval of a majority vote  
 9            of the members-elect of the county board of supervisors of the county in which the  
 10           land is located if at least 66% of the land in the county is owned or under the  
 11           jurisdiction of the state, the federal government or a local governmental unit, as  
 12           defined in s. 66.299 (1) (a). Before determining whether to approve the acquisition,  
 13           the county in which the land is located shall post notices that inform the residents  
 14           of the community surrounding the land of the possible acquisition.”

*insert  
"5" before  
"*

15           **31.** Page 451, line 23: after that line insert:

16           “(5) MILWAUKEE LAKESHORE STATE PARK. (a) From the appropriation under s.  
 17           20.866 (2) (tz), the department may expend up to \$500,000 for the development of a  
 18           state park which will provide access to Lake Michigan in the city of Milwaukee. For  
 19           the purposes of s. 23.0915 (1), moneys provided from the appropriation under s.  
 20           20.866 (2) (tz) shall be treated as moneys expended for general property  
 21           development.

22           (b) From the appropriation under s. 20.866 (2) (ta), the department may  
 23           expend up to \$500,000 for the development of a state park which will provide access  
 24           to Lake Michigan in the city of Milwaukee. For purposes of s. 23.0917, moneys

1 provided from the appropriation under s. 20.866 (2) (ta) shall be treated as moneys  
2 obligated under the subprogram for property development and local assistance.

3 (6) SHEBOYGAN; RIVERFRONT PARK. From the appropriation under s. 20.866 (2)  
4 (tz), the department shall provide \$173,763 for the development and expansion of  
5 Workers Water Street Riverfront Park in the city of Sheboygan. For purposes of s.  
6 23.0915 (1), moneys provided from the appropriation under s. 20.866 (2) (tz) shall be  
7 treated as moneys expended for any of the purposes specified under s. 23.0915 (1) (a)  
8 to (k) or any combination of those purposes.”

9 **32.** Page 48<sup>9</sup>, line 21: after “in bluff land” insert “along the Great Lakes”.

10 **Insert H**

11

(END)



lake protection and rehabilitation district.

insert A p1.

(b) (4m) BARABOO HILLS. (a) Definitions. In this subsection:

1. "Assigned amount" means the sum of the amounts made available for expenditure under par. (g) and the amounts set aside by the department under par. (h) 1.

2. "Federal nontransportation moneys" means moneys received from the federal government that are not deposited in the transportation fund and that are not credited to the appropriations under ss. 20.115 (2) (m) and 20.445 (1) (ox)

3. "Local governmental unit" means a city, village, town, county, lake sanitary district, as defined in s. 30.50(4g) or a public inland

4. "Nonprofit conservation organization" has the meaning given in s. 23.0955 (1).

(b) Matching funding. The department shall provide funding under the subprogram for the Baraboo Hills to match the value of land acquisitions that are certified as qualifying matching land acquisitions under par. (e).

(c) Overall requirements. 1. The department may obligate not more than \$5,000,000 under the subprogram for the Baraboo Hills. For purposes of sub. (2) (b), the base amount allocated for this subprogram is \$5,000,000, and the base is considered to be allocated in fiscal year 2000-01.

2. The amount of moneys, other than federal moneys, that may be used by local governmental units or nonprofit conservation organizations to make land acquisitions that are certified as qualifying matching land acquisitions under par. (e) may not exceed \$2,500,000.

3. Land that is either certified as a qualifying matching land acquisition under par. (e) or (h) 2. or acquired with moneys made available for expenditure under par. (g) or (h) 2. may not be department land or land that is otherwise owned or under the



inset A (continued)

1 jurisdiction of the state on the effective date of this subdivision .... [revisor inserts P.2  
2 date].

3 (d) *Matching land acquisitions; requirements.* The department may only  
4 certify as a qualifying matching land acquisition in the Baraboo Hills an acquisition  
5 to which all of the following apply:

6 1. The land is being acquired for conservation purposes.

7 2. The land is being acquired by the federal government, by a local  
8 governmental unit or by a nonprofit conservation organization.


9 3. Any federal moneys being used for the acquisition are federal  
10 nontransportation moneys.

11 (e) *Matching land acquisitions; certification.* The department shall certify  
12 which land acquisitions qualify as matching land acquisitions for the subprogram for  
13 the Baraboo Hills and shall determine the values of these matching land acquisitions  
14 as provided in par. (f).

15 (f) *Matching land acquisitions; valuation.* The value of a land acquisition that  
16 is certified as a qualifying matching land acquisition under par. (e) shall be  
17 calculated as follows:

18 1. For land that is acquired by purchase at fair market value, the value shall  
19 equal the sum of the purchase price and the costs incurred by the federal  
20 government, local governmental unit or nonprofit conservation organization in  
21 acquiring the land.

22 2. For land that is acquired by gift or bequest or by purchase at less than fair  
23 market value, the value shall equal the sum of the appraised fair market value of the  
24 land at the time of the acquisition and the costs incurred by the acquiring entity in



Insert A

Continued

p.3

1 acquiring the land. The acquiring entity shall supply the appraisal upon which the  
2 appraised fair market value is based.

3 (g) *Matching land acquisitions; available moneys.* For each land acquisition  
4 that is certified as a qualifying matching land acquisition under par. (e) the  
5 department shall make available for expenditure moneys in an amount that equals  
6 the value of the land acquisition, as calculated under par. (f). This paragraph does  
7 not apply to a land acquisition that is acquired with moneys committed by the federal  
8 government, local governmental unit or nonprofit conservation organization under  
9 par. (h).

10 (h) *Matching land acquisitions; future commitments.* 1. In addition to the  
11 moneys made available for expenditure under par. (g), the department shall set aside  
12 moneys in amounts that equal amounts that the federal government, local  
13 governmental units or nonprofit conservation organizations commit for the  
14 acquisition of land in the Baraboo Hills for conservation purposes. Federal moneys  
15 that are committed under this paragraph shall be nontransportation moneys. The  
16 department may set aside moneys under this paragraph only for commitments that  
17 are made before January 1, 2006.

18 2. For each land acquisition that is made by using moneys that are committed  
19 by the federal government, a local governmental unit or a nonprofit conservation  
20 organization under this paragraph and that is certified as a qualifying matching  
21 land acquisition under par. (e), the department shall make available for expenditure  
22 moneys in an amount that equals the value of the land acquisition, as calculated  
23 under par. (f), after the acquisition is certified.

24 (i) *Available moneys; uses.* The moneys made available for expenditure under  
25 par. (g) or (h) 2. may be used by the department to acquire land in the Baraboo Hills

Insert A (continued)

p.4

1 for conservation purposes and to award grants to local governmental units and  
2 nonprofit conservation organizations.

3 (j) *Available moneys; grant requirements.* A local governmental unit or  
4 nonprofit conservation organization that receives a grant under par. (i) does not need  
5 to provide any matching funding. Land acquired with moneys from a grant awarded  
6 under par. (i) may not be certified by the department as a qualifying matching land  
7 acquisition under par. (e). Grants awarded under par. (i) shall be used to acquire land  
8 for conservation purposes in the Baraboo Hills.

9 (k) *Unassigned amount.* If the assigned amount for the subprogram for the  
10 Baraboo Hills on January 1, 2006, is less than \$5,000,000, the department shall  
11 calculate the unassigned amount by subtracting the assigned amount from  
12 \$5,000,000. The department shall then adjust the annual bonding authority for the  
13 subprogram for land acquisition by increasing its annual bonding authority by an  
14 amount equal to this unassigned amount. The department shall expend any  
15 assigned amount that has not been expended before January 1, 2006, for acquisitions  
16 by the department of land for conservation purposes and for grants that meet the  
17 requirements under par. (j).

18 (L) *Highway construction required.* No moneys may be obligated for the  
19 subprogram for the Baraboo Hills before the department of transportation certifies  
20 to the department of natural resources that highway construction that will result in  
21 at least 4 traffic lanes has begun on the portion of USH 12 between the city of  
22 Middleton and the village of Sauk City.

23 (8) STATE CONSERVATION RESERVE ENHANCEMENT SUBPROGRAM. (a) The following  
24 base amounts are allocated for the state conservation reserve enhancement  
25 subprogram:

1 (10) TRANSFERS BETWEEN SUBPROGRAMS. (a) If for a given fiscal year the  
 2 available bonding authority for a subprogram under sub. (3), (4), (5) or (6) is more  
 3 than the annual bonding authority for that subprogram, as calculated under sub. (3),  
 4 (4), (5) or (6), the department may transfer an amount not to exceed the difference  
 5 between the available bonding authority less the annual bonding authority to one or  
 6 more of the other subprograms under sub. (3), (4), (5) or (6) if the natural resources  
 7 board determines that all of the conditions under sub. (9) (e) apply. This paragraph  
 8 does not apply after June 30, 2004. This paragraph does not apply to the transfer  
 9 required under par. (e).

10 (b) Beginning with fiscal year 2004-05, if the available bonding authority for  
 11 a given fiscal year under a subprogram under sub. (3), (4) or (5) is more than the  
 12 annual bonding authority for that subprogram, the department may transfer an  
 13 amount not to exceed the difference between the available bonding authority less the  
 14 annual bonding authority to one or more of the other subprograms under sub. (3), (4)  
 15 or (5) if the natural resources board determines that all of the conditions under sub.  
 16 (9) (e) apply.

17 (b) ~~(a)~~ If the available bonding authority for a given fiscal year under the  
 18 subprogram under <sup>this subsection</sup> sub. (3) is more than the subprogram's annual bonding authority,  
 19 the department of agriculture, trade and consumer protection may transfer an  
 20 amount not to exceed the difference between the subprogram's available bonding  
 21 authority less the annual bonding authority to one or more of the other subprograms  
 22 under sub. (3), (4) <sup>or (4a)</sup> ~~(5) or (6)~~ if the board of agriculture, trade and consumer protection  
 23 determines that all of the conditions under sub. (9) <sup>(5) (e)</sup> ~~(e)~~ apply. The department of <sup>(e)</sup>  
 24 agriculture, trade and consumer protection may also transfer a portion or all of the  
 25 unobligated amount under sub. (8) <sup>par. (c)</sup> ~~(a)~~ to one or more of the other subprograms under

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p. 1

⊕ Transfers to other subprograms

9- word type  
2025 - this

or (4a) (4m) ?

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1 sub. (3), (4), (5) or (6) if the board of agriculture, trade and consumer protection  
2 determines that all of the conditions under sub. (5) (e) apply. The department of  
3 agriculture, trade and consumer protection may not make transfers under this  
4 paragraph to the subprogram for bluff protection after June 30, 2004.

5 (d) If the department makes a transfer under par. (a) or (b) to a subprogram  
6 under sub. (3), (4), (5) or (6), and if the subprogram to which the amount was  
7 transferred has for a fiscal year subsequent to the transfer available bonding  
8 authority that is more than the annual bonding authority for that subprogram, the  
9 department shall reimburse the subprogram from which the amount was  
10 transferred an amount equal to the amount transferred under par. (a) or (b) or the  
11 available bonding authority, whichever is less. Reimbursements under this  
12 paragraph to or from the subprogram for bluff protection may not be made after June  
13 30, 2004. This paragraph does not apply to the transfer required under par. (e).

14 (e) In fiscal year 2000-01, the department shall transfer \$750,000 from the  
15 subprogram for land acquisition and \$650,000 from the subprogram for property  
16 development to the subprogram for bluff protection.

17 (11) OVERALL PRIORITIES IN OBLIGATING MONEYS. (a) In determining the order in  
18 which moneys will be obligated under this section for a subprogram under sub. (3),  
19 (4), (5) or (6), the department shall do all of the following:

- 20 1. Set aside the amount under the subprogram under sub. (6) as required under
- 21 s. 30.24 (3) before obligating any other moneys under that subprogram.
- 22 2. Set aside the amount required under sub. (5) (d) before obligating any other
- 23 money under the subprogram under sub. (5).
- 24 3. Release any moneys as required under s. 23.09 (2p) (c) 2., 23.092 (5) (b) 2.
- 25 or 23.094 (4) (b) 2. before making a transfer required under sub. (10) (d).

- 1 1. \$8,000,000 for fiscal year 2000-01.
- 2 2. \$12,000,000 for fiscal year 2001-02.
- 3 3. \$10,000,000 for fiscal year 2002-03.
- 4 4. \$10,000,000 for fiscal year 2003-04.

5 (b) Beginning with fiscal year 2000-01 and ending with fiscal year 2003-04,  
 6 the department of agriculture, trade and consumer protection for each fiscal year for  
 7 the state conservation reserve enhancement subprogram shall determine the  
 8 amount of the subprogram's annual bonding authority by making the following  
 9 calculations:

- 10 1. Determining the base amount allocated under par. (a) for the given fiscal  
 11 year.
- 12 2. Subtracting from the amount determined under subd. 1. the amount of any  
 13 transfer for that fiscal year under sub. (10) (c).

14 (c) Except as provided in sub. (9), the department of agriculture, trade and  
 15 consumer protection may obligate not more than the annual bonding authority, as  
 16 calculated under par. (b), under the state conservation reserve enhancement  
 17 subprogram in each fiscal year.

18 (c) ~~§~~ If the total amount obligated for the state conservation reserve  
 19 enhancement subprogram on June 30, 2004<sup>2003</sup> is less than ~~\$40,000,000~~<sup>\$26,300,000</sup>, the  
 20 department of agriculture, trade and consumer protection shall calculate the  
 21 unobligated amount by subtracting the obligated amount from ~~\$40,000,000~~<sup>\$26,300,000</sup>. The  
 22 department of agriculture, trade and consumer protection may then expend for this  
 23 subprogram any portion of or all of this unobligated amount in one or more  
 24 subsequent fiscal years."

Removal of limits.

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(END OF INSERT B)

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(B)  
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1 ~~(B)~~ ADJUSTMENTS FOR SUBSEQUENT FISCAL YEARS. (a) If for a given fiscal year the  
 2 amount from the moneys appropriated under s. 20.866 (2) (ta) for a subprogram  
 3 under sub. (3), (4), ~~(5), (6) or (7)~~ <sup>(4a) or (4r)</sup> is less than the annual bonding authority for that  
 4 subprogram for that given fiscal year, the department that obligates moneys under  
 5 the subprogram shall adjust ~~the annual bonding authority for that subprogram by~~  
 6 ~~raising the annual bonding authority, as it may have been previously adjusted under~~  
 7 ~~this paragraph and par. (b), for the next fiscal year by the amount that equals the~~  
 8 ~~difference between the amount authorized for that subprogram and the obligated~~  
 9 ~~amount for that subprogram in that given fiscal year.~~ )

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C

10 " (b) If for a given fiscal year the amount from the moneys appropriated under  
 11 s. 20.866 (2) (ta) for a subprogram under sub. (3), (4), ~~(5), (6) or (7)~~ <sup>(4a) or (4r)</sup> is more than the  
 12 annual bonding authority for that subprogram for that given fiscal year, the  
 13 department that obligates moneys under the subprogram shall adjust the annual  
 14 bonding authority for that subprogram by ~~lowering the annual bonding authority, as~~  
 15 ~~it may have been previously adjusted under this paragraph and par. (a), for the next~~  
 16 ~~fiscal year by an amount equal to the remainder calculated by subtracting the~~  
 17 ~~amount authorized for that subprogram from the obligated amount, as it may be~~  
 18 ~~affected under par. (c), (d), (e) or (f), for that subprogram in that given fiscal year.~~

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~~it may have been previously adjusted under this paragraph and par. (a), for the next  
fiscal year by an amount equal to the remainder calculated by subtracting the  
amount authorized for that subprogram from the obligated amount, as it may be  
affected under par. (c), (d), (e) or (f), for that subprogram in that given fiscal year.~~

19 (c) The department may not obligate in a fiscal year an amount from the  
 20 moneys appropriated under s. 20.866 (2) (ta) for a subprogram under sub. (3), (4), (5)  
 21 or (6) that exceeds the amount equal to the annual bonding authority for that  
 22 subprogram as it may have been previously adjusted under pars. (a) and (b), except  
 23 as provided in par. (e).

24 (9) (cm) ~~(d)~~ The department of agriculture, trade and consumer protection may not  
 25 obligate in a fiscal year an amount from the moneys appropriated under s. 20.866 (2)

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p. 2

1 (ta) for the subprogram under sub. (3) that exceeds the amount equal to the annual  
2 bonding authority for that subprogram as it may have been previously adjusted  
3 under pars. (a) and (b), except as provided in par. (e).

4 (e) For a given fiscal year, in addition to obligating the amount of the annual  
5 bonding authority for a subprogram under sub. (3), (4), (5) or (6), or the amount equal  
6 to the annual bonding authority for that subprogram, as adjusted under pars. (a) and  
7 (b), whichever amount is applicable, the department may also obligate for that  
8 subprogram up to 50% of the annual bonding authority for that subprogram for that  
9 given fiscal year for a project or activity if the natural resources board determines  
10 that all of the following conditions apply:

- 11 1. That moneys appropriated for that subprogram to the department under s.  
12 20.370 and the moneys appropriated for that subprogram under s. 20.866 (2) (ta), (tp)  
13 to (tw), (ty) and (tz) do not provide sufficient funding for the project or activity.
- 14 2. That the land involved in the project or activity covers a large area or the land  
15 is uniquely valuable in conserving the natural resources of the state.
- 16 3. That delaying or deferring all or part of the cost to a subsequent fiscal year  
17 is not reasonably possible.

18 (a) For a given fiscal year, in addition to obligating the amount of the annual  
19 bonding authority for the subprogram under sub. (3), or the amount equal to the  
20 annual bonding authority for that subprogram, as adjusted under pars. (a) and (b),  
21 whichever amount is applicable, the department of agriculture, trade and consumer  
22 protection may also obligate for that subprogram up to 100% of the subprogram's  
23 annual bonding authority for that given fiscal year if the board of agriculture, trade  
24 and consumer protection determines that the conditions specified in par. 1. and  
25 3. apply.

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(END OF INSERT F)

1 NO 4. Make a transfer required under sub. (10) (d) before obligating any other  
2 moneys.

3 NO (b) In determining the purposes for which moneys are obligated under this  
4 section, and notwithstanding the authority granted under sub. (10) to transfer  
5 amounts among subprograms, the department of natural resources and the  
6 department of agriculture, trade and consumer protection shall adhere as closely as  
7 is reasonably possible to all of the following in obligating moneys under the program:

8 1. That \$165,900,000 of the total bonding authority be expended under the  
9 subprogram for land acquisition.

10 2. That \$75,100,000 of the total bonding authority be expended under the  
11 subprogram for property development.

12 3. That \$60,600,000 of the total bonding authority be expended under the  
13 subprogram for local assistance.

14 4. That \$3,400,000 of the total bonding authority be expended under the  
15 subprogram for bluff protection.

16 5. That \$5,000,000 of the total bonding authority be expended under the  
17 subprogram for the Baraboo Hills.

18 6. That \$40,000,000 of the total bonding authority be expended under the state  
19 conservation reserve enhancement subprogram.

20 (6) (12) REVIEW BY JOINT COMMITTEE ON FINANCE. The department of natural  
21 resources or the department of agriculture, trade and consumer protection may not  
22 obligate from the appropriation under s. 20.866 (2) (ta) for a given project or activity  
23 more than \$250,000 unless it first notifies the joint committee on finance in writing  
24 of the proposal. If the cochairpersons of the committee do not notify the department  
25 making the proposal within 14 working days after the date of that department's

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P.1



1 notification that the committee has scheduled a meeting to review the proposal, the  
2 department making the proposal may obligate the moneys. If, within 14 working  
3 days after the date of the notification by the department making the proposal, the  
4 cochairpersons of the committee notify that department that the committee has  
5 scheduled a meeting to review the proposal, the department making the proposal  
6 may obligate the moneys only upon approval of the committee. " •

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7 **(13) REPORTS AND USES OF ASSESSMENTS.** (a) For any land for which moneys are  
8 proposed to be obligated from the appropriation under s. 20.866 (2) (ta) under a  
9 subprogram under sub. (3), (6) or (7), the department shall report to the governor the  
10 property tax assessments of the land under s. 70.32 for the 3 most recent taxable  
11 years.

12 (b) For calculating the 50% matching requirement for acquisition of land under  
13 ss. 23.09 (19), (20) and (20m), 23.092 (4), 23.094 (3g) (b), 23.096, 30.24 (4) and 30.277,  
14 the calculation of the 50% shall equal 50% of the average of the assessed value of the  
15 land under s. 70.32 for the 3 most recent taxable years if all or part of the moneys  
16 awarded are obligated from the appropriation under s. 20.866 (2) (ta).

17 **(14) PROHIBITIONS AND LIMITATIONS ON ENCUMBRANCES.** (a) The department may  
18 not obligate moneys from the appropriation under s. 20.866 (2) (ta) for the acquisition  
19 of land for golf courses or for the development of golf courses.

20 (b) The department may not obligate moneys from the appropriation under s.  
21 20.866 (2) (ta) for the acquisition or development of land by a county or other local  
22 governmental unit or political subdivision if the county, local governmental unit or  
23 political subdivision acquires the land involved by condemnation.

24 (c) The department may not obligate moneys from the appropriation under s.  
25 20.866 (2) (ta) for the acquisition by a city, village or town of land that is outside the

1999-2000 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRBb0757/1insJTK  
JTK:.....

INSERT  
H

~~1. Page 418, line 16: delete lines 16 to 18.~~

2. Page 1487, line 12: after that line insert (and adjust the appropriate totals accordingly):

"Milwaukee Lakeshore State Park development 500,000

(Total project all funding sources \$1,000,000)".

3. Page 1487, line 16: after that line insert:

"3. *Projects funded by general fund supported borrowing authority —  
stewardship 2000 funds:*

Milwaukee Lakeshore State Park development 500,000

(Total project all funding sources \$1,000,000)".

4. Page 1501, line 21: after that line insert:

<sup>ag ← letter g</sup>  
"(6) MILWAUKEE LAKESHORE STATE PARK DEVELOPMENT. Notwithstanding section 18.04 (2) of the statutes, as affected by this act, the building commission shall not authorize public debt to be contracted from the appropriation under section 20.866 (2) (ta) of the statutes, as created by this act, for the development of Milwaukee Lakeshore State Park, as authorized under sub. (1) (f) 3., prior to July 1, 2000."

↑



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRMR  
LRBb0757/PA  
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soon  
D-Note

ARC:.....Anderson – Am. #302, Stewardship 2000 program

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 1999 ASSEMBLY BILL 133

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 163, line 17: after that line insert:

3 (a) Land acquisition—principal  
4 repayment and interest PR C -0- -0-".

5 2. Page 323, line 9: after that line insert:

6 "SECTION 333d. 20.370 (7) (a) of the statutes is created to read:  
7 20.370 (7) (a) Land acquisition—principal repayment and interest. All  
8 moneys received from proceeds from the sale of land under s. 23.0917 (5m) (b) 2. to  
9 reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred

1 in financing land acquisition under s. 23.0917 (5m) from the appropriation under s.  
2 20.866 (2) (ta)."

#, Page 399, line 22: before "(ag)," insert "(ag)".

3 **3.** Page 400, line 24: delete "\$404,000,000" and substitute "\$350,000,000".

#, Page 400, line 25: ~~of delete~~ "(5)" and substitute (h)

4 **4.** Page 401, line 1: delete "\$40,400,000" and substitute "\$35,000,00".

5 **5.** Page 418, line 16: delete lines 16 to 18.

6 **6.** Page 431, line 15: after that line insert:

(4g)(b), (4m)(k), (4r)(b) or (5) or (5m)

7 "am) "Available bonding authority" means the annual bonding authority as  
8 it may be  
h adjusted under sub. (h)".

9 **7.** Page 431, line 22: after that line insert:

10 "(dm) "Nonprofit conservation organization" has the meaning given in s.  
11 23.0955 (1)".

12 **8.** Page 432, line 5: after that line insert:

13 "(h) "State conservation reserve enhancement subprogram" means the  
14 subprogram under sub. (2) (a) 5.

15 (i) "Total bonding authority" means the total amount that may be obligated  
16 under a subprogram under the Warren Knowles-Gaylord Nelson stewardship 2000  
17 program over the entire duration of the program."

18 **9.** Page 432, line 7: delete "for conservation and recreational".

19 **10.** Page 432, line 9: after "acquisition" insert "for conservation <sup>or</sup>  
20 recreational".

21 **11.** Page 432, line 10: after that line insert:

22 "3. A subprogram for bluff protection.

1           4. A subprogram for land acquisition in the Baraboo Hills for conservation  
2 purposes.

3           5. A subprogram to enable the state to participate in the state conservation  
4 reserve enhancement program as approved by the secretary of the federal  
5 department of agriculture under 16 USC 3834 (f) (4)."

6           # Page 432, line 11: substitute "Except as provided in Sub.  
7           **12.** Page 433, line 8: delete that line.           (5m), "no" for "No".

8           **13.** Page 433, line 10: delete that line.

9           **14.** Page 433, line 11: delete lines 11 to 12 and substitute:

10           (4m)(k)(4r)(b),  
11           "(dm) Except as provided in subs. (5) and (5m), the department may not  
12 obligate under the subprogram for land acquisition more than the following  
13 amounts:

14           1. For fiscal year 2000–01, \$10,000,000.

15           2. For fiscal year 2001–02, \$13,500,000.

16           3. For fiscal year 2002–03, \$15,500,000.

17           4. For fiscal year 2003–04, \$19,000,000.

18           5. For each fiscal year beginning with 2004–05 and ending with fiscal year  
19 2009–10, \$19,500,000."

20           **15.** Page 434, line 9: delete lines 9 to 19 and substitute:

21           subs. (4r)(b) and  
22           "(dm) Except as provided in sub. (5), the department may not obligate under  
23 the subprogram for property development and local assistance more than the  
24 following amounts:

1. For fiscal year 2000–01, \$8,100,000.

2. For fiscal year 2001–02, \$11,000,000.

3. For fiscal year 2002–03, \$12,700,000.

1           4. For each fiscal year beginning with 2003–04 and ending with fiscal year  
2 2009–10, \$15,500,000.”

3           **16.** Page 434, line 21: after that line insert:

subs.(4r)(b) and

4           “(4g) BLUFF PROTECTION. (a) Except as provided in par. (b) and ~~sub~~(5), the  
5 department may not obligate under the subprogram for bluff protection more than  
6 the following amounts:

7           1. For fiscal year 2000–01, \$1,900,000.

8           2. For each fiscal year beginning with 2001–02 and ending with fiscal year  
9 2003–04, \$500,000.

10           (b) If the total amount obligated for the subprogram for bluff protection on June  
11 30, 2004, is less than \$3,400,000, the department shall calculate the unobligated  
12 amount by subtracting the total obligated amount from \$3,400,000. The department  
13 shall then adjust the available bonding authority for the subprogram for property  
14 development and local assistance by increasing the available bonding authority in  
15 an amount equal to the unobligated amount.

16           (c) The department may not obligate moneys for the subprogram for bluff  
17 protection after June 30, 2004.

18           **(4m) BARABOO HILLS.** (a) *Definitions.* In this subsection:

19           1. “Assigned amount” means the sum of the amounts made available for  
20 expenditure under par. (g) and the amounts set aside by the department under par.

21 (h) 1.

22           2. “Federal nontransportation moneys” means moneys received from the  
23 federal government that are not deposited in the transportation fund and that are  
24 not credited to the appropriations under ss. 20.115 (2) (m) and 20.445 (1) (ox).



1           3. "Local governmental unit" means a city, village, town, county, lake sanitary  
2 district, as defined in s. 30.50 (4q) or a public inland lake protection and  
3 rehabilitation district.

4           4. "Nonprofit conservation organization" has the meaning given in s. 23.0955  
5 (1).

6           (b) *Matching funding.* The department shall provide funding under the  
7 subprogram for the Baraboo Hills to match the value of land acquisitions that are  
8 certified as qualifying matching land acquisitions under par. (e).

9           (c) *Overall requirements.* 1. <sup>✓</sup> *Except as provided in sub. (4r) (b),* The department may obligate not more than  
10 \$5,000,000 under the subprogram for the Baraboo Hills.

11           2. The amount of moneys, other than federal moneys, that may be used by local  
12 governmental units or nonprofit conservation organizations to make land  
13 acquisitions that are certified as qualifying matching land acquisitions under par.  
14 (e) may not exceed \$2,500,000.

15           3. Land that is either certified as a qualifying matching land acquisition under  
16 par. (e) or (h) 2. or acquired with moneys made available for expenditure under par.  
17 (g) or (h) 2. may not be department land or land that is otherwise owned or under the  
18 jurisdiction of the state on the effective date of this subdivision .... [revisor inserts  
19 date].

20           (d) *Matching land acquisitions; requirements.* The department may only  
21 certify as a qualifying matching land acquisition in the Baraboo Hills an acquisition  
22 to which all of the following apply:

23           1. The land is being acquired for conservation purposes.

24           2. The land is being acquired by the federal government, by a local  
25 governmental unit or by a nonprofit conservation organization.

1           3. Any federal moneys being used for the acquisition are federal  
2 nontransportation moneys.

3           (e) *Matching land acquisitions; certification.* The department shall certify  
4 which land acquisitions qualify as matching land acquisitions for the subprogram for  
5 the Baraboo Hills and shall determine the values of these matching land acquisitions  
6 as provided in par. (f).

7           (f) *Matching land acquisitions; valuation.* The value of a land acquisition that  
8 is certified as a qualifying matching land acquisition under par. (e) shall be  
9 calculated as follows:

10           1. For land that is acquired by purchase at fair market value, the value shall  
11 equal the sum of the purchase price and the costs incurred by the federal  
12 government, local governmental unit or nonprofit conservation organization in  
13 acquiring the land.

14           2. For land that is acquired by gift or bequest or by purchase at less than fair  
15 market value, the value shall equal the sum of the appraised fair market value of the  
16 land at the time of the acquisition and the costs incurred by the acquiring entity in  
17 acquiring the land. The acquiring entity shall supply the appraisal upon which the  
18 appraised fair market value is based.

19           (g) *Matching land acquisitions; available moneys.* For each land acquisition  
20 that is certified as a qualifying matching land acquisition under par. (e) the  
21 department shall make available for expenditure moneys in an amount that equals  
22 the value of the land acquisition, as calculated under par. (f). This paragraph does  
23 not apply to a land acquisition that is acquired with moneys committed by the federal  
24 government, local governmental unit or nonprofit conservation organization under  
25 par. (h).

1           (h) *Matching land acquisitions; future commitments.* 1. In addition to the  
2 moneys made available for expenditure under par. (g), the department shall set aside  
3 moneys in amounts that equal amounts that the federal government, local  
4 governmental units or nonprofit conservation organizations commit for the  
5 acquisition of land in the Baraboo Hills for conservation purposes. Federal moneys  
6 that are committed under this paragraph shall be <sup>federal</sup> nontransportation moneys. The  
7 department may set aside moneys under this paragraph only for commitments that  
8 are made before January 1, 2006.

9           2. For each land acquisition that is made by using moneys that are committed  
10 by the federal government, a local governmental unit or a nonprofit conservation  
11 organization under this paragraph and that is certified as a qualifying matching  
12 land acquisition under par. (e), the department shall make available for expenditure  
13 moneys in an amount that equals the value of the land acquisition, as calculated  
14 under par. (f), after the acquisition is certified.

15           (i) *Available moneys; uses.* The moneys made available for expenditure under  
16 par. (g) or (h) 2. may be used by the department to acquire land in the Baraboo Hills  
17 for conservation purposes and to award grants to local governmental units and  
18 nonprofit conservation organizations.

19           (j) *Available moneys; grant requirements.* A local governmental unit or  
20 nonprofit conservation organization that receives a grant under par. (i) does not need  
21 to provide any matching funding. Land acquired with moneys from a grant awarded  
22 under par. (i) may not be certified by the department as a qualifying matching land  
23 acquisition under par. (e). Grants awarded under par. (i) shall be used to acquire land  
24 for conservation purposes in the Baraboo Hills.

*the available bonding authority*

1 (k) *Unassigned amount.* If the assigned amount for the subprogram for the  
 2 Baraboo Hills on January 1, 2006, is less than ~~\$5,000,000~~, the department shall  
 3 calculate the unassigned amount by subtracting the assigned amount from  
 4 ~~\$5,000,000~~ *the available bonding authority*. The department shall then adjust the annual bonding authority for the  
 5 subprogram for land acquisition by increasing its annual bonding authority by an  
 6 amount equal to this unassigned amount. The department shall expend any  
 7 assigned amount that has not been expended before January 1, 2006, for acquisitions  
 8 by the department of land for conservation purposes and for grants that meet the  
 9 requirements under par. (j).

10 (L) *Highway construction required.* No moneys may be obligated for the  
 11 subprogram for the Baraboo Hills before the department of transportation certifies  
 12 to the department of natural resources that highway construction that will result in  
 13 at least 4 traffic lanes has begun on the portion of USH 12 between the city of  
 14 Middleton and the village of Sauk City.

15 (4r) STATE CONSERVATION RESERVE ENHANCEMENT SUBPROGRAM. (a) *Limits.*  
 16 Except as provided in *par. (b) 2. and* (sub. (5), the department may not obligate under the  
 17 subprogram for state conservation reserve enhancement more than the following  
 18 amounts:

- 19 1. For fiscal year 2000-01, \$10,000,000.
- 20 2. For fiscal year 2001-02, \$10,000,000.
- 21 3. For fiscal year 2002-03, \$6,300,000.

22 (b) ~~TRANSFERS TO OTHER SUBPROGRAMS~~ *REMOVAL OF LIMITS* If the available bonding authority for a  
 23 given fiscal year under the subprogram under this subsection is more than the  
 24 subprogram's annual bonding authority, the department of agriculture, trade and  
 25 consumer protection may transfer an amount not to exceed the difference between

93

the subprogram's available bonding authority less the annual bonding authority to one or more of the other subprograms under sub. (3), (4), or (4g) <sup>or (4m)</sup> if the board of agriculture, trade and consumer protection determines that all of the conditions under sub. (5) (e) apply. The department of agriculture, trade and consumer

protection may also transfer a portion or all of the unobligated amount under <sup>Subd. 2.</sup> ~~par. (e)~~ to one or more of the other subprograms under sub. (3), (4), <sup>or (4m)</sup> (4g) if the board of agriculture, trade and consumer protection determines that all of the conditions under sub. (5) (e) apply. ~~The department of agriculture, trade and consumer~~

~~protection may not make transfers under this paragraph to the subprogram for bluff protection after June 30, 2004.~~

<sup>9 2.</sup> ~~(e) REMOVAL OF LIMITS.~~ (If the total amount obligated for the state conservation reserve enhancement subprogram on June 30, 2003, is less than \$26,300,000, the department of agriculture, trade and consumer protection shall calculate the unobligated amount by subtracting the obligated amount from \$26,300,000. The department of agriculture, trade and consumer protection may then expend for this subprogram any portion of or all of this unobligated amount in one or more subsequent fiscal years".

move text

17. Page 434, line 22: delete lines 22 to 25 and substitute:

"(5) ADJUSTMENTS FOR SUBSEQUENT FISCAL YEARS. (a) If for a given fiscal year the amount from the moneys appropriated under s. 20.866 (2) (ta) for a subprogram under sub. (3), (4), (4g) or (4r) is less than the annual bonding authority for that subprogram for that given fiscal year, the department that obligates moneys under the subprogram shall adjust".

18. Page 435, line 6: delete lines 6 to 9 and substitute:

1           “(b) If for a given fiscal year the amount from the moneys appropriated under  
2 s. 20.866 (2) (ta) for a subprogram under sub. (3), (4), (4g) or (4r) is more than the  
3 annual bonding authority for that subprogram for that given fiscal year, the  
4 department that obligates moneys under the subprogram shall adjust the annual  
5 bonding authority for that”.

6           **19.** Page 435, line 13: after “(c)” insert “, (cm), (d)”.

7           **20.** Page 435, line 14: substitute “(e)” for “(d)”.

8           **21.** Page 435, line 16: substitute “(3), (4) or (4g)” for “(3) or (4)”.

9           **22.** Page 435, line 19: after that line insert:

10           “(cm) The department of agriculture, trade and consumer protection may not  
11 obligate in a fiscal year an amount from the moneys appropriated under s. 20.866 (2)  
12 (ta) for the subprogram under sub. (4r) that exceeds the amount equal to the annual  
13 bonding authority for that subprogram as it may have been previously adjusted  
14 under pars. (a) and (b), except as provided in par. (e).”.

15           **23.** Page 435, line 21: substitute “(3), (4) or (4g)” for “(3) or (4)”.

16           **24.** Page 436, line 9: after that line insert:

17           “(e) For a given fiscal year, in addition to obligating the amount of the annual  
18 bonding authority for the subprogram under sub. (4r), or the amount equal to the  
19 annual bonding authority for that subprogram, as adjusted under pars. (a) and (b),  
20 whichever amount is applicable, the department of agriculture, trade and consumer  
21 protection may also obligate for that subprogram up to 100% of the subprogram’s  
22 annual bonding authority for that given fiscal year if the board of agriculture, trade  
23 and consumer protection determines that the conditions specified in par. (d) 1. to 3.  
24 apply.

*each land acquisition transaction*

*Beginning in fiscal year 1999-2000,*

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(5m) ADJUSTMENTS FOR LAND ACQUISITIONS. (a) The department, subject to the approval of the governor and the joint committee on finance under <sup>sub. (6)</sup> ~~s. 20.370~~ may obligate <sup>under</sup> ~~from~~ the subprogram <sup>for</sup> ~~under~~ land acquisition <sup>any</sup> ~~an~~ amount not in excess of the total bonding authority for that subprogram for the acquisition of land.

(b) For ~~land acquired~~ <sup>land acquired</sup> under this ~~paragraph~~ <sup>subsection</sup>, all of the following apply:

- 1. The department shall sell a portion of the acquired land, *as determined by the secretary of administration*
- 2. All proceeds from the sale of the land up to the amount obligated under par.

(a) shall be deposited into the general fund and credited to the appropriation account under s. 20.370 (7) <sup>(a)</sup> ~~(b)~~. Notwithstanding s. 25.29 (1) (a), the proceeds in excess of the amount obligated under par. (a) shall be deposited into the general fund.

3. For bonds that are retired within 3 years after the date that the land was acquired by the department, the department shall adjust the available bonding authority for the subprogram for land acquisition by increasing the available bonding authority for the fiscal year in which the bonds are retired by an amount equal to the total amount of the bonds issued for the sale that have been retired in that fiscal year.

4. For bonds that are not retired within 3 years after the date that the land was acquired by the department, the department shall adjust the available bonding authority for the subprogram for land acquisition by decreasing the available bonding authority for the fiscal year in which the bonds are retired by an amount equal to the total amount of the bonds that have been retired <sup>from such proceeds</sup> in that fiscal year and, if necessary, shall decrease for each subsequent fiscal year the available bonding authority in an amount equal to that available bonding authority or equal to the amount still needed to equal the total amount of the ~~retired~~ <sup>retired from such proceeds</sup> bonds, whichever is less,

*from the proceeds of the sale of the acquired land*

9

(c) Notwithstanding sub. (2)(a) 1., land acquired under this subsection need not be for ~~forest~~ conservation or recreational purposes.

1 until the available bonding authority has been decreased by an amount equal to the  
2 total of the retired bonds.

9

(d) (e) The department of administration shall monitor all transactions under this subsection to ensure compliance with federal law.”.

**25.** Page 436, line 10: delete lines 10 to 19 and substitute:

6 (6) REVIEW BY JOINT COMMITTEE ON FINANCE. (a) The department of natural  
7 resources or the department of agriculture, trade and consumer protection may not  
8 obligate from the appropriation under s. 20.866 (2) (ta) for a given project or activity  
9 more than \$250,000 unless it first notifies the joint committee on finance in writing  
10 of the proposal. If the cochairpersons of the committee do not notify the department  
11 making the proposal within 14 working days after the date of that department’s  
12 notification that the committee has scheduled a meeting to review the proposal, the  
13 department making the proposal may obligate the moneys. If, within 14 working  
14 days after the date of the notification by the department making the proposal, the  
15 cochairpersons of the committee notify that department that the committee has  
16 scheduled a meeting to review the proposal, the department making the proposal  
17 may obligate the moneys only upon approval of the committee.

**26.** Page 436, line 21: substitute “(b), (c) and (dm)” for “(b) and (c)”.

**27.** Page 437, line 2: after “price” insert “, except as provided in par. (dm)”.

**28.** Page 437, line 5: after “increase” insert “, except as provided in par. (dm)”.

**29.** Page 437, line 12: after that line insert: *an amounts for*

22 “(dm) The amount that the department provides as a grant or state aid from  
23 the appropriation under s. 20.866 (2) (ta) to a governmental unit under s. 23.09 (19),  
24 (20) or (20m) or 30.277 may not exceed an amount equal to the lowest property tax

9 (b) Paragraph (a) applies ~~to any~~ only to a project or activity that ~~is in excess of~~ exceeds \$250,000, except as provided in par. (c)  
9 (c) Paragraph (a) applies to any land acquisition under sub. (5m).<sup>11</sup>



1 assessment of the land under s. 70.32 in the three taxable years preceding the year  
2 in which the acquisition of the land occurs.”.

3 **30.** Page 438, line 4: after that line insert:

4 “(d) The department may not acquire land using moneys from the  
5 appropriation under s. 20.866 (2) (ta) without the prior approval of a majority ~~of~~  
6 of the members—elect <sup>as defined in s. 59.001 (2m),</sup> of the county board of supervisors of the county in which the  
7 land is located if at least 66% of the land in the county is owned or under the  
8 jurisdiction of the state, the federal government or a local governmental unit, as  
9 defined in s. 66.299 (1) (a). Before determining whether to approve the acquisition,  
10 the county in which the land is located shall post notices that inform the residents  
11 of the community surrounding the land of the possible acquisitions.”.

12 **31.** Page 451, line 23: after that line insert:

13 “(5) MILWAUKEE LAKESHORE STATE PARK. (a) From the appropriation under s.  
14 20.866 (2) (tz), the department may expend up to \$500,000 for the development of a  
15 state park which will provide access to Lake Michigan in the city of Milwaukee. For  
16 the purposes of s. 23.0915 (1), moneys provided from the appropriation under s.  
17 20.866 (2) (tz) shall be treated as moneys expended for general property  
18 development.

19 (b) From the appropriation under s. 20.866 (2) (ta), the department may expend  
20 up to \$500,000 for the development of a state park which will provide access to Lake  
21 Michigan in the city of Milwaukee. For purposes of s. 23.0917, moneys provided from  
22 the appropriation under s. 20.866 (2) (ta) shall be treated as moneys obligated under  
23 the subprogram for property development and local assistance.



1 Milwaukee Lakeshore State Park, as authorized under sub. (1) (f) 3., prior to July  
2 1, 2000.”.

3 (END)

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRBb0757/1dn  
MGG&JTK:cmh:ch

1. The version does not contain the Baraboo Hills-DOT provisions. They will be included in a subsequent version of this draft once they are drafted.

2. Please review this draft carefully to ensure it complies with your intent. In particular, please review the paragraphs regarding transfers and removal of obligation limits under s. 23.0917 (4g) (b) and <sup>Δ</sup>(4r) (b). ←

4. ~~3.~~ It is possible that a Wisconsin court would find this legislation regarding the parks in Milwaukee and Sheboygan to be a "private or local bills." which, under Article IV, section 18, of the Wisconsin constitution, must be enacted as single-subject legislation. If so this legislation cannot validly be enacted as part of the budget bill, which clearly encompasses more than one subject. In light of this, the caucus may wish to consider introduction of this legislation as a separate bill.

Mary Gibson-Glass  
Senior Staff Counsel  
267-3215

9 3. Note that s. 23.0917(5m) allows obligation of amounts only from the land acquisition subprogram.

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRBb0757/1dn  
MGG:cmh:kjf

June 23, 1999

1. The version does not contain the Baraboo Hills-DOT provisions. They will be included in a subsequent version of this draft once they are drafted.

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3. Note that s. 23.0917 (5m) allows obligation of amounts only from the land acquisition subprogram.

4. It is possible that a Wisconsin court would find this legislation regarding the parks in Milwaukee and Sheboygan to be a "private or local bills." which, under Article IV, section 18, of the Wisconsin constitution, must be enacted as single-subject legislation. If so this legislation cannot validly be enacted as part of the budget bill, which clearly encompasses more than one subject. In light of this, the caucus may wish to consider introduction of this legislation as a separate bill.

Mary Gibson-Glass  
Senior Staff Counsel  
267-3215

Page 11 *from ARC (Nicole)*

- 22 4. For bonds that are not retired from the proceeds of the sale of the acquired  
23 land within 3 years after the date that the land was acquired by the department, the  
24 department shall adjust the available bonding authority for the subprogram for land  
25 acquisition by decreasing the available bonding authority for the subsequent fiscal year in which

Page 12

- 1 ~~the bonds are retired from the proceeds of the sale of the acquired land by an amount~~  
2 ~~equal to the total amount of the bonds that have not been retired from such proceeds in~~  
3 ~~that fiscal year and, if necessary, shall decrease for each subsequent fiscal year the~~  
4 ~~available bonding authority in an amount equal to that available bonding authority~~  
5 ~~or equal to the amount still needed to equal the total amount of the bonds not retired from~~  
6 ~~such proceeds, whichever is less, until the available bonding authority has been~~  
7 ~~decreased by an amount equal to the total of the bonds not retired bonds.~~

*from ARC (Jason)*

*If stewardship \$ is used by piw.  
organs<sup>vision</sup> to purchase land where public  
access<sup>currently</sup> existed, that the piw org. must  
work with DNR to ensure adequate + approp.  
access continues.*

ARC

soon

ARC:.....Anderson – Am. #302, Stewardship 2000 program

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

**CAUCUS AMENDMENT**

**TO ASSEMBLY SUBSTITUTE AMENDMENT 1,**

**TO 1999 ASSEMBLY BILL 133**

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 163, line 17: after that line insert:

3 “(ag) Land acquisition—principal

4 repayment and interest PR C -0- -0-”.

5 2. Page 323, line 9: after that line insert:

6 “SECTION 333d. 20.370 (7) (ag) of the statutes is created to read:

7 20.370 (7) (ag) *Land acquisition—principal repayment and interest.* All

8 moneys received from proceeds from the sale of land under s. 23.0917 (5m) (b) 2. to

9 reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred

1 in financing land acquisition under s. 23.0917 (5m) from the appropriation under s.  
2 20.866 (2) (ta).”.

3 **3.** Page 399, line 22: before “(aq),” insert “(ag)”.

4 **4.** Page 400, line 24: delete “\$404,000,000” and substitute “\$350,000,000”.

5 **5.** Page 400, line 25: delete “(5)” and substitute “(4g) (b), (4m) (k), (4r) (b), (5)  
6 and (5m)”.

7 **6.** Page 401, line 1: delete “\$40,400,000” and substitute “\$35,000,00”.

8 **7.** Page 418, line 16: delete lines 16 to 18.

9 **8.** Page 431, line 15: after that line insert:

10 “(am) “Available bonding authority” means the annual bonding authority as it  
11 may be adjusted under sub. (4g) (b), (4m) (k), (4r) (b), (5) or (5m).”.

12 **9.** Page 431, line 22: after that line insert:

13 “(dm) “Nonprofit conservation organization” has the meaning given in s.  
14 23.0955 (1).”.

15 **10.** Page 432, line 5: after that line insert:

16 “(h) “State conservation reserve enhancement subprogram” means the  
17 subprogram under sub. (2) (a) 5.

18 (i) “Total bonding authority” means the total amount that may be obligated  
19 under a subprogram under the Warren Knowles–Gaylord Nelson stewardship 2000  
20 program over the entire duration of the program.”.

21 **11.** Page 432, line 7: delete “for conservation and recreational”.

22 **12.** Page 432, line 9: after “acquisition” insert “for conservation or  
23 recreational”.



1           **13.** Page 432, line 10: after that line insert:

2           “3. A subprogram for bluff protection.

3           4. A subprogram for land acquisition in the Baraboo Hills for conservation  
4 purposes.

5           5. A subprogram to enable the state to participate in the state conservation  
6 reserve enhancement program as approved by the secretary of the federal  
7 department of agriculture under 16 USC 3834 (f) (4).”.

8           **14.** Page 432, line 11: substitute “Except as provided in sub. (5m), no” for “No”.

9           **15.** Page 433, line 8: delete that line.

10          **16.** Page 433, line 10: delete that line.

11          **17.** Page 433, line 11: delete lines 11 to 12 and substitute:

12          “(dm) Except as provided in subs. (4m) (k), (4r) (b), (5) and (5m), the department  
13 may not obligate under the subprogram for land acquisition more than the following  
14 amounts:

15           1. For fiscal year 2000–01, \$10,000,000.

16           2. For fiscal year 2001–02, \$13,500,000.

17           3. For fiscal year 2002–03, \$15,500,000.

18           4. For fiscal year 2003–04, \$19,000,000.

19           5. For each fiscal year beginning with 2004–05 and ending with fiscal year  
20 2009–10, \$19,500,000.”.

21          **18.** Page 434, line 9: delete lines 9 to 19 and substitute:

22          “(dm) Except as provided in subs. (4r) (b) and (5), the department may not  
23 obligate under the subprogram for property development and local assistance more  
24 than the following amounts:

1 1. For fiscal year 2000–01, \$8,100,000.

2 2. For fiscal year 2001–02, \$11,000,000.

3 3. For fiscal year 2002–03, \$12,700,000.

4 4. For each fiscal year beginning with 2003–04 and ending with fiscal year  
5 2009–10, \$15,500,000.”.

6 **19.** Page 434, line 21: after that line insert:

7 “(4g) BLUFF PROTECTION. (a) Except as provided in par. (b) and subs. (4r) (b) and  
8 (5), the department may not obligate under the subprogram for bluff protection more  
9 than the following amounts:

10 1. For fiscal year 2000–01, \$1,900,000.

11 2. For each fiscal year beginning with 2001–02 and ending with fiscal year  
12 2003–04, \$500,000.

13 (b) If the total amount obligated for the subprogram for bluff protection on June  
14 30, 2004, is less than \$3,400,000, the department shall calculate the unobligated  
15 amount by subtracting the total obligated amount from \$3,400,000. The department  
16 shall then adjust the available bonding authority for the subprogram for property  
17 development and local assistance by increasing the available bonding authority in  
18 an amount equal to the unobligated amount.

19 (c) The department may not obligate moneys for the subprogram for bluff  
20 protection after June 30, 2004.

21 (4m) BARABOO HILLS. (a) *Definitions.* In this subsection:

22 1. “Assigned amount” means the sum of the amounts made available for  
23 expenditure under par. (g) and the amounts set aside by the department under par.

24 (h) 1.

1           2. “Federal nontransportation moneys” means moneys received from the  
2 federal government that are not deposited in the transportation fund and that are  
3 not credited to the appropriations under ss. 20.115 (2) (m) and 20.445 (1) (ox).

4           3. “Local governmental unit” means a city, village, town, county, lake sanitary  
5 district, as defined in s. 30.50 (4q) or a public inland lake protection and  
6 rehabilitation district.

7           4. “Nonprofit conservation organization” has the meaning given in s. 23.0955  
8 (1).

9           (b) *Matching funding.* The department shall provide funding under the  
10 subprogram for the Baraboo Hills to match the value of land acquisitions that are  
11 certified as qualifying matching land acquisitions under par. (e).

12           (c) *Overall requirements.* 1. Except as provided in sub. (4r) (b), the department  
13 may obligate not more than \$5,000,000 under the subprogram for the Baraboo Hills.

14           2. The amount of moneys, other than federal moneys, that may be used by local  
15 governmental units or nonprofit conservation organizations to make land  
16 acquisitions that are certified as qualifying matching land acquisitions under par.  
17 (e) may not exceed \$2,500,000.

18           3. Land that is either certified as a qualifying matching land acquisition under  
19 par. (e) or (h) 2. or acquired with moneys made available for expenditure under par.  
20 (g) or (h) 2. may not be department land or land that is otherwise owned or under the  
21 jurisdiction of the state on the effective date of this subdivision .... [revisor inserts  
22 date].

23           (d) *Matching land acquisitions; requirements.* The department may only  
24 certify as a qualifying matching land acquisition in the Baraboo Hills an acquisition  
25 to which all of the following apply:

1           1. The land is being acquired for conservation purposes.

2           2. The land is being acquired by the federal government, by a local  
3 governmental unit or by a nonprofit conservation organization.

4           3. Any federal moneys being used for the acquisition are federal  
5 nontransportation moneys.

6           (e) *Matching land acquisitions; certification.* The department shall certify  
7 which land acquisitions qualify as matching land acquisitions for the subprogram for  
8 the Baraboo Hills and shall determine the values of these matching land acquisitions  
9 as provided in par. (f).

10          (f) *Matching land acquisitions; valuation.* The value of a land acquisition that  
11 is certified as a qualifying matching land acquisition under par. (e) shall be  
12 calculated as follows:

13           1. For land that is acquired by purchase at fair market value, the value shall  
14 equal the sum of the purchase price and the costs incurred by the federal  
15 government, local governmental unit or nonprofit conservation organization in  
16 acquiring the land.

17           2. For land that is acquired by gift or bequest or by purchase at less than fair  
18 market value, the value shall equal the sum of the appraised fair market value of the  
19 land at the time of the acquisition and the costs incurred by the acquiring entity in  
20 acquiring the land. The acquiring entity shall supply the appraisal upon which the  
21 appraised fair market value is based.

22           (g) *Matching land acquisitions; available moneys.* For each land acquisition  
23 that is certified as a qualifying matching land acquisition under par. (e) the  
24 department shall make available for expenditure moneys in an amount that equals  
25 the value of the land acquisition, as calculated under par. (f). This paragraph does

1 not apply to a land acquisition that is acquired with moneys committed by the federal  
2 government, local governmental unit or nonprofit conservation organization under  
3 par. (h).

4 (h) *Matching land acquisitions; future commitments.* 1. In addition to the  
5 moneys made available for expenditure under par. (g), the department shall set aside  
6 moneys in amounts that equal amounts that the federal government, local  
7 governmental units or nonprofit conservation organizations commit for the  
8 acquisition of land in the Baraboo Hills for conservation purposes. Federal moneys  
9 that are committed under this paragraph shall be federal nontransportation  
10 moneys. The department may set aside moneys under this paragraph only for  
11 commitments that are made before January 1, 2006.

12 2. For each land acquisition that is made by using moneys that are committed  
13 by the federal government, a local governmental unit or a nonprofit conservation  
14 organization under this paragraph and that is certified as a qualifying matching  
15 land acquisition under par. (e), the department shall make available for expenditure  
16 moneys in an amount that equals the value of the land acquisition, as calculated  
17 under par. (f), after the acquisition is certified.

18 (i) *Available moneys; uses.* The moneys made available for expenditure under  
19 par. (g) or (h) 2. may be used by the department to acquire land in the Baraboo Hills  
20 for conservation purposes and to award grants to local governmental units and  
21 nonprofit conservation organizations.

22 (j) *Available moneys; grant requirements.* A local governmental unit or  
23 nonprofit conservation organization that receives a grant under par. (i) does not need  
24 to provide any matching funding. Land acquired with moneys from a grant awarded  
25 under par. (i) may not be certified by the department as a qualifying matching land

1 acquisition under par. (e). Grants awarded under par. (i) shall be used to acquire land  
2 for conservation purposes in the Baraboo Hills.

3 (k) *Unassigned amount.* If the assigned amount for the subprogram for the  
4 Baraboo Hills on January 1, 2006, is less than the available bonding authority, the  
5 department shall calculate the unassigned amount by subtracting the assigned  
6 amount from the available bonding authority. The department shall then adjust the  
7 annual bonding authority for the subprogram for land acquisition by increasing its  
8 annual bonding authority by an amount equal to this unassigned amount. The  
9 department shall expend any assigned amount that has not been expended before  
10 January 1, 2006, for acquisitions by the department of land for conservation  
11 purposes and for grants that meet the requirements under par. (j).

12 (L) *Highway construction required.* No moneys may be obligated for the  
13 subprogram for the Baraboo Hills before the department of transportation certifies  
14 to the department of natural resources that highway construction that will result in  
15 at least 4 traffic lanes has begun on the portion of USH 12 between the city of  
16 Middleton and the village of Sauk City.

17 (4r) STATE CONSERVATION RESERVE ENHANCEMENT SUBPROGRAM. (a) *Limits.*  
18 Except as provided in par. (b) 2. and sub. (5), the department may not obligate under  
19 the subprogram for state conservation reserve enhancement more than the following  
20 amounts:

- 21 1. For fiscal year 2000–01, \$10,000,000.
- 22 2. For fiscal year 2001–02, \$10,000,000.
- 23 3. For fiscal year 2002–03, \$6,300,000.

24 (b) *Transfers to other subprograms; removal of limits.* 1. If the available  
25 bonding authority for a given fiscal year under the subprogram under this subsection

1 is more than the subprogram's annual bonding authority, the department of  
2 agriculture, trade and consumer protection may transfer an amount not to exceed  
3 the difference between the subprogram's available bonding authority less the annual  
4 bonding authority to one or more of the other subprograms under sub. (3), (4), (4g)  
5 or (4m) if the board of agriculture, trade and consumer protection determines that  
6 all of the conditions under sub. (5) (e) apply.

7 2. If the total amount obligated for the state conservation reserve enhancement  
8 subprogram on June 30, 2003, is less than \$26,300,000, the department of  
9 agriculture, trade and consumer protection shall calculate the unobligated amount  
10 by subtracting the obligated amount from \$26,300,000. The department of  
11 agriculture, trade and consumer protection may then expend for this subprogram  
12 any portion of or all of this unobligated amount in one or more subsequent fiscal  
13 years.

14 3. The department of agriculture, trade and consumer protection may also  
15 transfer a portion or all of the unobligated amount under subd. 2. to one or more of  
16 the other subprograms under sub. (3), (4), (4g) or (4m) if the board of agriculture,  
17 trade and consumer protection determines that all of the conditions under sub. (5)  
18 (e) apply.”.

19 **20.** Page 434, line 22: delete lines 22 to 25 and substitute:

20 “(5) ADJUSTMENTS FOR SUBSEQUENT FISCAL YEARS. (a) If for a given fiscal year  
21 the amount from the moneys appropriated under s. 20.866 (2) (ta) for a subprogram  
22 under sub. (3), (4), (4g) or (4r) is less than the annual bonding authority for that  
23 subprogram for that given fiscal year, the department that obligates moneys under  
24 the subprogram shall adjust”.

1           **21.** Page 435, line 6: delete lines 6 to 9 and substitute:

2           “(b) If for a given fiscal year the amount from the moneys appropriated under  
3           s. 20.866 (2) (ta) for a subprogram under sub. (3), (4), (4g) or (4r) is more than the  
4           annual bonding authority for that subprogram for that given fiscal year, the  
5           department that obligates moneys under the subprogram shall adjust the annual  
6           bonding authority for that”.

7           **22.** Page 435, line 13: after “(c)” insert “, (cm), (d)”.

8           **23.** Page 435, line 14: substitute “(e)” for “(d)”.

9           **24.** Page 435, line 16: substitute “(3), (4) or (4g)” for “(3) or (4)”.

10          **25.** Page 435, line 19: after that line insert:

11          “(cm) The department of agriculture, trade and consumer protection may not  
12          obligate in a fiscal year an amount from the moneys appropriated under s. 20.866 (2)  
13          (ta) for the subprogram under sub. (4r) that exceeds the amount equal to the annual  
14          bonding authority for that subprogram as it may have been previously adjusted  
15          under pars. (a) and (b), except as provided in par. (e).”.

16          **26.** Page 435, line 21: substitute “(3), (4) or (4g)” for “(3) or (4)”.

17          **27.** Page 436, line 9: after that line insert:

18          “(e) For a given fiscal year, in addition to obligating the amount of the annual  
19          bonding authority for the subprogram under sub. (4r), or the amount equal to the  
20          annual bonding authority for that subprogram, as adjusted under pars. (a) and (b),  
21          whichever amount is applicable, the department of agriculture, trade and consumer  
22          protection may also obligate for that subprogram up to 100% of the subprogram’s  
23          annual bonding authority for that given fiscal year if the board of agriculture, trade



1 and consumer protection determines that the conditions specified in par. (d) 1. to 3.  
2 apply.

3 (5m) ADJUSTMENTS FOR LAND ACQUISITIONS. (a) Beginning in fiscal year  
4 1999–2000, the department, subject to the approval of the governor and the joint  
5 committee on finance under sub. (6), may obligate under the subprogram for land  
6 acquisition any amount not in excess of the total bonding authority for that  
7 subprogram for the acquisition of land.

8 (b) For each land acquisition transaction under this subsection, all of the  
9 following apply:

10 1. The department shall sell a portion of the acquired land.

11 2. All proceeds from the sale of the land up to the amount obligated under par.  
12 (a) as determined by the secretary of administration shall be deposited into the  
13 general fund and credited to the appropriation account under s. 20.370 (7) (ag).  
14 Notwithstanding s. 25.29 (1) (a), the proceeds in excess of the amount obligated  
15 under par. (a) shall be deposited into the general fund.

16 3. For bonds that are retired from the proceeds of the sale of the acquired land  
17 within 3 years after the date that the land was acquired by the department, the  
18 department shall adjust the available bonding authority for the subprogram for land  
19 acquisition by increasing the available bonding authority for the fiscal year in which  
20 the bonds are retired by an amount equal to the total amount of the bonds issued for  
21 the sale that have been retired in that fiscal year.

22 4. For bonds that are not retired from the proceeds of the sale of the acquired  
23 land within 3 years after the date that the land was acquired by the department, the  
24 department shall adjust the available bonding authority for the subprogram for land  
25 acquisition by decreasing the available bonding authority for the fiscal year in which

(next  
beginning  
after the end  
of that 3-year  
period)

1 ~~the bonds are retired from the proceeds of the sale of the acquired land~~ by an amount  
 2 equal to the total amount of the bonds that have been retired from such proceeds in  
 3 that fiscal year and, if necessary, shall decrease for each subsequent fiscal year the  
 4 available bonding authority in an amount equal to that available bonding authority  
 5 or equal to the amount still needed to equal the total amount of the bonds retired from  
 6 such proceeds, whichever is less, until the available bonding authority has been  
 7 decreased by an amount equal to the total of the <sup>not retired</sup> ~~retired~~ bonds.

8 (c) Notwithstanding sub. (2) (a) 1., land acquired under this subsection need  
 9 not be for conservation or recreational purposes.

10 (d) The department of administration shall monitor all transactions under this  
 11 subsection to ensure compliance with federal law." <sup>ensure</sup>

*and to ensure that interest on the bonds is tax-exempt for the holders of the bonds*

12 **28.** Page 436, line 10: delete lines 10 to 19 and substitute:

13 **"(6) REVIEW BY JOINT COMMITTEE ON FINANCE.** (a) The department of natural  
 14 resources or the department of agriculture, trade and consumer protection may not  
 15 obligate from the appropriation under s. 20.866 (2) (ta) for a given project or activity  
 16 unless it first notifies the joint committee on finance in writing of the proposal. If the  
 17 cochairpersons of the committee do not notify the department making the proposal  
 18 within 14 working days after the date of that department's notification that the  
 19 committee has scheduled a meeting to review the proposal, the department making  
 20 the proposal may obligate the moneys. If, within 14 working days after the date of  
 21 the notification by the department making the proposal, the cochairpersons of the  
 22 committee notify that department that the committee has scheduled a meeting to  
 23 review the proposal, the department making the proposal may obligate the moneys  
 24 only upon approval of the committee.

1 (b) Paragraph (a) applies only to an amount for a project or activity that exceeds  
2 \$250,000 except as provided in par. (c).

3 (c) Paragraph (a) applies to any land acquisition under sub. (5m).”.

4 **29.** Page 436, line 21: substitute “(b), (c) and (dm)” for “(b) and (c)”.

5 **30.** Page 437, line 2: after “price” insert “, except as provided in par. (dm)”.

6 **31.** Page 437, line 5: after “increase” insert “, except as provided in par. (dm)”.

7 **32.** Page 437, line 12: after that line insert:

8 “(dm) The amount that the department provides as a grant or state aid from  
9 the appropriation under s. 20.866 (2) (ta) to a governmental unit under s. 23.09 (19),  
10 (20) or (20m) or 30.277 may not exceed an amount equal to the lowest property tax  
11 assessment of the land under s. 70.32 in the three taxable years preceding the year  
12 in which the acquisition of the land occurs.”.

13 **33.** Page 438, line 4: after that line insert:

14 “(d) The department may not acquire land using moneys from the  
15 appropriation under s. 20.866 (2) (ta) without the prior approval of a majority of the  
16 members–elect, as defined in s. 59.001 (2m), of the county board of supervisors of the  
17 county in which the land is located if at least 66% of the land in the county is owned  
18 or under the jurisdiction of the state, the federal government or a local governmental  
19 unit, as defined in s. 66.299 (1) (a). Before determining whether to approve the  
20 acquisition, the county in which the land is located shall post notices that inform the  
21 residents of the community surrounding the land of the possible acquisitions.”

22 **34.** Page 451, line 23: after that line insert:

23 “(5) MILWAUKEE LAKESHORE STATE PARK. (a) From the appropriation under s.  
24 20.866 (2) (tz), the department may expend up to \$500,000 for the development of a

← INSERT  
13-21

1 state park which will provide access to Lake Michigan in the city of Milwaukee. For  
2 the purposes of s. 23.0915 (1), moneys provided from the appropriation under s.  
3 20.866 (2) (tz) shall be treated as moneys expended for general property  
4 development.

5 (b) From the appropriation under s. 20.866 (2) (ta), the department may expend  
6 up to \$500,000 for the development of a state park which will provide access to Lake  
7 Michigan in the city of Milwaukee. For purposes of s. 23.0917, moneys provided from  
8 the appropriation under s. 20.866 (2) (ta) shall be treated as moneys obligated under  
9 the subprogram for property development and local assistance.

10 (6) SHEBOYGAN; RIVERFRONT PARK. From the appropriation under s. 20.866 (2)  
11 (tz), the department shall provide \$173,763 for the development and expansion of  
12 Workers Water Street Riverfront Park in the city of Sheboygan. For purposes of s.  
13 23.0915 (1), moneys provided from the appropriation under s. 20.866 (2) (tz) shall be  
14 treated as moneys expended for any of the purposes specified under s. 23.0915 (1) (a)  
15 to (k) or any combination of those purposes.”.

16 **35.** Page 489, line 21: after “in bluff land” insert “along the Great Lakes”.

17 **36.** Page 1487, line 12: after that line insert (and adjust the appropriate totals  
18 accordingly):

19 “Milwaukee Lakeshore State Park development 500,000

20 (Total project all funding sources \$1,000,000)”.

21 **37.** Page 1487, line 16: after that line insert:

1       “3. *Projects funded by general fund supported borrowing*  
2             *authority — stewardship 2000 funds:*

3             Milwaukee Lakeshore State Park development                             500,000

4             (Total project all funding sources \$1,000,000)”.  
5

6       **38.** Page 1501, line 21: after that line insert:

7             “(9g) MILWAUKEE LAKESHORE STATE PARK DEVELOPMENT. Notwithstanding  
8             section 18.04 (2) of the statutes, as affected by this act, the building commission shall  
9             not authorize public debt to be contracted from the appropriation under section  
10            20.866 (2) (ta) of the statutes, as created by this act, for the development of  
11            Milwaukee Lakeshore State Park, as authorized under sub. (1) (f) 3., prior to July  
12            1, 2000.”.

(END)

Insert 13-21

~~(e) A nonprofit conservation organization~~

(e) If moneys from the appropriation under  
S. 20.866(2)(a) are used by a ~~pro~~ nonprofit  
conservation organization to acquire land for to  
which public access exists on the effective date  
of this paragraph? <sup>Δ</sup> [revisor insert date], the  
nonprofit conservation organization shall ensure  
that adequate and appropriate public access,  
as determined by the department, continues  
to exist."

(END OF INSERT)

or ~~other~~ an organization  
under S. 23.197(4)