

**1999 DRAFTING REQUEST**

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

Received: 06/23/99

Received By: gibsom

Wanted: Soon

Identical to LRB:

For: Assembly Republican Caucus

By/Representing: Anderson

This file may be shown to any legislator: NO

Drafter: gibsom

May Contact:

Alt. Drafters: nelsorp1

Subject: Nat. Res. - miscellaneous

Extra Copies:

**Pre Topic:**

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

**Topic:**

A grant program to encourage private efforts to conserve the natural resources of the state

**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	nelsorp1 06/23/99	wjackson 06/23/99	kfollet 06/23/99	_____	lrb_docadmin 06/23/99		
/2	nelsorp1 06/25/99	ygeller 06/25/99	jfrantze 06/25/99	_____	lrb_docadmin 06/25/99		

FE Sent For:

<END>

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*Redraft from Nicole of ARC  
The nonstock, nonprofit is in existence on effective date  
Explains private + local problem*

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/1	nelsorp1 06/23/99	wjackson 06/23/99	kfollet 06/23/99	_____	lrb_docadmin 06/23/99		

FE Sent For:

*12 6/25 jwg 6/25  
6/25  
<END>*

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/?	nelsorp1	11 Wlj 6/23	Kjf 6/23	Kjf/IS 6/23			

FE Sent For:

<END>

Analyst Anderson  
Amd # 302

misc.

LRB-2946/1

## VI. Land Trust Assistance

### IFC Action:

None.

### Motion:

The motion establishes that the amount of an annual grant to a nonstock, nonprofit corporation is ~~\$250,000 PR for fiscal year 1999-2000~~ (transfer funds from the water resources account to boat registration account) and ~~\$250,000 PR annually beginning in fiscal year 2000-01~~. The source of this additional funding, as under the current statute, is the conservation fund. The DNR would determine how to allocate this appropriation to the account in the conservation fund, according to the benefits accruing to particular resources or user groups under the grant program. The requirement for a \$25,000 match under the current statute is retained.

create  
an  
appropriation  
✓

In addition, the draft makes the following changes to current s. 23.0955, Stats.:

1. Authorizes the corporation receiving a grant to acquire a property for conservation purposes where no other nonprofit conservation organization exists that is willing to assist, or is capable of effectively assisting in the transfer of the property or that can adequately manage the property after it is acquired; ✓
2. It directs the corporation receiving a grant to assist nonprofit conservation organizations in acquiring property for conservation purposes and in managing property acquired for conservation purposes; ✓
3. It requires a corporation receiving a grant to emphasize in its activities the establishment of nonprofit conservation organizations and the provision of technical assistance to nonprofit conservation organizations, especially in the areas of management, receiving federal tax exemptions, conservation easements and real estate transactions; and ✓
4. Requires that the corporation have a board of directors whose members represent, to the greatest extent practicable, all geographic areas of the state. ✓

In addition, the draft requires the preparation of two different types of reports. The first reporting requirement, imposed for each fiscal year, requires the corporation receiving a grant to prepare a report detailing the activities for which the grant is expended, describing any property acquired by the corporation and explaining how the acquisition of that property furthers the goal of natural resource conservation in this state. Copies of the report are required to be submitted to the DNR and to the Legislature. ✓

The second report, which is required only once, is due not earlier than January 1, 2004 and not later than July 1, 2004. Under this requirement, the DNR must prepare a comprehensive report describing the costs and accomplishments achieved by activities funded with grants under s. 23.0955, Stats. The report is required to evaluate how grants under s. 23.0955, Stats. have furthered the goal of encouraging private resource conservation, to evaluate the extent to which the grants complement resource conservation goals of the DNR and to recommend to the Legislature whether the grant program under s. 23.0955, Stats. should be continued, eliminated or revised. The report is required to be distributed to the Speaker of the Assembly and President of the Senate for referral to the appropriate standing committees of the legislature. ✓

68314

⊗ The department must also provide an additional annual grant of \$85,000 beginning in fiscal year 2000-01 to a nonstock, nonprofit corporation that is described under section 501 (c) (3) or (4) of the Internal Revenue Code and organized in the state if the corporation meets all of the following requirements: ✓

- (a) The corporation is exempt from taxation under section 501 (a) of the Internal Revenue Code. ✓
- (b) The corporation was created to accept and to utilize private contributions made to protect and enhance the state's natural resource heritage. ✓

A corporation receiving a grant shall use the grant to fund the following activities:

- (a) Encourage corporations and other private entities to undertake activities, including the contribution of money, which encourage management and restoration of the state's endangered wild animals, wild plants and natural communities. ✓
- (b) Encourage corporations and other private entities to engage in land management practices that protect and preserve natural resources. ✓
- (c) Provide grants to nonprofit and other groups to encourage education, restoration and management activities to enhance the state's natural resources. ✓

***Fiscal Impact***

The motion transfers \$250,000 PR from the water resources and forestry account of the conservation fund to the boating enforcement account for the purposes of distributing a grant to a nonstock, nonprofit corporation for fiscal year 1999-2000 and \$250,000 PR annually in a continuing appropriation beginning in fiscal year 2000-2001.

Provides an additional \$85,000 in FY 00-01 for nonprofit organization dedicated to protecting and enhancing the state's natural resource heritage.



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRB-2946/P1  
MGG:....km

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1     **AN ACT to amend** 20.370 (1) (fs), 20.370 (5) (aw), 20.566 (1) (hp), 23.0955 (2) (a)  
2           (intro.), 23.0955 (2) (a) 3., 23.0955 (2) (b) (intro.), 25.29 (1) (a), 77.82 (2) (h), 77.84  
3           (2) (a), 77.84 (2) (b) and 77.89 (2); **to repeal and recreate** 23.0955 (2) (am); and  
4           **to create** 23.0955 (2) (b) 2m., 4. and 5., 23.0955 (3), 23.0956, 23.099, 71.30 (10),  
5           77.82 (11c) and 77.84 (2) (am) of the statutes; **relating to:** a grant program to  
6           encourage private activities that promote resource conservation, requiring the  
7           department of natural resources to promulgate rules establishing policies for  
8           the acceptance of contributions from private sources, adding a 15-year contract  
9           to the managed forest land program, authorizing the donation of corporate

1 income tax refunds to the endangered resource program, granting rule-making  
2 authority and making appropriations.

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*Analysis by the Legislative Reference Bureau*

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

PREFATORY NOTE: This draft was prepared for the joint legislative council's special committee on incentives for resource stewardship. The joint legislative council established the special committee by a June 24, 1998 mail ballot and directed it to study "means to encourage and promote private efforts to conserve and protect the natural values of land and water through an appropriate legislative framework and the use of economic incentives". The draft:

1. Provides an annual grant to a nonprofit corporation to fund activities that encourage and assist private landowners to donate land and interests in land for conservation purposes.

2. Provides an annual grant to a nonprofit corporation to encourage corporations and other persons to undertake activities that protect and promote rare and endangered wild animals and wild plants, to encourage land management activities that promote conservation goals and to provide conservation education.

3. Revises the managed forest land program to encourage private landowners to enter land in the managed forest land program by allowing land to be entered in the program for a 15-year contract period. } No

4. Provides an appropriation to the department of natural resources (DNR) to contract with private foresters to prepare plans for entry of wooded land into the managed forest land program. } No

5. Authorizes corporations to donate income tax refunds to the DNR to preserve endangered resources. } No

6. Requires the DNR to promulgate administrative rules adopting policies to be followed by the DNR in accepting and using donations from private parties. } No

This draft is explained in more detail in SECTION notes following the relevant SECTIONS of the draft.

3 SECTION 1. 20.370 (1) (fs) of the statutes is amended to read:

4 20.370 (1) (fs) ~~Endangered resources~~ — voluntary payments; sales, leases and  
5 fees. As a continuing appropriation, from moneys received as amounts designated  
6 under s. ss. 71.10 (5) (b) and 71.30 (10) (b), the net amounts certified under s. ss. 71.10  
7 (5) (h) 4. and 71.30 (10) (h) 4., all moneys received from the sale or lease of resources

1 derived from the land in the state natural areas system and all moneys received from  
2 fees collected under ss. 23.27 (3) (b), 29.563 (10) and 341.14 (6r) (b) 5., for the purposes  
3 of the endangered resources program, as defined under s. 71.10 (5) (a) 2. Three  
4 percent of the moneys certified under ~~s. ss. 71.10 (5) (h) 4. and 71.30 (10) (h) 4.~~ in each  
5 fiscal year, but not to exceed \$100,000, shall be allocated for wildlife damage control  
6 and payment of claims for damage associated with endangered or threatened  
7 species.

8 **SECTION 2.** 20.370 (5) (aw) of the statutes is amended to read:

9 20.370 (5) (aw) *Resource aids — nonprofit conservation organizations.* As a  
10 continuing appropriation, the amounts in the schedule for a grant to a nonstock,  
11 nonprofit corporation under ~~s. ss. 23.0955 (2) and 23.0956 (1)~~ for assistance to  
12 nonprofit conservation organizations under ~~s. ss. 23.0955 and 23.0956.~~

13 **SECTION 3.** 20.566 (1) (hp) of the statutes is amended to read:

14 20.566 (1) (hp) *Administration of endangered resources voluntary payments.*  
15 The amounts in the schedule for the payment of all administrative costs, including  
16 data processing costs, incurred in administering ~~s. ss. 71.10 (5) and 71.30 (10).~~ All  
17 moneys certified under ~~s. ss. 71.10 (5) (h) 1. and 71.30 (10) (h) 1.~~ shall be credited to  
18 this appropriation.

19 **SECTION 4.** 23.0955 (2) (a) (intro.) of the statutes is amended to read:

20 23.0955 (2) (a) (intro.) The department shall provide one grant of \$75,000  
21 \$250,000 in fiscal year 1996-97 1999-2000 and an annual grant of \$500,000  
22 beginning in fiscal year 2000-2001 to a nonstock, nonprofit corporation that is  
23 described under section 501 (c) (3) or (4) of the ~~internal revenue code~~ Internal  
24 Revenue Code and organized in this state if the corporation meets all of the following  
25 requirements:



1           **SECTION 5.** 23.0955 (2) (a) 3. of the statutes is amended to read:

2           23.0955 (2) (a) 3. The corporation has a board of directors whose members  
3 represent, to the greatest extent practicable, all geographic areas of the state and  
4 that has a majority of members who are representatives of nonprofit conservation  
5 organizations.

6           **SECTION 6.** 23.0955 (2) (am) of the statutes is repealed and recreated to read:

7           23.0955 (2) (am) It is the intent of the legislature to continue funding a  
8 nonstock, nonprofit conservation organization that meets all of the qualifications  
9 under par. (a) with an annual grant of \$500,000 in each fiscal year after the  
10 2000–2001 fiscal year.

11          **SECTION 7.** 23.0955 (2) (b) (intro.) of the statutes is amended to read:

12          23.0955 (2) (b) (intro.) A corporation receiving a grant under this subsection  
13 shall do all of the following, but shall emphasize the activities described in subs. 1.  
14 and 2.:

15          **SECTION 8.** 23.0955 (2) (b) 2m., 4. and 5. of the statutes are created to read:

16          23.0955 (2) (b) 2m. Assist nonprofit conservation organizations in acquiring  
17 property for conservation purposes and in managing property acquired for  
18 conservation purposes.

19           4. Acquire a property for conservation purposes where no other nonprofit  
20 conservation organization exists that is willing to assist or capable of effectively  
21 assisting in the transfer of the property or that can adequately manage the property  
22 after it is acquired.

23           5. For each fiscal year, prepare a report detailing the activities for which a grant  
24 under this section is expended, describing any property acquired by the corporation  
25 and explaining how the acquisition of that property furthers the goal of conservation

1 in the state. Copies of the report shall be submitted to the department and to the  
2 legislature under s. 13.172 (2), stats.

3 **SECTION 9.** 23.0955 (3) of the statutes is created to read:

4 23.0955 (3) (a) Not earlier than January 1, 2004 and not later than July 1, 2004,  
5 the department shall prepare a comprehensive report describing the cost of, and  
6 accomplishments achieved by, activities funded with grants under this section,  
7 commencing with the grants provided in the 1999–00 fiscal year. The report shall  
8 evaluate all of the following:

9 1. How grants under this section have furthered the goal of encouraging private  
10 resource conservation.

11 2. The extent to which grants under this section complement the resource  
12 conservation goals of the department.

13 (b) The report shall contain a recommendation to the legislature on whether  
14 the grant program under this section should be continued, eliminated or revised.

15 (c) The report shall be distributed to the speaker of the Assembly and the  
16 president of the Senate under s. 13.172 (3).

NOTE: This note contains information on current s. 23.0955, stats., that provides a grant to an organization that assists nonprofit conservation organizations and the changes to the current statute that are made by this draft.

#### Current Law

In the 1993 session, the legislature created s. 23.0955, stats. This statute provides annual funding in the form of a grant to an organization that provides assistance to nonprofit conservation organizations. The DNR determines whether the organization meets the requirements of the statute and awards the grant.

An organization known as Gathering Waters was the recipient of the first annual grant of \$75,000 in the 1994–95 fiscal year. Gathering Waters received additional grants of \$75,000 in each of the 1996–97, 1997–98 and 1998–99 fiscal years. The source of the funds for these grants is the conservation fund. Gathering Waters is not named or identified in the statute and any organization that meets the requirements of the statute may compete for the grant.

To obtain a grant under the statute, an organization must do all of the following:

1. Organize in this state.

2. Meet the requirements under s. 501 (c) (3) or (4) of the Internal Revenue Code for an organization that is exempt from federal income taxation under s. 501 (a) of the Internal Revenue Code.

3. Provide support to nonprofit conservation organizations.

4. Have a board of directors that has a majority of members who are representatives of nonprofit conservation organizations.

5. Contribute a matching amount of \$25,000 in funds to be used in conjunction with the state grant.

The key function required under the current statute for the organization that receives the grant is to provide support to nonprofit conservation organizations. "Nonprofit conservation organizations" are defined in s. 29.0955, stats., as a "nonprofit corporation, a charitable trust or other nonprofit association whose purposes include the acquisition of property for conservation purposes and that is described in section 501 (c) (3) of the internal revenue code and is exempt from federal income tax under section 501 (a) of the internal revenue code".

The organization that receives a grant under the current statute is required to do all of the following:

1. Assist in the establishment of nonprofit conservation organizations.

2. Provide technical assistance to nonprofit conservation organizations, especially in the areas of management, receiving federal tax exemptions, conservation easements and real estate transactions.

3. Conduct conferences on the subjects listed in item 2., above.

Most of the nonprofit conservation organizations that receive assistance under the statute are referred to as "land trusts". Many of these land trusts are organized locally, function in a limited area and are run by volunteers. It is estimated that 40 land trusts have been organized in Wisconsin, the majority of them since 1990. Local land trusts work with landowners to assure long-term protection of the natural, scenic or recreational values of land.

A primary tool for protecting land is the conservation easement. A "conservation easement" is an easement that includes as its purpose "retaining or protecting natural, scenic or open space values of real property, assuring the availability of real property for agricultural, forest, recreational or open space use, protecting natural resources, maintaining or enhancing air or water quality . . . or preserving the historical, architectural, archaeological or cultural aspects of real property". [s. 700.40, stats.] Conservation easements are frequently used to accomplish the objectives of private land stewardship, particularly when the current owner wishes to create protections applicable to the natural values of the land that will apply to and bind future owners of the land. Conservation easements are also useful because they are extremely flexible and capable of meeting most objectives of the parties to the easement.

Often conservation easements are donated to local land trusts. The donors are usually able to receive federal and state income tax benefits for the value of the donated conservation easement. If a land trust contributes funds, it is often for expert assistance or transaction costs, such as appraisals, surveys and drafting and recording the easement.

#### Purpose of Amending the Statute

The special committee determined that the current statute has served a valuable purpose. A number of new local land trusts have been created and, together, the land

trusts have provided permanent protection for an estimated 68,000 acres of privately owned land. Land trusts are a powerful tool to preserve the natural values of land. Because land trusts are run by volunteers who are part of the community, they have a great deal of credibility. Many landowners who may be hesitant to approach a state agency or local governmental unit regarding the protection of their land are much more likely to work with a land trust. It is clear that a modest effort by local land trusts can leverage the protection of large amounts of land.

It is also clear to the special committee that a reasonable increase in funding for the statewide organization will produce substantial additional results in land protection by enabling more support for local land trusts. With more state funding, the statewide organization will be able to broaden the base of support that it provides for land protection activities generally. For example, the organization will be able to serve as a land trust by acquiring easements in areas of the state that are not served by land trusts, provide training and technical assistance to local land trusts and local units of government and increase public awareness of the options available to protect their land.

#### Effect of This Draft

Under this draft, the amount of an annual grant to a nonstock, nonprofit corporation under s. 23.0955 is established at \$250,000 for fiscal year 1999–2000 and \$500,000 annually beginning in fiscal year 2000–2001. The source of this additional funding, as under the current statute, is the conservation fund. The DNR determines how to allocate this appropriation to the accounts in the conservation fund, according to the benefits accruing to particular resources or user groups under the grant program. The requirement for a \$25,000 match under the current statute is retained.

In addition, the draft makes the following changes to current s. 23.0955, stats.:

1. It authorizes the corporation receiving a grant to acquire a property for conservation purposes where no other nonprofit conservation organization exists that is willing to assist, or is capable of effectively assisting, in the transfer of the property or that can adequately manage the property after it is acquired.

2. It directs the corporation receiving a grant to assist nonprofit conservation organizations in acquiring property for conservation purposes and in managing property acquired for conservation purposes.

3. It requires a corporation receiving a grant to emphasize in its activities the establishment of nonprofit conservation organizations and the provision of technical assistance to nonprofit conservation organizations, especially in the areas of management, receiving federal tax exemptions, conservation easements and real estate transactions.

4. It requires that the corporation have a board of directors whose members represent, to the greatest extent practicable, all geographic areas of the state.

In addition, the draft requires the preparation of 2 different types of reports. The first reporting requirement, which is imposed for each fiscal year, requires the corporation receiving a grant to prepare a report detailing the activities for which the grant is expended, describing any property acquired by the corporation and explaining how the acquisition of that property furthers the goal of natural resource conservation in this state. Copies of the report are required to be submitted to the DNR and to the legislature. The 2nd type of report which is imposed only one time, is due not earlier than January 1, 2004 and not later than July 1, 2004. Under this requirement, the DNR must prepare a comprehensive report describing the cost of and accomplishments achieved by activities funded with grants under s. 23.0955, stats. The report is required to evaluate how grants under s. 23.0955, stats., have furthered the goal of encouraging private resource conservation, to evaluate the extent to which the grants complement resource

conservation goals of the DNR and to recommend to the legislature whether the grant program under s. 23.0955, stats., should be continued, eliminated or revised. The report is required to be distributed to the speaker of the Assembly and president of the Senate for referral to the appropriate standing committees of the legislature.

1        **SECTION 10.** 23.0956 of the statutes is created to read:

2            **23.0956 Assistance for private conservation activities.** (1) The  
3 department shall provide an annual grant of \$95,000 beginning in fiscal year  
4 2000-01 to a nonstock, nonprofit corporation that is described under section 501 (c)  
5 (3) or (4) of the Internal Revenue Code and organized in the state if the corporation  
6 meets all of the following requirements:

7            (a) The corporation is exempt from taxation under section 501 (a) of the  
8 Internal Revenue Code.

9            (b) The corporation was created to accept and to utilize private contributions  
10 made to protect and enhance the state's natural resource heritage. } ?

11            (2) A corporation receiving a grant under sub. (1) shall use the grant to fund  
12 the following activities:

13            (a) Encourage corporations and other private entities to undertake activities,  
14 including the contribution of money, which encourage management and restoration  
15 of the state's endangered wild animals, wild plants and natural communities.

16            (b) Encourage corporations and other private entities to engage in land  
17 management practices that protect and preserve natural resources.

18            (c) Provide grants to nonprofit and other groups to encourage education,  
19 restoration and management activities to enhance the state's natural resources.

NOTE: The draft creates s. 23.0956, stats., which requires the DNR to provide an annual grant of \$95,000 beginning in fiscal year 2000-01 to a nonstock, nonprofit corporation that is exempt from taxation under section 501 (a) of the Internal Revenue Code and that was created to accept and to utilize private contributions made to protect and enhance the state's natural resource heritage. A corporation receiving a grant must use the grant to fund the following activities:

1. Encourage corporations and other private entities to undertake activities, including the contribution of money, which encourage management and restoration of the state's endangered wild animals and plants and natural communities.

2. Encourage corporations and other private entities to engage in land management practices that protect and preserve natural resources.

3. Provide grants to nonprofit and other groups to encourage education, land acquisition, restoration and management activities to enhance the state's natural resources.

1       **SECTION 11.** 23.099 of the statutes is created to read:

2       **23.099 Contributions to department from private sources. (1)**

3       DEFINITION. In this section:

4       (a) "Contribution" means anything of value, including money, real or personal  
5       property, or human effort.

6       (b) "Private source" means any individual and any entity that is not a  
7       governmental unit.

8       **(2) POLICY ON CONTRIBUTIONS; RULE REQUIRED.** The natural resources board shall  
9       establish by rule policies and limitations for the acceptance and use, by the  
10       department, of contributions from private sources. The rule shall include policies for  
11       all of the following:

12       (a) Procedures for the acceptance of contributions.

13       (b) Acceptance of anonymous contributions.

14       (c) Solicitation of contributions from private sources.

15       (d) Decisions regarding the use of contributions from private sources.

16       (e) Conditions imposed by the donor on the use of contributions from private  
17       sources.

18       (f) Methods for recognizing the provision of contributions from private sources.

19       (g) Granting exclusive rights or franchises in return for contributions from  
20       private sources.

1 (h) Cooperative activities involving the department and any person providing  
2 contributions from private sources.

3 (i) Records kept by the department regarding contributions from private  
4 sources.

5 (3) NAMING RIGHTS. The department may not sell the naming rights for state  
6 parks, forests, trails, natural areas or wildlife areas.

NOTE: The draft creates s. 23.099, stats., which requires the natural resources board to establish by rule policies and limitations regarding the acceptance and use of contributions to the DNR from private sources.

The purpose of this rule-making is to develop policies in the DNR that will encourage and facilitate partnerships between the DNR and private organizations or individuals, enhance the ability of DNR to leverage private resources and develop policies for the public acknowledgement of private contributions to the DNR.

The rules will apply to a contribution of any type that has value, whether the contribution consists of cash, property or, in the case of individuals, physical effort from a "private source", which is defined to be mean any individual and any entity that is not a governmental unit, such as a partnership, corporation or non-governmental association.

The draft prohibits the DNR from selling the naming rights for state parks, forests, trails, natural areas or wildlife areas.

The special committee recommends that the DNR promulgate the rules for contributions from private sources in 2 stages. The first stage would build on current rules and recent internal DNR studies related to the acceptance of contributions. This portion of the rules could be promulgated soon after this SECTION of the draft is enacted into law. The 2nd stage would relate to the solicitation of contributions by the DNR.

7 **SECTION 12.** 25.29 (1) (a) of the statutes is amended to read:

8 25.29 (1) (a) Except as provided in s. 25.295, all moneys accruing to the state  
9 for or in behalf of the department under chs. 26, 27, 28, 29 and 350, subchs. I and VI  
10 of ch. 77 and ss. 23.09 to 23.31, 23.325 to 23.42, 23.50 to 23.99, 30.50 to 30.55, 70.58  
11 and, 71.10 (5) and 71.30 (10), including grants received from the federal government  
12 or any of its agencies except as otherwise provided by law.

13 **SECTION 13.** 71.30 (10) of the statutes is created to read:

14 71.30 (10) ENDANGERED RESOURCES. (a) *Definitions.* In this subsection:

15 1. "Conservation fund" means the fund under s. 25.29.

1           2. “Endangered resources program” means purchasing or improving land or  
2 habitats for any native Wisconsin endangered or threatened species as defined in s.  
3 29.604 (2) (a) or (b) or for any nongame species as defined in s. 29.001 (60), conducting  
4 the natural heritage inventory program under s. 23.27 (3), conducting wildlife and  
5 resource research and surveys and providing wildlife management services,  
6 providing for wildlife damage control or the payment of claims for damage associated  
7 with endangered or threatened species and the payment of administrative expenses  
8 related to the administration of this subsection.

9           (b) *Voluntary payments.* 1. ‘Designation on return.’ Any corporation filing an  
10 income tax return may designate on the return any amount of additional payment  
11 or any amount of a refund due that corporation for the endangered resources  
12 program.

13           2. ‘Designation added to tax owed.’ If the corporation owes any tax, the  
14 corporation shall remit in full the tax due and the amount designated on the return  
15 for the endangered resources program when the corporation files a tax return.

16           3. ‘Designation deducted from refund.’ Except as provided under par. (d) if the  
17 corporation is owed a refund for that year after crediting under s. 71.75 (9), the  
18 department of revenue shall deduct the amount designated on the return for the  
19 endangered resources program from the amount of the refund.

20           (c) *Errors; failure to remit correct amount.* If a corporation who owes taxes fails  
21 to remit an amount equal to or in excess of the total of the actual tax due, after error  
22 corrections, and the amount designated on the return for the endangered resources  
23 program:

24           1. The department shall reduce the designation for the endangered resources  
25 program to reflect the amount remitted in excess of the actual tax due, after error



1 corrections, if the corporation remitted an amount in excess of the actual tax due,  
2 after error corrections, but less than the total of the actual tax due, after error  
3 corrections, and the amount originally designated on the return for the endangered  
4 resources program.

5 2. The designation for the endangered resources program is void if the  
6 corporation remitted an amount equal to or less than the actual tax due, after error  
7 corrections.

8 (d) *Errors; insufficient refund.* If a corporation who is owed a refund under s.  
9 71.75 (9) which does not equal or exceed the amount designated on the return for the  
10 endangered resources program, after crediting under ss. 71.75 (9) and 71.80 (3) and  
11 after error corrections, the department shall reduce the designation for the  
12 endangered resources program to reflect the actual amount of the refund the  
13 corporation is otherwise owed, after crediting under s. 71.75 (9) and after error  
14 corrections.

15 (e) *Conditions.* If a corporation places any conditions on a designation for the  
16 endangered resources program, the designation is void.

17 (f) *Void designation.* If a designation for the endangered resources program is  
18 void, the department of revenue shall disregard the designation and determine  
19 amounts due, owed, refunded and received without regard to the void designation.

20 (g) *Tax return.* The secretary of revenue shall provide a place for the  
21 designations under this subsection on the corporate income tax return and the  
22 secretary shall highlight that place on the return by a symbol chosen by the  
23 department of revenue that relates to endangered resources.

1           (h) *Certification of amounts.* Annually, on or before September 15, the  
2 secretary of revenue shall certify to the department of natural resources, the  
3 department of administration and the state treasurer:

4           1. The total amount of the administrative costs, including data processing  
5 costs, incurred by the department of revenue in administering this subsection during  
6 the previous fiscal year.

7           3. The total amount received from all designations for the endangered  
8 resources program made by taxpayers during the previous fiscal year.

9           4. The net amount remaining after the administrative costs, including data  
10 processing costs, under subd. 1. are subtracted from the total received under subd.

11       3.

12           5. From the moneys received from designations for the endangered resources  
13 program, an amount equal to the sum of administrative expenses, including data  
14 processing costs, certified under subd. 1. shall be deposited in the general fund and  
15 credited to the appropriation under s. 20.566 (1) (hp), and the net amount remaining  
16 certified under subd. 4. shall be deposited in the conservation fund and credited to  
17 the appropriation under s. 20.370 (1) (fs).

18           6. Amounts designated for the endangered resources program under this  
19 subsection are not subject to refund to the taxpayer unless the taxpayer submits  
20 information to the satisfaction of the department within 18 months after the date  
21 taxes are due or the date the return is filed, whichever is later, that the amount  
22 designated is clearly in error. Any refund granted by the department of revenue  
23 under this subdivision shall be deducted from the moneys received under this  
24 subsection in the fiscal year that the refund is certified.

NOTE: The draft creates s. 71.30 (10), stats., which authorizes corporations to donate corporate income tax refunds or to pay an additional amount of income tax to the endangered resources program. Under the endangered resources program, the DNR purchases and improves habitat for native Wisconsin endangered or threatened species and for nongame species, conducts the natural heritage inventory program, conducts wildlife and research and surveys and provides wildlife management services. Under current law, only individuals are authorized to donate additional moneys or to donate income tax refunds to the endangered resources program.

1           **SECTION 14.** 77.82 (2) (h) of the statutes is amended to read:

2           77.82 (2) (h) Whether the land will be designated as managed forest land for  
3           15, 25 or 50 years.

4           **SECTION 15.** 77.82 (11c) of the statutes is created to read:

5           77.82 (11c) An owner of land that is entered as managed forest land for 15 years  
6           may petition the department to extend the designation to 25 or 50 years at any time  
7           before the 15-year designation expires. The department shall treat the petition as  
8           a petition for renewal under sub. (12), except that the department shall extend the  
9           expiration date of the order to either 25 or 50 years from the time of the original order  
10          entering the land for 15 years.

11          **SECTION 16.** 77.84 (2) (a) of the statutes is amended to read:

12          77.84 (2) (a) ~~Each~~ Except as provided in par. (am) and (b), each owner of  
13          managed forest land shall pay to the municipal treasurer an acreage share of 74  
14          cents per acre on or before January 31.

15          **SECTION 17.** 77.84 (2) (am) of the statutes is created to read:

16          77.84 (2) (am) In addition to the payment under par. (a), each owner of land  
17          designated as managed forest land for a 15-year period shall by \$1.25 per acre.

18          **SECTION 18.** 77.84 (2) (b) of the statutes is amended to read:

19          77.84 (2) (b) In addition to the payment under par. (a) and (am), each owner  
20          shall pay \$1 for each acre that is designated as closed under s. 77.83. The payment  
21          shall be made to the municipal treasurer on or before January 31.

NOTE: The draft amends the managed forest land program to provide for a 15-year contract for first-time entries of land in the program, commencing on January 1, 2001. Under the managed forest land program, persons owning productive forest land are provided tax incentives to manage their land in ways that promote sound forest management. Under current law, property must be entered in the managed forest land program for 25- or 50-year periods. Land entered for 15 years may be converted to 25- or 50-year entries at any time.

Property entered into the program is exempt from property taxation but is subject to an annual managed forest land tax of 74 cents per acre if the land is open to the public for recreational purposes and \$1.74 per acre if the land is not open to the public for recreational purposes. Under the draft, an additional \$1.25 per acre is added to the annual managed forest land tax for lands entered under a 15-year contract. The nonstatutory provisions at the end of this draft provide that the statutory changes related to the 15-year contract take effect on January 1, 2001.

1           **SECTION 19.** 77.89 (2) of the statutes is amended to read:

2           **77.89 (2) PAYMENT TO COUNTIES.** Each municipal treasurer shall pay 20% of each  
3 payment received under sub. (1) or s. 77.84 (2) (a) or (am) or 77.85 to the county  
4 treasurer and shall deposit the remainder in the municipal treasury. The payment  
5 to the county treasurer for money received before November 1 of any year shall be  
6 made on or before the November 15 after its receipt. For money received on or after  
7 November 1 of any year, the payment to the county treasurer shall be made on or  
8 before November 15 of the following year.

9           **SECTION 20. Appropriation changes; natural resources.**

10           (1) In the schedule under section 20.005 (3) of the statutes for the appropriation  
11 to the department of natural resources under section 20.370 (1) (mu) of the statutes,  
12 as affected by the acts of 1999, the dollar amount is increased by \$300,000 for fiscal  
13 year 1999-00 and the dollar amount is increased by \$300,000 for fiscal year 2000-01  
14 to contract with private foresters to prepare management plans for entry of land into  
15 the managed forest land program.

16           (2) In the schedule under section 20.005 (3) of the statutes for the appropriation  
17 to the department of natural resources under section 20.370 (5) (aw) of the statutes,  
18 as affected by the acts of 1999, the dollar amount is increased by \$270,000 for fiscal

1 year 1999–00 and the dollar amount is increased by \$560,000 for fiscal year 2000–01  
2 to fund the activities of organizations under sections 23.0955 and 23.0956 of the  
3 statutes, as affected by this act.

NOTE: This appropriation, from the forestry account of the conservation fund,  
allows the DNR to hire private forestry consultants, on a contract basis, to prepare the  
necessary management plans for entry of land under the managed forest law.

4 **SECTION 21. Effective dates.** This act takes effect on the day after publication,  
5 except as follows:

6 (1) The treatment of sections 77.82 (2) (h) and (11c), 77.84 (2) (a), (am) and (b)  
7 and 77.89 (2) of the statutes takes effect on January 1, 2001.

8 (END)



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRBb1039/1  
MGG & RPN.../.....  
Wlj

ARC:.....Anderson – Am. #302, A grant program to encourage private efforts  
to conserve the natural resources of the state

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 158, line 14: increase the dollar amount for fiscal year 1999-00 by  
3 \$175,000 and increase the dollar amount for fiscal year 2000-01 by \$260,000 for the  
4 purposes for which the appropriation is made.

5 ↓ 2. Page 317, line 15: after that line insert:

6 "SECTION 318o. 20.370 (5) (aw) of the statutes is amended to read:

7 20.370 (5) (aw) *Resource aids — nonprofit conservation organizations.* As a  
8 continuing appropriation, the amounts in the schedule for a grant grants to a

1 nonstock, nonprofit ~~corporation~~ corporations under ~~s.~~ ss. 23.0955 (2) and 23.0956 for

② assistance to nonprofit conservation organizations under ~~s.~~ ss. 23.0955 and 23.0956. ✓ ②

History: 1971 c. 40, 95; 1971 c. 125 ss. 101 to 121, 522 (1); 1971 c. 211, 215, 277, 330, 336; 1973 c. 12 s. 37; 1973 c. 90, 100; 1973 c. 243 s. 82; 1973 c. 296, 298, 301, 318, 333, 336; 1975 c. 8, 39, 51, 91, 198; 1975 c. 224 ss. 7d, 7f, 7m, 17 to 19p; 1977 c. 29 ss. 181 to 234, 1657 (34); 1977 c. 274, 370, 374, 376, 377; 1977 c. 418 ss. 95 to 110, 929 (37); 1977 c. 421, 432; 1977 c. 447 ss. 42 to 44, 210; 1979 c. 34 ss. 199 to 322, 2102 (39) (a); 1979 c. 221; 1979 c. 361 s. 113; 1981 c. 1, 20, 86, 95, 131, 294, 330; 1981 c. 374 ss. 6, 7, 148, 150; 1983 a. 27 ss. 216m to 269, 2202 (23); 1983 a. 75, 181, 243, 397; 1983 a. 410 ss. 5m to 11, 2202 (38); 1983 a. 413; 1983 a. 416 ss. 1, 19; 1983 a. 426; 1985 a. 16, 22; 1985 a. 29 ss. 282d to 356, 3202 (26) (a), (39) (a), (c), (dm), (i); 1985 a. 46, 60, 65, 120, 202, 296; 1987 a. 27, 98, 110, 290, 295, 298, 305; 1987 a. 312 s. 17; 1987 a. 384, 397, 399, 403, 418; 1989 a. 31, 128, 284, 288, 326; 1989 a. 335 ss. 22nn to 30g, 89; 1989 a. 336, 350, 359, 366; 1991 a. 32; 1991 a. 39 ss. 326b to 394, 594c; 1991 a. 254, 269, 300, 309, 315; 1993 a. 16, 75, 166, 213, 343, 349, 415, 421, 453, 464; 1993 a. 490 ss. 18, 271; 1995 a. 27, 201, 225, 227, 296, 378, 459; 1997 a. 27, 35; 1997 a. 237 ss. 33 to 38d, 727g; 1997 a. 248.

3 ✓ 3. Page 444, line 21: after that line insert:

4 "SECTION 665rc. 23.0955 (2) (a) (intro.) of the statutes is amended to read:

5 23.0955 (2) (a) (intro.) ~~The~~ From the appropriation under s. 20.370 (5) (aw), the

6 department shall provide one grant of ~~\$75,000~~ \$250,000 in fiscal year ~~1996-97~~ (fiscal

7 years 1999-2000 and 2000-01 to a nonstock, nonprofit corporation that is described

8 under section 501 (c) (3) or (4) of the ~~internal revenue code~~ Internal Revenue Code

9 and organized in this state if the corporation meets all of the following requirements:

History: 1993 a. 343 ss. 17, 19; 1995 a. 459.

10 SECTION 665rd. 23.0955 (2) (a) 3. of the statutes is amended to read:

11 23.0955 (2) (a) 3. The corporation has a board of directors whose members

12 represent, to the greatest extent practicable, all geographic areas of the state and

13 that has a majority of members who are representatives of nonprofit conservation

14 organizations.

History: 1993 a. 343 ss. 17, 19; 1995 a. 459.

15 SECTION 665re. 23.0955 (2) (am) of the statutes is repealed.

16 SECTION 665rf. 23.0955 (2) (b) (intro.) of the statutes is amended to read:

17 23.0955 (2) (b) (intro.) A corporation receiving a grant under this subsection

18 shall do all of the following, but shall emphasize the activities described in subds. 1.

19 and 2.:

History: 1993 a. 343 ss. 17, 19; 1995 a. 459.

20 (inserts 444-21a and 21b)

21 (END)

*Inger + 444-21a*

1 SECTION 5. 23.0955 (2) (a) 3. of the statutes is amended to read:

2 23.0955 (2) (a) 3. The corporation has a board of directors whose members  
3 represent, to the greatest extent practicable, all geographic areas of the state and  
4 that has a majority of members who are representatives of nonprofit conservation  
5 organizations.

6 SECTION 6. 23.0955 (2) (am) of the statutes is repealed and recreated to read:

7 23.0955 (2) (am) It is the intent of the legislature to continue funding a  
8 nonstock, nonprofit conservation organization that meets all of the qualifications  
9 under par. (a) with an annual grant of \$500,000 in each fiscal year after the  
10 2000-2001 fiscal year.

11 SECTION 7. 23.0955 (2) (b) (intro) of the statutes is amended to read:

12 23.0955 (2) (b) (intro.) A corporation receiving a grant under this subsection  
13 shall do all of the following, but shall emphasize the activities described in subds. 1.

14 and 2.:

*665 r9*

15 SECTION 8. 23.0955 (2) (b) 2m., 4. and 5. of the statutes are created to read:

16 23.0955 (2) (b) 2m. Assist nonprofit conservation organizations in acquiring  
17 property for conservation purposes and in managing property acquired for  
18 conservation purposes.

19 4. Acquire a property for conservation purposes where no other nonprofit  
20 conservation organization exists that is willing to assist or capable of effectively  
21 assisting in the transfer of the property or that can adequately manage the property  
22 after it is acquired.

23 5. For each fiscal year, prepare a report detailing the activities for which a grant  
24 under this section <sup>was</sup> expended, describing any property acquired by the corporation  
25 and explaining how the acquisition of that property furthers the goal of conservation



444-21a  
cont.

1 in the state. Copies of the report shall be submitted to the department and to the  
2 legislature under s. 13.172 (2) <sup>stats.</sup>

3 SECTION <sup>665rk</sup> 23.0955 (3) of the statutes is created to read:

4 23.0955 (3) (a) <sup>between</sup> Not earlier than January 1, 2004 and ~~not later than~~ July 1, 2004,

5 the department shall prepare a comprehensive report describing the cost of, and  
6 accomplishments achieved by, activities funded with grants under this section,  
7 commencing with the grants provided in the 1999-<sup>20</sup>00 fiscal year. The report shall  
8 evaluate all of the following:

9 1. How grants under this section have furthered the goal of encouraging private  
10 resource conservation.

11 2. The extent to which grants under this section complement the resource  
12 conservation goals of the department.

13 (b) The report shall contain a recommendation to the legislature on whether  
14 the grant program under this section should be continued, eliminated or revised.

15 (c) The report shall be distributed to the speaker of the Assembly and the  
16 president of the Senate under s. 13.172 (3).

(insert of insert)  
444-21a

NOTE: This note contains information on current s. 23.0955, stats., that provides a grant to an organization that assists nonprofit conservation organizations and the changes to the current statute that are made by this draft.

Current Law

In the 1993 session, the legislature created s. 23.0955, stats. This statute provides annual funding in the form of a grant to an organization that provides assistance to nonprofit conservation organizations. The DNR determines whether the organization meets the requirements of the statute and awards the grant.

An organization known as Gathering Waters was the recipient of the first annual grant of \$75,000 in the 1994-95 fiscal year. Gathering Waters received additional grants of \$75,000 in each of the 1996-97, 1997-98 and 1998-99 fiscal years. The source of the funds for these grants is the conservation fund. Gathering Waters is not named or identified in the statute and any organization that meets the requirements of the statute may compete for the grant.

To obtain a grant under the statute, an organization must do all of the following:

- 1. Organize in this state.

Insert 444-216

conservation goals of the DNR and to recommend to the legislature whether the grant program under s. 23.0955, stats., should be continued, eliminated or revised. The report is required to be distributed to the speaker of the Assembly and president of the Senate for referral to the appropriate standing committees of the legislature.

665 ri (b) SECTION 10. 23.0956 of the statutes is created to read: From the appropriation account under s. 20.370 (5) (aw), the

23.0956 Assistance for private conservation activities. (1) (b)

department shall provide an annual grant of \$95,000 beginning in fiscal year 2000-01 to a nonstock, nonprofit corporation that is described under section 501 (c) (3) or (4) of the Internal Revenue Code and organized in the state if the corporation meets all of the following requirements:

(a) The corporation is exempt from taxation under section 501 (a) of the Internal Revenue Code.

(b) The corporation was created to accept and to utilize private contributions made to protect and enhance the state's natural resource heritage.

(2) A corporation receiving a grant under sub. (1) shall use the grant to do all

of the following activities:

(a) Encourage private corporations and other private entities to undertake activities, including the contribution of money, which that encourage management and restoration of the state's endangered wild animals, wild plants and natural communities.

(b) Encourage private corporations and other private entities to engage in land management practices that protect and preserve natural resources.

(c) Provide grants to nonprofit and other groups to encourage education, restoration and management activities to enhance the state's natural resources.

NOTE: The draft creates s. 23.0956, stats., which requires the DNR to provide an annual grant of \$95,000 beginning in fiscal year 2000-01 to a nonstock, nonprofit corporation that is exempt from taxation under section 501 (a) of the Internal Revenue Code and that was created to accept and to utilize private contributions made to protect and enhance the state's natural resource heritage. A corporation receiving a grant must use the grant to fund the following activities:

End of insert



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRBb1039/1  
MGG&RPN:wlj:kjf

2  
+ jg

ARC:.....Anderson – Am. # 302, A grant program to encourage private efforts  
to conserve the natural resources of the state

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 158, line 14: increase the dollar amount for fiscal year 1999-00 by  
3 \$175,000 and increase the dollar amount for fiscal year 2000-01 by \$260,000 for the  
4 purposes for which the appropriation is made.

5 2. Page 317, line 15: after that line insert:

6 "SECTION 318o. 20.370 (5) (aw) of the statutes is amended to read:

7 20.370 (5) (aw) *Resource aids — nonprofit conservation organizations.* As a  
8 continuing appropriation, the amounts in the schedule for a grant grants to a  
9 nonstock, nonprofit ~~corporation~~ corporations under s. ~~ss.~~ 23.0955 (2) and 23.0956 for

1 assistance to nonprofit conservation organizations under ~~s.~~ ss. 23.0955 and  
2 23.0956.”.

3 **3.** Page 444, line 21: after that line insert:

4 “**SECTION 665rc.** 23.0955 (2) (a) (intro.) of the statutes is amended to read:

5 23.0955 (2) (a) (intro.) ~~The~~ From the appropriation under s. 20.370 (5) (aw), the  
6 department shall provide one grant of ~~\$75,000~~ \$250,000 in fiscal year ~~1996–97~~ years  
7 1999–2000 and 2000–01 to a nonstock, nonprofit corporation that is described under  
8 in existence on the effective date of this paragraph.... [reviser inserts  
9 section 501 (c) (3) or (4) of the ~~internal revenue code~~ Internal Revenue Code and date]  
10 organized in this state if the corporation meets all of the following requirements:

11 **SECTION 665rd.** 23.0955 (2) (a) 3. of the statutes is amended to read:

12 23.0955 (2) (a) 3. The corporation has a board of directors whose members  
13 represent, to the greatest extent practicable, all geographic areas of the state and  
14 that has a majority of members who are representatives of nonprofit conservation  
15 organizations.

16 **SECTION 665re.** 23.0955 (2) (am) of the statutes is repealed.

17 **SECTION 665rf.** 23.0955 (2) (b) (intro.) of the statutes is amended to read:

18 23.0955 (2) (b) (intro.) A corporation receiving a grant under this subsection  
19 shall do all of the following, but shall emphasize the activities described in subs. 1.  
20 and 2.:

21 **SECTION 665rg.** 23.0955 (2) (b) 2m., 4. and 5. of the statutes are created to read:

22 23.0955 (2) (b) 2m. Assist nonprofit conservation organizations in acquiring  
23 property for conservation purposes and in managing property acquired for  
conservation purposes.

1           4. Acquire a property for conservation purposes where no other nonprofit  
2 conservation organization exists that is willing to assist or capable of effectively  
3 assisting in the transfer of the property or that can adequately manage the property  
4 after it is acquired.

5           5. For each fiscal year, prepare a report detailing the activities for which a grant  
6 under this section was expended, describing any property acquired by the  
7 corporation and explaining how the acquisition of that property furthers the goal of  
8 conservation in the state. Copies of the report shall be submitted to the department  
9 and to the legislature under s. 13.172 (2).

10           **SECTION 665rh.** 23.0955 (3) of the statutes is created to read:

11           23.0955 (3) (a) Between January 1, 2004 and July 1, 2004, the department shall  
12 prepare a comprehensive report describing the cost of, and accomplishments  
13 achieved by, activities funded with grants under this section, commencing with the  
14 grants provided in the 1999–2000 fiscal year. The report shall evaluate all of the  
15 following:

16           1. How grants under this section have furthered the goal of encouraging private  
17 resource conservation.

18           2. The extent to which grants under this section complement the resource  
19 conservation goals of the department.

20           (b) The report shall contain a recommendation to the legislature on whether  
21 the grant program under this section should be continued, eliminated or revised.

22           (c) The report shall be distributed to the speaker of the assembly and the  
23 president of the senate under s. 13.172 (3).

24           **SECTION 665ri.** 23.0956 of the statutes is created to read:

1           **23.0956 Assistance for private conservation activities.** (1) From the  
2 appropriation account under s. 20.370 (5) (aw), the department shall provide an  
3 annual grant of \$85,000 in fiscal year 2000-01 to a nonstock, nonprofit corporation  
4 that is described under section 501 (c) (3) or (4) of the Internal Revenue Code and  
5 organized in the state if the corporation meets all of the following requirements:

6           (a) The corporation is exempt from taxation under section 501 (a) of the  
7 Internal Revenue Code.

8           (b) The corporation was created to accept and to utilize private contributions  
9 made to protect and enhance the state's natural resources.

10          (2) A corporation receiving a grant under sub. (1) shall use the grant to do all  
11 of the following:

12           (a) Encourage private corporations and other private entities to undertake  
13 activities, including the contribution of money, that encourage management and  
14 restoration of the state's endangered wild animals, wild plants and natural  
15 communities.

16           (b) Encourage private corporations and other private entities to engage in land  
17 management practices that protect and preserve natural resources.

18           (c) Provide grants to nonprofit and other groups to encourage education,  
19 restoration and management activities to enhance the state's natural resources.”

20    (END)



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRBb1039/2  
MGG&RPN:wj&jlg:jf

ARC:.....Anderson – Am. #302, A grant program to encourage private efforts  
to conserve the natural resources of the state

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 158, line 14: increase the dollar amount for fiscal year 1999-00 by  
3 \$175,000 and increase the dollar amount for fiscal year 2000-01 by \$260,000 for the  
4 purposes for which the appropriation is made.

5 **2.** Page 317, line 15: after that line insert:

6 “SECTION 318o. 20.370 (5) (aw) of the statutes is amended to read:

7 20.370 (5) (aw) *Resource aids — nonprofit conservation organizations.* As a  
8 continuing appropriation, the amounts in the schedule for a ~~grant~~ grants to a  
9 nonstock, nonprofit ~~corporation~~ corporations under s. ss. 23.0955 (2) and 23.0956 for

1 assistance to nonprofit conservation organizations under ~~s. ss. 23.0955 and~~  
2 23.0956.”.

3 **3.** Page 444, line 21: after that line insert:

4 **“SECTION 665rc.** 23.0955 (2) (a) (intro.) of the statutes is amended to read:

5 23.0955 (2) (a) (intro.) ~~The~~ From the appropriation under s. 20.370 (5) (aw), the  
6 department shall provide one grant of ~~\$75,000~~ \$250,000 in fiscal ~~year 1996–97 years~~  
7 1999–2000 and 2000–01 to a nonstock, nonprofit corporation that is described under  
8 section 501 (c) (3) or (4) of the ~~internal revenue code~~ Internal Revenue Code, in  
9 existence on the effective date of this paragraph .... [revisor inserts date], and  
10 organized in this state if the corporation meets all of the following requirements:

11 **SECTION 665rd.** 23.0955 (2) (a) 3. of the statutes is amended to read:

12 23.0955 (2) (a) 3. The corporation has a board of directors whose members  
13 represent, to the greatest extent practicable, all geographic areas of the state and  
14 that has a majority of members who are representatives of nonprofit conservation  
15 organizations.

16 **SECTION 665re.** 23.0955 (2) (am) of the statutes is repealed.

17 **SECTION 665rf.** 23.0955 (2) (b) (intro.) of the statutes is amended to read:

18 23.0955 (2) (b) (intro.) A corporation receiving a grant under this subsection  
19 shall do all of the following, but shall emphasize the activities described in subs. 1.  
20 and 2.:

21 **SECTION 665rg.** 23.0955 (2) (b) 2m., 4. and 5. of the statutes are created to read:

22 23.0955 (2) (b) 2m. Assist nonprofit conservation organizations in acquiring  
23 property for conservation purposes and in managing property acquired for  
24 conservation purposes.



1           4. Acquire a property for conservation purposes where no other nonprofit  
2 conservation organization exists that is willing to assist or capable of effectively  
3 assisting in the transfer of the property or that can adequately manage the property  
4 after it is acquired.

5           5. For each fiscal year, prepare a report detailing the activities for which a grant  
6 under this section was expended, describing any property acquired by the  
7 corporation and explaining how the acquisition of that property furthers the goal of  
8 conservation in the state. Copies of the report shall be submitted to the department  
9 and to the legislature under s. 13.172 (2).

10           **SECTION 665rh.** 23.0955 (3) of the statutes is created to read:

11           23.0955 (3) (a) Between January 1, 2004 and July 1, 2004, the department shall  
12 prepare a comprehensive report describing the cost of, and accomplishments  
13 achieved by, activities funded with grants under this section, commencing with the  
14 grants provided in the 1999–2000 fiscal year. The report shall evaluate all of the  
15 following:

16           1. How grants under this section have furthered the goal of encouraging private  
17 resource conservation.

18           2. The extent to which grants under this section complement the resource  
19 conservation goals of the department.

20           (b) The report shall contain a recommendation to the legislature on whether  
21 the grant program under this section should be continued, eliminated or revised.

22           (c) The report shall be distributed to the speaker of the assembly and the  
23 president of the senate under s. 13.172 (3).

24           **SECTION 665ri.** 23.0956 of the statutes is created to read:

