

**1999 DRAFTING REQUEST**

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

Received: **06/24/99**

Received By: **gibsom**

Wanted: **Soon**

Identical to LRB:

For: **Assembly Republican Caucus**

By/Representing: **Miller**

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

Drafter: **gibsom**

May Contact:

Alt. Drafters: **nilsepe**

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

Extra Copies: **JTK, RAC, RNK**

**Pre Topic:**

ARC:.....Miller - 176,

**Topic:**

Stewardship reimbursement to department of transportation for Baraboo Hills area

**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<br>06/24/99 | chanaman<br>06/24/99 | martykr<br>06/24/99 | _____          | ismith<br>06/24/99       |                 |                 |
| /2           | gibsom<br>06/26/99 | chanaman<br>06/26/99 | hhagen<br>06/26/99  | _____          | lrb_docadmin<br>06/26/99 |                 |                 |
| /3           | hhagen<br>06/26/99 |                      |                     | _____          | lrb_docadmin<br>06/26/99 |                 |                 |

FE Sent For:

<END>

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| /1           | gibsom<br>06/24/99 | chanaman<br>06/24/99 | martykr<br>06/24/99 | _____          | ismith<br>06/24/99       |                 |                 |
| /2           | gibsom<br>06/26/99 | chanaman<br>06/26/99 | hhagen<br>06/26/99  | _____          | lrb_docadmin<br>06/26/99 |                 |                 |

FE Sent For:

*cmr  
6/24  
13*

<END>

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|--------------|--------------------|----------------------|---------------------|----------------|--------------------|-----------------|-----------------|
| /1           | gibsom<br>06/24/99 | chanaman<br>06/24/99 | martykr<br>06/24/99 | _____          | ismith<br>06/24/99 |                 |                 |

FE Sent For:

*Om 4  
4/4  
12*

*BM & ksh  
6/24*

<END>

**1999 DRAFTING REQUEST**

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

Received: 06/24/99

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Wanted: Soon

Identical to LRB:

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|--------------|----------------|------------------|--------------|----------------|------------------|-----------------|-----------------|
| 1?           | gibsom         | cm<br>6/29<br>/1 | km<br>6/24   | cm<br>6/24     | cm<br>6/24       |                 |                 |

FE Sent For:

<END>

# To Be Drafted

Agency: DOT

Amendment: 176

Requester: Miller

Priority:

Category:

## Summary

Currently, the Department of Natural Resources administers the Stewardship Program for the acquisition of land or easements for conservation purposes, and restoration of wildlife habitat. In March of 1999, DOT reached an agreement on construction of USH 12 between Middleton and Lake Delton with state, federal and private parties. This amendment would utilize Stewardship Program funds to reimburse the Department of Transportation for expenditures made by DOT to comply with this agreement.

*OK 85*

*SEG - C run in*

## Fiscal Impact

This amendment would transfer up to \$12,250,000 from the Stewardship fund to the transportation fund over the next five years. It includes: a) \$1,000,000 annually for five years between 1999-00 and 2003-04 for land acquisitions, purchase of easements and other rights in land to protect the forest resources in the Baraboo Range National Natural Landmark (BRNNL) or the amount allocated for that purpose in each year by DOT, whichever is less; b) \$1,000,000 annually for five years for the acquisition of scenic, conservation or agricultural easements, lands or development rights from willing sellers in northwestern Dane County, or the amount allocated for that purpose by DOT in each of those years, whichever is less; c) \$250,000 for the purchase of scenic, conservation or agricultural easements, lands or development rights from willing sellers in Sauk County outside the BRNNL, or the amount allocated for that purpose by DOT whichever is less; and d) \$2,000,000 for Ice Age Trail acquisitions and improvements within the approved trail corridors in the vicinity of USH 12, or an amount equal to the federal transportation enhancements funds spent for that purpose, whichever is less.

*Ice Age*

## Statement of Intent

Department of Transportation. This amendment would transfer up to \$12,250,000 in Stewardship Program funds to reimburse the Department of Transportation for expenditures made by DOT to comply with an agreement to reconstruct US Highway 12 between Middleton and Lake Delton.

*from where does this*

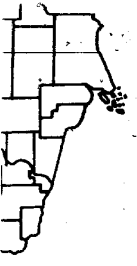
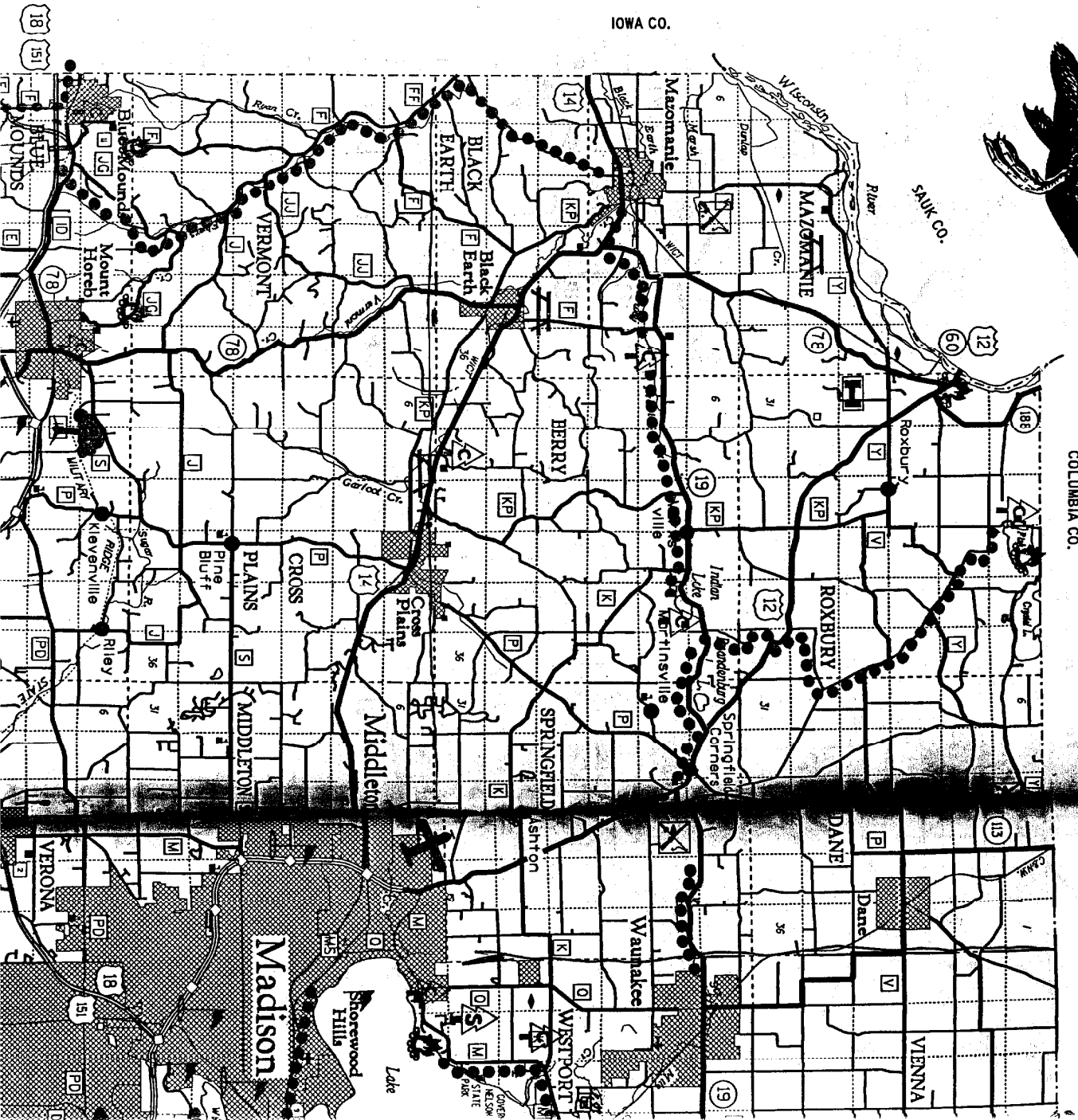
*1999-00 - DOT out of transp. fund to do above before July 1, 2000, DOT secretary reports the DNR record to how much was spent  
FY 2000-2001 DNR obligate bonds + give proceeds to DOT, create app to take the \$*

1 Markers: Alumni Academy in Hwy. 106. Stephen Moulton in McFarland on Hwy. 51. Battle of Mounds, 1.5 Mi. SE. of Sauk Hwy. 12. Brigham Park, 1 Mi. NE. Mounds on Hwy. "F". Camp Ransley of Wisconsin. Robt. Marion Sr., 3 Mi. N. of Stoughton off the Historical Society in Madison. HA, University of Wisconsin Campaign Mounds, Little Norway - 24 miles Madison, 1 mile north of U.S. 181. A pioneer farmstead. Original is erected in 1856, furnished after of Norwegian emigrants from the "Valley of the Elves," in Madison, State Historical Society - 816 State St. First floor galleries the history of Wisconsin from the present and are 11 year, 8-10 Monday-Friday, 8-5 p.m. Fourth floor galleries include art and anthropology; A Century of dolls exhibit; gun room; Collector, stamps and coins; Civil War pewter. G.A.R. Memorial Hall - 419 N. State Capitol. Exhibits on War and Spanish American War. U.S. Products Laboratory, Madison - 1000 University Ave. Exhibits related to the study of wood and wood products. Berman's Museum - 2 miles from Madison on Highway 14. Antique and specialty museum. Stoughton, Stoughton Historical Museum - 112 S. St. First church building in Madison, built in 1858, houses area exhibits.



light brown to orange-red  
 large size length 21 to 25 inches  
 weight 2 to 3 pounds.

IOWA CO.





State of Wisconsin  
1999 - 2000 LEGISLATURE

RMR  
LRBb1252/1  
MGG.....  
+PEN  
cmH

3000 D-Note

ARC:.....Miller - 176, Stewardship reimbursement to department of transportation for Baraboo Hills area

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 1999 ASSEMBLY BILL 133

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

161 21  
1. Page 3 line 8 after that line insert:

" (fq) Conservation land acquisition,

state funds

SEG C

\$12,250,000".

332 1  
2. Page 3 line 8 after that line insert:

B { 354g  
" SECTION 20.395 (4) (fq) of the statutes is created to read:

20.395 (4) (fq) Conservation land acquisitions, state funds. As a continuing appropriation, the amounts in the schedule for land acquisitions and improvements under s. 85.197. No moneys may be encumbered from this appropriation after June 30, 2004. "

\$ SCHED

↑

Page 967, line 7: after that line insert:

3. Page 967, line 7 after that line insert:

<sup>438 9</sup>  
~~BARABOO HILLS; REIMBURSEMENT TO DEPARTMENT OF TRANSPORTATION.~~ (a) Upon receipt of a certification from the secretary of transportation under s. 85.197<sup>(1)</sup> for a given fiscal year, the department shall contract revenue obligations from the appropriation under s. 20.866<sup>✓</sup> (2) (ta) in an amount that equals the amount certified. The proceeds from the revenue obligations shall be deposited in the transportation fund.

*designate the proceeds under par. (a)*  
(b) The department shall ~~allocate the amounts encumbered or expended under~~ <sup>having been obligated from</sup> ~~one or more of the subprograms under~~ <sup>this section</sup> ~~s. 20.866 (2) (ta)~~ "one or more of the subprograms under s. 20.866 (2) (ta)".

SECTION 85.197 of the statutes is created to read:

**85.197 Baraboo land acquisition.** (1) DEFINITIONS. In this section:

(a) "Ice Age Trail" means the state scenic trail as designated under s. 23.17<sup>✓</sup> (2) and includes corridors for the trail that have been approved by the department.

(b) "Land" means land in fee simple, easements in land and development rights in land.

(c) (b) "Northwestern Dane county" means the area that is located in the towns of Berry, Black Earth, Dane, Mazomanie, Roxbury, Springfield and Westport.

(2) LAND ACQUISITIONS AUTHORIZED. From the appropriation under s. 20.395 (4) (fq), the department may expend moneys as provided in subs<sup>⓪</sup> (3) to (6).

(3) FOREST LAND ACQUISITIONS. The department may annually encumber or expend not more than \$1,000,000, beginning with fiscal year 1999-2000 and ending with fiscal year 2003-04<sup>↓</sup> to acquire land that will protect the forest resources that are located within the boundaries of the Baraboo Range National Natural Landmark.

*please check spelling*



(4) SCENIC, CONSERVATION AND AGRICULTURAL ACQUISITION; DANE COUNTY. (a) The department may annually encumber or expend not more than \$1,000,000, beginning with fiscal year 1999-2000 and ending with fiscal year 2003-04, to purchase for scenic, conservation or agricultural purposes land that is located in northwestern Dane county.

(5) SCENIC, CONSERVATION AND AGRICULTURAL ACQUISITION; SAUK COUNTY. The department may encumber or expend not more than \$250,000 during the period beginning with fiscal year 1999-2000 and ending with fiscal year 2003-04, to purchase for scenic, conservation or agricultural purposes land that is located in Sauk County and that is located outside the boundaries of the Baraboo Range National Natural Landmark.

(6) ICE AGE TRAIL. (a) <sup>Quincy</sup> For the period beginning with fiscal year 1999-2000 and ending with fiscal year 2003-04, the department may encumber or expend moneys for the development or improvement of the portion of the Ice Age Trail that is located in Sauk county or Dane county and that is in the vicinity of USH 12. The amount expended may not exceed \$2,000,000 or an amount equal <sup>+0</sup> the amount allocated by the federal government for that portion of the Ice Age Trail during that period of time, whichever is less.

(b) For purposes of par. (a), the department of transportation shall by rule specify what constitutes the vicinity of USH 12.

(7) CERTIFICATION OF EXPENDITURES. On August 1, 2000, and on August 1 of the subsequent 4 years, the secretary of transportation shall certify to the secretary of natural resources and to the secretary of administration the amount encumbered or expended <sup>under</sup> from the appropriation under s. 20.395 (4) (f) during the immediately preceding fiscal year.

check spacing

each of

ⓑ  
187

~~(8)~~ SUNSET. This section does not apply after June 30, 2004. "

1559 12  
4. Page 8, line 8: after that line insert:

remotely

" (1) <sup>10g ← letter "g"</sup> RULE DESIGNATING HIGHWAY 12 AREA. Using the procedure under section 227.24 of the statutes, the department of transportation shall promulgate the rule required under section 85.197 (6) (b), as created by this act, for the period before the effective date of the permanent rule promulgated under section 85.197 (6) (b) of the statutes, as created by this act, but not to exceed the period authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) (a), (2) (b) and (3) of the statutes, the department is not required to provide evidence that promulgating a rule under this subsection as an emergency rule is necessary for the preservation of the public peace, health, safety or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection. "

(END)

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

LRBb1252/<sup>1</sup>in  
MGG.....

1. I decided to draft this separately from your other amendment dealing with changes in the stewardship program. Due to time constraints, I am submitting this for your review. However, it still needs to be reviewed by other attorneys in the bureau who may suggest changes to the final product.

2. Please review the definition of "northwestern Dane county" to ensure it complies with your intent. It is basically the area northwest of Madison I did not include any incorporated areas. If you wish to include any, please let me know which ones.

3. Note that land purchased in Sauk County may be in an incorporated area.

4. Note that the area "in the vicinity of the Ice Age Trail" is limited to the Ice Age Trail in Sauk or Dane counties.

5. Note the time limitation on the federal funding for the Ice Age Trail.

6. Note the money to reimburse DOT can come from any of the Stewardship 2000 subprograms.

Mary Gibson-Glass  
Senior Legislative Attorney  
Phone: (608) 267-3215

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

LRBb1252/1dn  
MGG:cmh:km

June 24, 1999

1. I decided to draft this separately from your other amendment dealing with changes in the stewardship program. Due to time constraints, I am submitting this for your review. However, it still needs to be reviewed by other attorneys in the bureau who may suggest changes to the final product.
2. Please review the definition of "northwestern Dane county" to ensure it complies with your intent. It is basically the area northwest of Madison I did not include any incorporated areas. If you wish to include any, please let me know which ones.
3. Note that land purchased in Sauk County may be in an incorporated area.
4. Note that the area "in the vicinity of the Ice Age Trail" is limited to the Ice Age Trail in Sauk or Dane counties.
5. Note the time limitation on the federal funding for the Ice Age Trail.
6. Note the moneys to reimburse DOT can come from any of the stewardship 2000 subprograms.

Mary Gibson-Glass  
Senior Legislative Attorney  
Phone: (608) 267-3215

## **Nilsen, Paul**

---

**From:** Dyck, Jon  
**Sent:** Friday, June 25, 1999 11:33 AM  
**To:** Gibson-Glass, Mary; Nilsen, Paul  
**Subject:** stewardship reimbursement of DOT

This summary may help you in drafting the USH 12 agreement provision.

Require the Department of Natural Resources to transfer funds from the stewardship program to the transportation fund, on or before August 1 of each year for five years beginning in 2000 and ending in 2004, as follows: (a) an amount for land acquisitions, purchase of easements and other rights in land to protect the forest resources in the Baraboo Range National Natural Landmark (BRNNL), based on the amount encumbered for that purpose during the prior fiscal year by DOT, but not to exceed \$1,000,000 annually; (b) an amount for the acquisition of scenic, conservation or agricultural easements, lands or development rights from willing sellers in northwestern Dane County in order to help ameliorate the impacts of the USH 12 project, based on the amount encumbered for that purpose by DOT during the prior fiscal year, but not to exceed \$1,000,000 annually; (c) an amount for the purchase of scenic, conservation or agricultural easements, lands or development rights from willing sellers in Sauk County outside the BRNNL, based on the amount encumbered for that purpose by DOT during the prior fiscal year, but not to exceed \$250,000 over the five-year period; and (d) an amount for Ice Age Trail acquisitions and improvements within the approved trail corridors in the vicinity of USH 12, based on an amount equal to the federal transportation enhancements funds encumbered for that purpose during the prior fiscal year, but not to exceed \$2,000,000 over the five-year period.

Credit the transferred amounts to a new, continuing appropriation for the major highway development program. The amounts transferred would reimburse the transportation fund for the purchases of land, conservation and agricultural easements and other rights in land made by DOT in compliance with an agreement between the Department and several state, federal and private parties, on the construction of a major highway development project on USH 12 between Middleton and Lake Delton. The agreement was signed in March, 1999.

Jon Dyck, Fiscal Analyst  
Legislative Fiscal Bureau

**Nilsen, Paul**

---

**From:** Dyck, Jon  
**Sent:** Friday, June 25, 1999 9:48 AM  
**To:** Gibson-Glass, Mary; Nilsen, Paul  
**Cc:** Kava, Russ; Miller, Robert; Ammerman, Fred

Here are the changes I think we need to 1252/1:

The appropriation created in DOT should be an all funds received appropriation for the same purposes as the current major highway development appropriations 20.395 (3) (bq), (br) and (bx). This appropriation could be repealed on July 1, 2005 and any encumbrances and unencumbered funds could be transferred to (bq), although this would not be absolutely necessary. In any case, I don't think we want to say that no moneys may be encumbered after a certain date since they can spend whatever they receive, no matter how long it takes. If you have to draft this appropriation in the schedule, put in zeros. Under 23.0917 (9m), the transfer should be credited to the appropriation.

The implementing agreements signed between DOT and Dane and Sauk Counties relies on the Department's authority under s. 86.25 (1m) to reimburse local governments for such purposes. I don't think we want to add specific authority for DOT to make these purchases. Rather, I think we want to simply have DOT certify to DNR the amounts expended in the prior fiscal year and then have DNR make the transfer. I think it would be appropriate to make this certification and transfer on or before August 1, beginning in ~~2001~~ <sup>2000</sup>. The transfers on August 1, ~~2001~~ <sup>2000</sup> will be for amounts spent by DOT for each of the components of the agreement during FY 1999-00. The amounts transferred can not exceed \$1,000,000 each per year for Dane County and Baraboo Hills, and the amounts transferred for Sauk County and Ice Age Trail can not exceed \$250,000 and \$2,000,000, respectively, over the entire five-year period.

The Ice Age transfers should be based on the amount of transportation enhancements funds spent for this purpose (23 USC 133 (b) (8)), other than funds spent from s. 20.395 (2) (nx).

2000

Jon Dyck, Fiscal Analyst  
Legislative Fiscal Bureau

**Nilsen, Paul**

---

**From:** Dyck, Jon  
**Sent:** Friday, June 25, 1999 10:03 AM  
**To:** Gibson-Glass, Mary; Nilsen, Paul  
**Subject:** correction

I said that the first transfer should occur on or before August 1, 2001. This is wrong. It should be August 1, 2000.

Jon Dyck, Fiscal Analyst  
Legislative Fiscal Bureau



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRBb1252/P  
MGG&PEN:cmh:km

*INSERT* *SOON*

*2 RM2*

ARC:..... Miller - 176, Stewardship reimbursement to department of transportation for Baraboo Hills area

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 1999 ASSEMBLY BILL 133

*insert*

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

2 1. Page <sup>179</sup>~~181~~, line <sup>18</sup>~~21~~ after that line insert:

3 *(bs) Major highway development*  
4 ~~Conservation land acquisition,~~  
*supplement, service funds*  
~~state funds~~

↓ - 0 -  
SEG-5 C 12,250,000 -0-"

5 2. Page ~~832~~, line ~~17~~ after that line insert:

6 "SECTION 354g. 20.395 (4) (fq) of the statutes is created to read:  
7 20.395 (4) (fq) ~~Conservation land acquisitions, state funds.~~ As a continuing  
8 appropriation, the amounts in the schedule for land acquisitions and improvements  
9 under s. 85.197. No moneys may be encumbered from this appropriation after June  
10 30, 2004."

*← INSERT 1-10*



1           **3.** Page 438, line 9: after that line insert:

2           **"(9m) BARABOO HILLS; REIMBURSEMENT TO DEPARTMENT OF TRANSPORTATION.** (a)

3           Upon receipt of a certification from the secretary of transportation under s. 85.197

4           (7) for a given fiscal year, the department shall contract revenue obligations from the

5           appropriation under s. 20.866 (2) (ta) in an amount that equals the amount certified.

6           The proceeds from the revenue obligations shall be deposited into the transportation  
7           fund. *and credited to the appropriation under s. 20.395(3) (bs)*

8           (b) The department shall designate the proceeds under par. (a) as having been

9           obligated from one or more of the subprograms under this section."

10           **4.** Page 967, line 7: after that line insert:

11           **"SECTION 1832m.** 85.197 of the statutes is created to read:

12           **85.197 Baraboo land acquisition. (1) DEFINITIONS.** In this section:

13           (a) "Ice Age Trail" means the state scenic trail as designated under s. 23.17 (2)

14           and includes corridors for the trail that have been approved by the department.

15           (b) "Land" means land in fee simple, easements in land and development rights

16           in land.

17           (c) "Northwestern Dane county" means the area that is located in the towns of

18           Berry, Black Earth, Dane, Mazomanie, Roxbury, Springfield and Westport.

19           ~~(2) LAND ACQUISITIONS AUTHORIZED.~~ From the appropriation<sup>s</sup> under s. 20.395 ~~(4)~~ <sup>(3)</sup>

*(bg), (br) and (bx)*

20           the department may expend moneys as provided in subs. (3) to (6).

21           **(3) FOREST LAND ACQUISITIONS.** The department may annually encumber or

22           expend not more than \$1,000,000, beginning with fiscal year 1999-2000 and ending

23           with fiscal year 2003-04, to acquire land that will protect the forest resources that

1 are located within the boundaries of the Baraboo Range National Natural  
2 Landmark.

3 (4) SCENIC, CONSERVATION AND AGRICULTURAL ACQUISITION; DANE COUNTY. (a) The  
4 department may annually encumber or expend not more than \$1,000,000, beginning  
5 with fiscal year 1999-2000 and ending with fiscal year 2003-04, to purchase land  
6 that is located in northwestern Dane County for scenic, conservation or agricultural  
7 purposes.

8 (5) SCENIC, CONSERVATION AND AGRICULTURAL ACQUISITION; SAUK COUNTY. The  
9 department may encumber or expend not more than \$250,000 during the period  
10 beginning with fiscal year 1999-2000 and ending with fiscal year 2003-04, to  
11 purchase land that is located in Sauk County and that is located outside the  
12 boundaries of the Baraboo Range National Natural Landmark for scenic,  
13 conservation or agricultural purposes.

14 (6) ICE AGE TRAIL. (a) During the period beginning with fiscal year 1999-2000  
15 and ending with fiscal year 2003-04, the department may encumber or expend  
16 moneys for the development or improvement of the portion of the Ice Age Trail that  
17 is located in Sauk County or Dane County and that is in the vicinity of USH 12. The  
18 amount expended may not exceed \$2,000,000 or an amount equal to the amount  
19 allocated by the federal government for that portion of the Ice Age Trail during that  
20 period of time, whichever is less.

21 (b) For purposes of par. (a), the department of transportation shall by rule  
22 specify what constitutes the vicinity of USH 12.

23 (7) CERTIFICATION OF EXPENDITURES. *No later than* August 1, 2000, and *no later than* August 1 of each  
24 of the subsequent 4 years, the secretary of transportation shall certify to the  
25 secretary of natural resources and to the secretary of administration the amount

1 encumbered or expended <sup>under s. 85.197</sup> ~~from the appropriation under s. 20.395 (4) (f)~~ during the  
2 preceding fiscal year.

3 (8) SUNSET. This section does not apply after June 30, 2004.”.

4 5. Page 1554, line 12: after that line insert:

5 “(10g) RULE DESIGNATING HIGHWAY 12 AREA. Using the procedure under section  
6 227.24 of the statutes, the department of transportation shall promulgate the rule  
7 required under section 85.197 (6) (b) of the statutes, as created by this act, for the  
8 period before the effective date of the permanent rule promulgated under section  
9 85.197 (6) (b) of the statutes, as created by this act, but not to exceed the period  
10 authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding  
11 section 227.24 (1) (a), (2) (b) and (3) of the statutes, the department is not required  
12 to provide evidence that promulgating a rule under this subsection as an emergency  
13 rule is necessary for the preservation of the public peace, health, safety or welfare  
14 and is not required to provide a finding of emergency for a rule promulgated under  
15 this subsection.”.

16

(END)

#. Page 329, line 22: after + bar line insert =

INSERT  
1-10

Section ~~20.395~~ (3) ~~(b)~~ of the statutes is ~~amended~~ <sup>created</sup> to read:  
347m (bs) supplement

under s.  
23.09(7)(9m)

~~B~~ 20.395 (3) ~~Am~~ Major highway development service funds. All moneys received from the fund ~~created under s. 8.50(4)~~ as reimbursement for the temporary financing under sub. (9) (th) of projects for major development of state trunk and connecting highways that are financed under s. 84.59 and enumerated under s. 84.013 (3), for the purpose of financing such projects.

History: 1971 c. 40 s. 93; 1971 c. 42, 107; 1971 c. 125 ss. 122 to 137, 522 (1); 1971 c. 197, 211, 215, 307; 1973 c. 90, 142, 243, 333, 336; 1975 c. 39; 1975 c. 163 s. 16; 1975 c. 200, 224, 270, 288, 340, 422; 1977 c. 29, 377, 418; 1979 c. 34 ss. 322e to 420, 574, 575; 1979 c. 221; 1981 c. 20 ss. 238 to 300, 2202 (51) (c), (e); 1981 c. 165, 234; 1981 c. 314 s. 146; 1981 c. 347 s. 80; 1981 c. 362; 1983 a. 27 ss. 270g to 315, 2202 (20); 1983 a. 243; 1985 a. 29 ss. 357 to 402, 3202 (51) (a); 1985 a. 65, 76, 341; 1987 a. 27, 137, 349, 369, 399, 403; 1989 a. 31, 56; 1991 a. 39, 104, 239, 269; 1993 a. 16, 285, 354, 437; 1995 a. 27, 113, 201, 338, 445; 1997 a. 27, 35, 135, 237, 255.

land acquisitions and improvements under s. 85.197

(end insert)



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRBb125248  
MGG&PEN:cmh:ksh

3

ARC:.....Miller - 176, Stewardship reimbursement to department of transportation for Baraboo Hills area

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 179, line 18: after that line insert:

3 “(bs) Major highway development sup-

4 plement, service funds SEG-S C -0- -0-”.

5 2. Page 329, line 22: after that line insert:

6 “SECTION 347m. 20.395 (3) (bs) of the statutes is created to read:

7 20.395 (3) (bs) *Major highway development supplement, service funds. All*

8 moneys received under s. 23.0917 (9m) as reimbursement for land acquisitions and

9 improvements under s. 85.197, for major development of state trunk and connecting

10 highways.”.

1           **3.** Page 438, line 9: after that line insert:

2           **“(9m) BARABOO HILLS; REIMBURSEMENT TO DEPARTMENT OF TRANSPORTATION. (a)**

3           Upon receipt of a certification from the secretary of transportation under s. 85.197  
4           (7) for a given fiscal year, the department shall contract revenue obligations from the  
5           appropriation under s. 20.866 (2) (ta) in an amount that equals the amount certified.  
6           The proceeds from the revenue obligations shall be deposited into the transportation  
7           fund and credited to the appropriation under s. 20.395 (3) (bs).

8           (b) The department shall designate the proceeds under par. (a) as having been  
9           obligated from one or more of the subprograms under this section.”.

10          **4.** Page 967, line 7: after that line insert:

11          **“SECTION 1832m. 85.197 of the statutes is created to read:**

12          **85.197 Baraboo land acquisition. (1) DEFINITIONS. In this section:**

13          (a) “Ice Age Trail” means the state scenic trail as designated under s. 23.17 (2)  
14          and includes corridors for the trail that have been approved by the department.

15          (b) “Land” means land in fee simple, easements in land and development rights  
16          in land.

17          (c) “Northwestern Dane county” means the area that is located in the towns of  
18          Berry, Black Earth, Dane, Mazomanie, Roxbury, Springfield and Westport.

19          **(2) LAND ACQUISITIONS AUTHORIZED. From the appropriations under s. 20.395 (3)**  
20          **(bq), (br) and (bx), the department may expend moneys as provided in subs. (3) to (6).**

21          **(3) FOREST LAND ACQUISITIONS. The department may annually encumber or**  
22          **expend not more than \$1,000,000, beginning with fiscal year 1999–2000 and ending**  
23          **with fiscal year 2003–04, to acquire land that will protect the forest resources that**

1 are located within the boundaries of the Baraboo Range National Natural  
2 Landmark.

3 (4) SCENIC, CONSERVATION AND AGRICULTURAL ACQUISITION; DANE COUNTY. (a) The  
4 department may annually encumber or expend not more than \$1,000,000, beginning  
5 with fiscal year 1999–2000 and ending with fiscal year 2003–04, to purchase land  
6 that is located in northwestern Dane County for scenic, conservation or agricultural  
7 purposes.

8 (5) SCENIC, CONSERVATION AND AGRICULTURAL ACQUISITION; SAUK COUNTY. The  
9 department may encumber or expend not more than \$250,000 during the period  
10 beginning with fiscal year 1999–2000 and ending with fiscal year 2003–04, to  
11 purchase land that is located in Sauk County and that is located outside the  
12 boundaries of the Baraboo Range National Natural Landmark for scenic,  
13 conservation or agricultural purposes.

14 (6) ICE AGE TRAIL. (a) During the period beginning with fiscal year 1999–2000  
15 and ending with fiscal year 2003–04, the department may encumber or expend  
16 moneys for the development or improvement of the portion of the Ice Age Trail that  
17 is located in Sauk County or Dane County and that is in the vicinity of USH 12. The  
18 amount expended may not exceed \$2,000,000 or an amount equal to the amount  
19 allocated by the federal government for that portion of the Ice Age Trail during that  
20 period of time, whichever is less.

21 (b) For purposes of par. (a), the department of transportation shall by rule  
22 specify what constitutes the vicinity of USH 12.

23 (7) CERTIFICATION OF EXPENDITURES. No later than August 1, 2000, and no later  
24 than August 1 of each of the subsequent 4 years, the secretary of transportation shall  
25 certify to the secretary of natural resources and to the secretary of administration

1 the amount encumbered or expended under s. 85.197 during the preceding fiscal  
2 year.

*(a) Except as provided in par. (b),*

3 (8) SUNSET. *This section does not apply after June 30, 2004.*

4 5. Page 1554, line 12: after that line insert:

5 "(10g) RULE DESIGNATING HIGHWAY 12 AREA. Using the procedure under section  
6 227.24 of the statutes, the department of transportation shall promulgate the rule  
7 required under section 85.197 (6) (b) of the statutes, as created by this act, for the  
8 period before the effective date of the permanent rule promulgated under section  
9 85.197 (6) (b) of the statutes, as created by this act, but not to exceed the period  
10 authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding  
11 section 227.24 (1) (a), (2) (b) and (3) of the statutes, the department is not required  
12 to provide evidence that promulgating a rule under this subsection as an emergency  
13 rule is necessary for the preservation of the public peace, health, safety or welfare  
14 and is not required to provide a finding of emergency for a rule promulgated under  
15 this subsection."

16 (END)

*(a) (b) Subsection (7) does not apply  
after August 1, 2004."*





State of Wisconsin  
1999 - 2000 LEGISLATURE

LRBb1252/3  
MGG&PEN:cmh:ksh

ARC:.....Miller - 176, Stewardship reimbursement to department of  
transportation for Baraboo Hills area

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 179, line 18: after that line insert:

3 “(bs) Major highway development sup-

4 plement, service funds SEG-S C -0- -0-”.

5 2. Page 329, line 22: after that line insert:

6 “SECTION 347m. 20.395 (3) (bs) of the statutes is created to read:

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8 moneys received under s. 23.0917 (9m) as reimbursement for land acquisitions and

9 improvements under s. 85.197, for major development of state trunk and connecting

10 highways.”.

1           **3.** Page 438, line 9: after that line insert:

2           **“(9m) BARABOO HILLS; REIMBURSEMENT TO DEPARTMENT OF TRANSPORTATION.** (a)

3           Upon receipt of a certification from the secretary of transportation under s. 85.197  
4           (7) for a given fiscal year, the department shall contract revenue obligations from the  
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6           The proceeds from the revenue obligations shall be deposited into the transportation  
7           fund and credited to the appropriation under s. 20.395 (3) (bs).

8           (b) The department shall designate the proceeds under par. (a) as having been  
9           obligated from one or more of the subprograms under this section.”.

10           **4.** Page 967, line 7: after that line insert:

11           **“SECTION 1832m.** 85.197 of the statutes is created to read:

12           **85.197 Baraboo land acquisition.** (1) DEFINITIONS. In this section:

13           (a) “Ice Age Trail” means the state scenic trail as designated under s. 23.17 (2)  
14           and includes corridors for the trail that have been approved by the department.

15           (b) “Land” means land in fee simple, easements in land and development rights  
16           in land.

17           (c) “Northwestern Dane county” means the area that is located in the towns of  
18           Berry, Black Earth, Dane, Mazomanie, Roxbury, Springfield and Westport.

19           (2) LAND ACQUISITIONS AUTHORIZED. From the appropriations under s. 20.395 (3)  
20           (bq), (br) and (bx), the department may expend moneys as provided in subs. (3) to (6).

21           (3) FOREST LAND ACQUISITIONS. The department may annually encumber or  
22           expend not more than \$1,000,000, beginning with fiscal year 1999–2000 and ending  
23           with fiscal year 2003–04, to acquire land that will protect the forest resources that

1 are located within the boundaries of the Baraboo Range National Natural  
2 Landmark.

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8 (5) SCENIC, CONSERVATION AND AGRICULTURAL ACQUISITION; SAUK COUNTY. The  
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24 than August 1 of each of the subsequent 4 years, the secretary of transportation shall  
25 certify to the secretary of natural resources and to the secretary of administration

1 the amount encumbered or expended under s. 85.197 during the preceding fiscal  
2 year.

3 (8) SUNSET. (a) Except as provided in par. (b), this section does not apply after  
4 June 30, 2004.

5 (b) Subsection (7) does not apply after August 1, 2004.”.

6 **5.** Page 1554, line 12: after that line insert:

7 “(10g) RULE DESIGNATING HIGHWAY 12 AREA. Using the procedure under section  
8 227.24 of the statutes, the department of transportation shall promulgate the rule  
9 required under section 85.197 (6) (b) of the statutes, as created by this act, for the  
10 period before the effective date of the permanent rule promulgated under section  
11 85.197 (6) (b) of the statutes, as created by this act, but not to exceed the period  
12 authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding  
13 section 227.24 (1) (a), (2) (b) and (3) of the statutes, the department is not required  
14 to provide evidence that promulgating a rule under this subsection as an emergency  
15 rule is necessary for the preservation of the public peace, health, safety or welfare  
16 and is not required to provide a finding of emergency for a rule promulgated under  
17 this subsection.”.

18

(END)