

1           **SECTION 1087m.** 24.01 (8) of the statutes is amended to read:

2           24.01 (8) “Secretary” means secretary of ~~natural resources~~ fish, wildlife, parks,  
3 and forestry.

4           **SECTION 1087p.** 24.39 (1) of the statutes is amended to read:

5           24.39 (1) The board of commissioners of public lands may grant leases of parts  
6 or parcels of any public lands except state park lands and state forest lands; grant  
7 easements, leases to enter upon any of said lands to flow the same or to prospect for  
8 and to dig and remove therefrom ore, minerals and other deposits,; and sell  
9 therefrom such timber as the board shall find necessary to prevent future loss or  
10 damage. All sales of standing live timber shall be on a selective cutting basis in line  
11 with federal forest practices. Such easements, leases, licenses and sales shall be  
12 made only for a full and fair consideration paid or to be paid to the state, the amount  
13 and terms whereof shall be fixed by said board, and such easements, leases, licenses  
14 and sales shall conform to the requirements, so far as applicable, prescribed by ch.  
15 26 for the exercise by the department of ~~natural resources~~ fish, wildlife, parks, and  
16 forestry of similar powers affecting state park lands and state forest lands.

17           **SECTION 1087r.** 24.39 (2) of the statutes is amended to read:

18           24.39 (2) In negotiating for such leases, licenses or sales, and in exercising the  
19 other powers conferred by this section the board of commissioners of public lands  
20 shall, so far as it finds it desirable and practicable, request and make proper use of  
21 such services and information as the department of ~~natural resources~~ fish, wildlife,  
22 parks, and forestry or the department of environmental management may be able  
23 to furnish.

24           **SECTION 1087t.** 24.39 (4) (c) of the statutes is amended to read:

1           24.39 (4) (c) No leases under par. (a) may be executed without a prior finding  
2 of the department of ~~natural resources~~ environmental management under s. 30.11  
3 (5) that any proposed physical change in the area contemplated as the result of the  
4 execution of any term lease is consistent with the public interest in the navigable  
5 waters involved.

6           **SECTION 1087v.** 24.39 (4) (f) of the statutes is amended to read:

7           24.39 (4) (f) A municipality may sublease rights leased to it under par. (a) 1.  
8 or 2. to corporations or private persons. A municipality may also make physical  
9 improvements on and above the bottoms to which rights were leased from the board  
10 of commissioners of public lands and may sublease these improvements to  
11 corporations or private persons. Any subleases under this paragraph shall be  
12 consistent with this subsection and with whatever standards or restrictions the  
13 department of ~~natural resources~~ environmental management, acting under s. 30.11  
14 (5), may have found at the time of execution of the original lease by the board of  
15 commissioners of public lands to the municipality.”

16           **118.** Page 471, line 10: after that line insert:

17           **“SECTION 1119g.** 25.293 (1) of the statutes is amended to read:

18           25.293 (1) All gifts, grants or bequests made to the natural resources land  
19 endowment fund. The department of ~~natural resources~~ fish, wildlife, parks, and  
20 forestry may convert any noncash gift, grant or bequest into cash for deposit into the  
21 fund.

22           **SECTION 1119r.** 25.295 (1) (b) of the statutes is amended to read:

23           25.295 (1) (b) Notwithstanding s. 23.15 (4), all moneys received by the  
24 department of ~~natural resources~~ fish, wildlife, parks, and forestry from utility

1 easements on property located in the state park system, a southern state forest, as  
2 defined in s. 27.016 (1) (c), or a state recreation area under ss. 23.09 (10), 27.01 (2)  
3 (g) and 28.02 (5).”.

4 **119.** Page 472, line 19: after that line insert:

5 “SECTION 1123p. 25.43 (2) (c) of the statutes is amended to read:

6 25.43 (2) (c) The department of administration may establish and change  
7 accounts in the environmental improvement fund other than those under pars. (a),  
8 (ae), (am) and (b). The department of administration shall consult the department  
9 of ~~natural resources~~ environmental management before establishing or changing an  
10 account that is needed to administer the programs under ss. 281.58, 281.59 and  
11 281.61.

12 **SECTION 1123u.** 25.43 (3) of the statutes is amended to read:

13 25.43 (3) Except for the purpose of investment as provided in s. 25.17 (2) (d),  
14 the environmental improvement fund may be used only for the purposes authorized  
15 under ss. 20.320 (1) (r), (s), (sm), (t), (x), and (y), (2) (s) and (x) and (3) (q), ~~20.370~~  
16 20.375 (4) (mt), (mx), and (nz), ~~(8) (mr) and (9) (mt), (mx) and (ny) (sr), (tt), (tx), and~~  
17 (ty), 20.505 (1) (v), (x), and (y), 281.58, 281.59, 281.60, 281.61, and 281.62.”.

18 **120.** Page 472, line 20: after that line insert:

19 “SECTION 1124g. 25.46 (1e) of the statutes is amended to read:

20 25.46 (1e) The moneys transferred under s. ~~20.370~~ 20.375 (2) (mu) for  
21 environmental management.

22 **SECTION 1124r.** 25.46 (1g) of the statutes is amended to read:

23 25.46 (1g) The moneys transferred under s. ~~20.370~~ 20.375 (4) (mw) for  
24 environmental management.”.

1           **121.** Page 477, line 12: after that line insert:

2           “**SECTION 1146m.** 26.01 of the statutes is amended to read:

3           **26.01 Definition.** In this chapter, unless the context requires otherwise  
4 “department” means the department of ~~natural resources~~ fish, wildlife, parks, and  
5 forestry.”.

6           **122.** Page 477, line 15: after that line insert:

7           “**SECTION 1147m.** 26.11 (6) of the statutes is amended to read:

8           **26.11 (6)** The department, as the director of the effort, may suppress a forest  
9 fire on lands located outside the boundaries of intensive or extensive forest fire  
10 protection districts but not within the limits of any city or village if the town  
11 responsible for suppressing fires within its boundaries spends more than \$3,000, as  
12 determined by rates established by the department, on suppressing the forest fire  
13 and if the town chairperson makes a request to the department for assistance.  
14 Persons participating in the suppression efforts shall act at the direction of the  
15 department after the department begins suppression efforts under this subsection.  
16 Funds expended by the state under this subsection shall be drawn from the  
17 appropriation under s. 20.370 ~~(1) (mu)~~ (3) (uu).”.

18           **123.** Page 477, line 21: after that line insert:

19           “**SECTION 1148g.** 26.11 (7) (a) of the statutes, as affected by 2001 Wisconsin Act  
20 .... (this act), is amended to read:

21           **26.11 (7) (a)** Notwithstanding s. 20.001 (3) (c), if the sum of the unencumbered  
22 balances in the appropriation accounts under s. 20.370 ~~(1) (3)~~ (cs) and ~~(mz)~~ (uz)  
23 exceeds \$1,000,000 on June 30 of any fiscal year, the amount in excess of \$1,000,000

1 shall lapse from the appropriation account under s. 20.370 ~~(1)~~ (3) (cs) to the  
2 conservation fund, except as provided in par. (b).

3 **SECTION 1148r.** 26.11 (7) (b) of the statutes is amended to read:

4 26.11 (7) (b) Notwithstanding s. 20.001 (3) (c), if the amount in the  
5 appropriation account under s. 20.370 ~~(1)~~ (3) (cs) is insufficient for the amount that  
6 must lapse under par. (a), the remainder that is necessary for the lapse shall lapse  
7 from the appropriation account under s. 20.370 ~~(1)~~ ~~(mz)~~ (3) (uz).”.

8 **124.** Page 478, line 2: after that line insert:

9 “**SECTION 1149c.** 26.30 (2) of the statutes is amended to read:

10 26.30 (2) POWERS. The department is vested with authority and jurisdiction in  
11 all matters relating to the prevention, detection and control of forest pests on the  
12 forest lands of the state, and to do all things necessary in the exercise of such  
13 authority and jurisdiction, except that this shall not be construed to grant any  
14 powers or authority to the department for the silvicultural control of forest pests on  
15 any land. This section shall apply only to the detection and control of forest pests on  
16 forest lands and does not affect the authority of the department of agriculture, trade  
17 and consumer protection under chs. 93 and 94. The action of the department under  
18 sub. (4) shall be coordinated with the department of agriculture, trade and consumer  
19 protection in accordance with s. 20.901. The secretaries of ~~natural resources~~ fish,  
20 wildlife, parks, and forestry and agriculture, trade and consumer protection shall  
21 execute annually a memorandum of agreement to enable the coordination of pest  
22 control work of their departments.

23 **SECTION 1149g.** 26.37 (1) (intro.) of the statutes is amended to read:

1           26.37 (1) (intro.) The department of ~~natural resources~~ fish, wildlife, parks, and  
2 forestry and the department of commerce shall jointly develop a plan to establish a  
3 lake states wood utilization consortium to provide research, development and  
4 demonstration grants to enhance the forest products industry in Wisconsin and  
5 other states. The plan shall do all of the following:

6           **SECTION 1149m.** 26.37 (1) (b) of the statutes is amended to read:

7           26.37 (1) (b) Establish an implementation committee for the consortium.  
8 Members of the committee may include one or more representatives from the  
9 department of ~~natural resources~~ fish, wildlife, parks, and forestry, the department  
10 of commerce and the forest products industry.

11           **SECTION 1149p.** 26.37 (2) of the statutes is amended to read:

12           26.37 (2) The department of ~~natural resources~~ fish, wildlife, parks, and forestry  
13 may not expend moneys from the appropriations under s. 20.370 (5) (ax) or (6) (bt),  
14 1997 stats., unless the department of ~~natural resources~~ fish, wildlife, parks, and  
15 forestry and the department of commerce first submit to the joint committee on  
16 finance the plan required under sub. (1). If the cochairpersons of the joint committee  
17 on finance do not notify the department of ~~natural resources~~ fish, wildlife, parks, and  
18 forestry within 14 working days after the date of the departments' submittal of the  
19 plan that the committee has scheduled a meeting to review the plan, the plan may  
20 be implemented and moneys may be expended as proposed by the department of  
21 ~~natural resources~~ fish, wildlife, parks, and forestry. If, within 14 days after the date  
22 of the departments' submittal of the plan, the cochairpersons of the committee notify  
23 the department of ~~natural resources~~ fish, wildlife, parks, and forestry that the  
24 committee has scheduled a meeting to review the plan, moneys may be expended  
25 only after the plan has been approved by the committee.”.

1           **125.** Page 479, line 2: after that line insert:

2           “**SECTION 1149mb.** 26.39 (2) to (4) of the statutes, as created by 2001 Wisconsin  
3 Act .... (this act), are amended to read:

4           26.39 (2) FORESTRY EDUCATION CURRICULUM; SCHOOLS. Using the moneys  
5 appropriated under s. 20.370 ~~(1)(eu)~~ (3)(eu), the department, in cooperation with the  
6 Center for Environmental Education in the College of Natural Resources at the  
7 University of Wisconsin–Stevens Point, shall develop a forestry education  
8 curriculum for grades kindergarten to 12.

9           (3) FORESTRY EDUCATION FOR THE PUBLIC. Using the moneys appropriated under  
10 s. 20.370 ~~(1)(ev)~~ (3)(ev), the department shall develop a program to educate the  
11 public on the value of sustainable forestry. The program shall include support for  
12 educational efforts conducted by school districts at school forests or conducted by  
13 other entities that provide education on the topic of sustainable forestry.

14           (4) FUNDING. (a) The department shall credit to the appropriation account  
15 under s. 20.370 (1) (cu), 1999 stats., the moneys received as surcharges under s. 28.06  
16 (2m) during fiscal year 2001–02, up to a total amount of \$300,000. The department  
17 shall credit any balance over \$300,000 that remains from the moneys received as  
18 such surcharges during fiscal year 2001–02 to the appropriation account under s.  
19 20.370 (1) (cv), 1999 stats.

20           (b) For fiscal year 2002–03 and each fiscal year thereafter, the department shall  
21 credit 50% of the moneys received as surcharges under s. 28.06 (2m) during the  
22 applicable fiscal year to the appropriation account under s. 20.370 ~~(1)(eu)~~ (3)(eu) and  
23 the remaining 50% to the appropriation account under s. 20.370 ~~(1)(ev)~~ (3)(ev).”.

24           **126.** Page 480, line 22: after that line insert:

1           **“SECTION 1153Lg.** 27.01 (11) (i) of the statutes is amended to read:

2           27.01 (11) (i) *Cooperation with tourism.* The department of ~~natural resources~~  
3 fish, wildlife, parks, and forestry and the department of tourism shall work jointly  
4 to establish an automated campground reservation system.

5           **SECTION 1153Lm.** 27.01 (12) of the statutes is amended to read:

6           27.01 (12) **LEGAL COUNSEL.** A representative of the department of justice  
7 designated by the attorney general shall act as legal counsel for ~~said the~~ department  
8 of ~~natural resources~~ fish, wildlife, parks, and forestry, both in proceedings and  
9 litigation, and in giving advice and counsel. The respective district attorneys of the  
10 county or counties where said park is or shall be located shall prosecute all violations  
11 of this section occurring within their respective counties as provided in s. 26.18.

12           **SECTION 1153Lr.** 27.011 of the statutes is amended to read:

13           **27.011 Copper Culture Mounds State Park.** The department of ~~natural~~  
14 ~~resources~~ fish, wildlife, parks, and forestry shall accept a grant of lands in the city  
15 of Oconto, Oconto County, and shall develop and maintain it as a state park to be  
16 known as Copper Culture Mounds State Park.”.

17           **127.** Page 481, line 5: after that line insert:

18           **“SECTION 1153mg.** 27.016 (6) of the statutes is amended to read:

19           27.016 (6) Annually, on or before January 1, the department shall review all  
20 applications received under this section in the previous year and shall make the  
21 grants that it approves from the appropriation under s. 20.370 ~~(1) (eq) (2) (es)~~. If  
22 insufficient funds are available to pay all approved grants, the board shall prorate  
23 the available funds among the applicants in proportion to the approved grant  
24 amounts.

1           **SECTION 1153n.** 27.016 (7) of the statutes is amended to read:

2           27.016 (7) Beginning in fiscal year 1996–97 and for each fiscal year thereafter,  
3 any moneys not encumbered or expended for grants under sub. (6) from the  
4 appropriation under s. 20.370 ~~(1) (eq)~~ (2) (es) may be used by the department for the  
5 operation and maintenance of the state parks, of the southern state forests and of  
6 state recreation areas.

7           **SECTION 1153nr.** 27.019 (12) of the statutes is amended to read:

8           27.019 (12) COOPERATION OF STATE DEPARTMENTS. The department of  
9 agriculture, trade and consumer protection, the department of administration, the  
10 department of ~~natural resources~~ fish, wildlife, parks, and forestry, and the  
11 agricultural extension division of the University of Wisconsin shall cooperate with  
12 the several county rural planning committees in carrying out this section.

13           **SECTION 1153nw.** 28.005 of the statutes is amended to read:

14           **28.005 Definition.** “Department” when used in this chapter without other  
15 words of description or qualification means the department of ~~natural resources~~ fish,  
16 wildlife, parks, and forestry.”

17           **128.** Page 481, line 16: after that line insert:

18           **“SECTION 1153pm.** 28.035 (3) of the statutes is amended to read:

19           28.035 (3) CAMP AMERICAN LEGION. (a) The written lease entered into between  
20 the Wisconsin state department of the American Legion and the department of  
21 natural resources dated June 15, 1944, which leases Camp American Legion for a  
22 period of 10 years commencing June 1, 1944, shall continue in full force for an  
23 additional 10 years, and may be renewed with the department of fish, wildlife, parks,  
24 and forestry for additional 10–year periods thereafter, notwithstanding the

1 expiration of the term expressed therein, so long as the Wisconsin state department  
2 of the American Legion or any of the American Legion posts organized under s.  
3 188.08 maintains on such property structures which were constructed prior to May  
4 31, 1956, at the expense of the Wisconsin state department of the American Legion  
5 or any such post, for the purpose of the rehabilitation, restoration or recreation of  
6 veterans and their dependents of the Spanish–American war, the Philippine  
7 insurrection, the Mexican border service, World Wars I and II, the Korean conflict,  
8 the Vietnam war and Grenada, Lebanon, Panama, Somalia or a Middle East crisis  
9 under s. 45.34.

10 (b) The ownership of all of the buildings and equipment of the camp shall revert  
11 to the state upon the discontinuance of the use thereof for such purposes. On or  
12 before January 15 of each year the department of the American Legion shall file with  
13 the governor, the department of veterans affairs and the department of ~~natural~~  
14 ~~resources~~ fish, wildlife, parks, and forestry a written report of the operations and the  
15 financial status of the camp.”.

16 **129.** Page 482, line 17: after that line insert:

17 “SECTION 1153t. 28.11 (12) of the statutes is amended to read:

18 28.11 (12) ENFORCEMENT. If at any time it appears to the department that the  
19 lands are not being managed in accordance with this section it shall so advise the  
20 county forestry committee and the county clerk. If the condition persists the  
21 department may ~~proceed against the persons responsible for such noncompliance~~  
22 ~~under s. 30.03 (4) order a hearing under ch. 227 concerning the noncompliance, and~~  
23 may request the hearing examiner to issue an order directing the responsible parties  
24 to perform or refrain from performing acts in order to remedy the noncompliance.

1 If any person fails or neglects to obey an order, the department may request the  
2 attorney general to institute proceedings for the enforcement of the department's  
3 order in the name of the state. The proceedings shall be brought in the manner and  
4 with the effect of proceedings under s. 111.07 (7). No penalty may be imposed for  
5 violation of a hearing examiner's order under this subsection, but violation of a  
6 judgment enforcing the order may be punished in civil contempt proceedings.

7 **SECTION 1156c.** 29.024 (2g) (am) of the statutes is amended to read:

8 29.024 (2g) (am) *Social security numbers exceptions.* If an applicant who is an  
9 individual does not have a social security number, the applicant, as a condition of  
10 applying for, or applying to renew, an approval specified in par. (a) 1. to 3., shall  
11 submit a statement made or subscribed under oath or affirmation to the department  
12 that the applicant does not have a social security number. The form of the statement  
13 shall be prescribed by the department of workforce development. An approval issued  
14 by the department of ~~natural resources~~ fish, wildlife, parks, and forestry in reliance  
15 on a false statement submitted by an applicant under this paragraph is invalid.

16 **SECTION 1156g.** 29.024 (2g) (c) of the statutes is amended to read:

17 29.024 (2g) (c) *Disclosure of social security numbers.* The department of  
18 ~~natural resources~~ fish, wildlife, parks, and forestry may not disclose any social  
19 security numbers received under par. (a) to any person except to the department of  
20 workforce development for the sole purpose of administering s. 49.22.

21 **SECTION 1156m.** 29.024 (2r) (am) of the statutes is amended to read:

22 29.024 (2r) (am) *Social security and identification numbers exceptions.* If an  
23 applicant who is an individual does not have a social security number, the applicant,  
24 as a condition of applying for, or applying to renew, any of the approvals specified in  
25 par. (a) 1. to 21., shall submit a statement made or subscribed under oath or

1 affirmation to the department that the applicant does not have a social security  
2 number. The form of the statement shall be prescribed by the department of  
3 workforce development. An approval issued by the department of ~~natural resources~~  
4 fish, wildlife, parks, and forestry in reliance on a false statement submitted by an  
5 applicant under this paragraph is invalid.

6 **SECTION 1156r.** 29.024 (2r) (c) of the statutes is amended to read:

7 29.024 (2r) (c) *Disclosure of numbers.* The department of ~~natural resources~~  
8 fish, wildlife, parks, and forestry may not disclose any information received under  
9 par. (a) to any person except to the department of revenue for the sole purpose of  
10 making certifications required under s. 73.0301.”.

11 **130.** Page 482, line 25: after that line insert:

12 “**SECTION 1158mb.** 29.032 of the statutes, as created by 2001 Wisconsin Act ...  
13 (this act), is amended to read:

14 **29.032 Internet bidding process.** The department of ~~natural resources~~ fish,  
15 wildlife, parks, and forestry shall post its specifications for the operation of a  
16 statewide automated system for issuing approvals on an Internet site maintained by  
17 the department of agriculture, trade and consumer protection. The department of  
18 ~~natural resources~~ fish, wildlife, parks, and forestry shall ensure that the Internet  
19 site provides a means by which contractors may electronically post bids to provide  
20 the statewide automated system and by which contractors may view the bids posted  
21 by other contractors.”.

22 **131.** Page 483, line 20: after that line insert:

23 “**SECTION 1160m.** 29.043 (4) of the statutes is amended to read:

1           29.043 (4) If any other state confers upon the officers of this state reciprocal  
2 powers, the department may appoint persons who are charged with enforcing the  
3 laws of the other state relating to wild animals to act as conservation wardens of this  
4 state, but without compensation from this state.”.

5           **132.** Page 484, line 2: after that line insert:

6           “**SECTION 1161r.** 29.083 (2) (b) of the statutes is amended to read:

7           29.083 (2) (b) No person may knowingly fail to obey the order of a conservation  
8 warden or other law enforcement officer to desist from conduct in violation of par. (a)  
9 if the order is based on any of the following:

10           1. The conservation warden or other law enforcement officer personally  
11 observed such conduct by the person.

12           2. The conservation warden or other law enforcement officer has reasonable  
13 grounds to believe that the person has engaged in such conduct that day or that the  
14 person intends to engage in such conduct that day.

15           **SECTION 1161t.** 29.083 (3) of the statutes is amended to read:

16           29.083 (3) EXEMPTIONS. This section does not apply to actions under sub. (2) (a)  
17 1. to 5. performed by conservation wardens and other law enforcement officers if the  
18 actions are authorized by law and are necessary for the performance of their official  
19 duties.”.

20           **133.** Page 485, line 9: after that line insert:

21           “**SECTION 1169d.** 29.219 (3) (c) of the statutes is amended to read:

22           29.219 (3) (c) *Use of fees.* The department shall deposit receipts from the sale  
23 of resident 2-day sports fishing licenses under this subsection ~~in~~ into the

1 conservation fund. The department shall credit 50% of these receipts to the  
2 appropriation under s. 20.370 ~~(4)~~ (1) (ku).

3 **SECTION 1169g.** 29.228 (7) (c) of the statutes is amended to read:

4 29.228 (7) (c) *Use of fees.* The department shall deposit receipts from the sale  
5 of nonresident 2-day sports fishing licenses under this subsection ~~in~~ into the  
6 conservation fund. The department shall credit 50% of these receipts to the  
7 appropriation under s. 20.370 ~~(4)~~ (1) (ku).

8 **SECTION 1169L.** 29.229 (5r) of the statutes is amended to read:

9 29.229 (5r) FEES TO THE DEPARTMENT. The department may require that the  
10 band remit all of the fees collected under sub. (3) (a) to the department. If the  
11 department so requires, all of these fees shall be deposited in the conservation fund  
12 and credited to the appropriation account under s. 20.370 ~~(9)~~ (1) (hs).

13 **SECTION 1169n.** 29.2295 (4) (c) of the statutes is amended to read:

14 29.2295 (4) (c) 1. The department shall make the payments under this  
15 subsection from the appropriation under s. 20.370 ~~(9)~~ ~~(hk)~~ (1) (hg).

16 2. If the amount appropriated under s. 20.370 ~~(9)~~ ~~(hk)~~ (1) (hg) is insufficient to  
17 make all of the payments under this subsection, the department shall make the  
18 remaining payments from the appropriation under s. 20.370 ~~(9)~~ ~~(ht)~~ (1) (hv).”.

19 **134.** Page 488, line 7: after that line insert:

20 “**SECTION 1172c.** 29.347 (1) (a) of the statutes is amended to read:

21 29.347 (1) (a) “Law enforcement officer” means a conservation warden or any  
22 other law enforcement officer authorized by the department to issue tags for car kill  
23 deer.”.

24 **135.** Page 488, line 17: after that line insert:

1           **SECTION 1184c.** 29.424 (2) (b) of the statutes is amended to read:

2           29.424 (2) (b) The department of agriculture, trade and consumer protection  
3 has requested that the department of ~~natural resources~~ fish, wildlife, parks, and  
4 forestry remove the fish to address a problem affecting fish health.

5           **SECTION 1184e.** 29.503 (6) (b) (intro.) of the statutes is amended to read:

6           29.503 (6) (b) (intro.) *Inspection authority; entry; inspection.* For the purpose  
7 of enforcing this subsection, a conservation warden or a representative of the  
8 department, upon presentation of his or her credentials to a wholesale fish dealer,  
9 a person operating a vehicle or boat for a wholesale fish dealer or an employee or  
10 person acting on behalf of a wholesale fish dealer, is authorized during any time  
11 when business is being conducted on the premises:

12           **SECTION 1184g.** 29.506 (7) (a) (intro.) of the statutes is amended to read:

13           29.506 (7) (a) *Departmental authority; limitations.* (intro.) A conservation  
14 warden may enter a taxidermist's place of business for inspection purposes as  
15 provided under par. (b) only:

16           **SECTION 1184j.** 29.506 (7) (b) of the statutes is amended to read:

17           29.506 (7) (b) *Items subject to inspection.* All records required under subs. (5)  
18 (b) and (6) or related to the taxidermist's business are subject to departmental  
19 inspection as provided under par. (a). A taxidermist or an employee or agent of the  
20 taxidermist shall cooperate with and exhibit items subject to inspection to a  
21 conservation warden or any other agent of the department.

22           **SECTION 1184m.** 29.519 (4) (b) of the statutes is amended to read:

23           29.519 (4) (b) Each member of a crew engaged in the setting, lifting or pulling  
24 of nets or other devices set under authority of a commercial fishing license shall carry  
25 the crew license on his or her person while so engaged and upon demand of any

1 conservation warden shall exhibit the license. Persons using minnow seines and dip  
2 nets used for taking smelt and minnows are exempt from this subsection.

3 **SECTION 1184n.** 29.519 (4) (c) of the statutes is amended to read:

4 29.519 (4) (c) In case of illness or unavailability for good cause of a licensed crew  
5 member, an unlicensed person may work on a commercial fishing operation for a  
6 period not to exceed 48 hours under a temporary crew identification card, after which  
7 time he or she must obtain a crew license to engage in commercial fishing operations.  
8 Temporary crew identification cards shall be issued by the department to commercial  
9 fishing licensees for use as provided in this paragraph. Prior to use, the commercial  
10 licensee shall indicate on the temporary crew identification card the license number  
11 and name of the commercial fisher for whom the crew member will be working, the  
12 time and date the crew member commences work under the card and the crew  
13 member's name, address, description and his or her signature. The card shall be  
14 presented, upon request, to a conservation warden and must be in the possession of  
15 the crew member at all times while engaged in commercial fishing operations. The  
16 commercial fisher issuing the temporary crew identification card to an unlicensed  
17 person shall submit the card to the department with the commercial catch report  
18 submitted for the period in which work conducted under the card was performed.

19 **SECTION 1184p.** 29.519 (6) (intro.) of the statutes is amended to read:

20 29.519 (6) INSPECTION. (intro.) For purposes of enforcement of this section,  
21 conservation wardens or department employees duly authorized and designated by  
22 the secretary, upon presenting appropriate credentials to the licensee or agent in  
23 charge, are authorized:

24 **SECTION 1184r.** 29.537 (6) (a) (intro.) of the statutes is amended to read:

1           29.537 (6) (a) (intro.) Except as provided in par. (d), for purposes of enforcement  
2 of this section, conservation wardens or department employees authorized and  
3 designated by the secretary, upon presenting appropriate credentials to the licensee  
4 or agent in charge, are authorized to do all of the following:

5           **SECTION 1184t.** 29.556 (3) of the statutes is amended to read:

6           29.556 (3) Any fees collected under this section by the department shall be  
7 credited to the appropriation account under s. 20.370 ~~(9) (hu)~~ (1) (hw).”

8           **136.** Page 488, line 20: after that line insert:

9           “**SECTION 1195m.** 29.564 (2) of the statutes is amended to read:

10           29.564 (2) All moneys collected under sub. (1) shall be deposited into the  
11 account under s. 20.370 ~~(9) (1)~~ (1) (is).”

12           **137.** Page 490, line 5: after that line insert:

13           “**SECTION 1199g.** 29.601 (3) (b) of the statutes is amended to read:

14           29.601 (3) (b) Paragraph (a) does not apply to authorized drainage and sewage  
15 from municipalities and industrial or other wastes discharged from mines or  
16 commercial or industrial or ore processing plants or operations, through treatment  
17 and disposal facilities installed and operated in accordance with plans submitted to  
18 and approved by the department of environmental management under chs. 281, 285  
19 or 289 to 299, except s. 281.48, or in compliance with orders of the department of  
20 environmental management. Any order is subject to modification by subsequent  
21 orders.

22           **SECTION 1199m.** 29.601 (4) of the statutes is amended to read:

23           29.601 (4) **USE OF PESTICIDES.** The department of ~~natural resources~~ fish,  
24 wildlife, parks, and forestry, after public hearing, may promulgate rules governing

1 the use of any pesticide which it finds is a serious hazard to wild animals other than  
2 those it is intended to control, and the making of reports about the pesticide. In  
3 promulgating the rules, the department to the extent relevant shall consider the  
4 need for pesticides to protect the well-being of the general public. "Pesticide" has the  
5 meaning given in s. 94.67.

6 **SECTION 1199r.** 29.601 (5) (b) 2. of the statutes is amended to read:

7 29.601 (5) (b) 2. This section does not apply to toxicants placed in the waters  
8 of a preexisting fish rearing facility that is an artificial body of water if the toxicants  
9 are necessary to the operation of the fish farm and the department of environmental  
10 management has issued a permit under s. 283.31 for the preexisting fish rearing  
11 facility."

12 **138.** Page 490, line 10: after that line insert:

13 "SECTION 1200b. 29.604 (2) (am) of the statutes, as affected by 2001 Wisconsin  
14 Act .... (this act), is amended to read:

15 29.604 (2) (am) "State agency" means a board, commission, committee,  
16 department or office in the state government or the Fox River Navigational System  
17 Authority. "State agency" does not include the department of natural resources fish,  
18 wildlife, parks, and forestry or the office of the governor.

19 **SECTION 1200g.** 29.604 (6r) (c) of the statutes is amended to read:

20 29.604 (6r) (c) The department shall notify the state agency if the department  
21 determines that there is reasonable cause for the department to determine that an  
22 activity by the state agency is not being carried out in compliance with this  
23 subsection or with any environmental protection requirements developed through  
24 interagency consultation procedures. If the secretary of natural resources fish,

1 wildlife, parks, and forestry and the head, as defined in s. 15.01 (8), of the state  
2 agency are unable to agree upon methods or time schedules to be used to correct the  
3 alleged noncompliance, the department may bring any action or initiate any other  
4 proceedings to enforce compliance with this subsection.

5 **SECTION 1201m.** 29.705 (4) (b) of the statutes is amended to read:

6 29.705 (4) (b) Paragraph (a) does not authorize the department of ~~natural~~  
7 ~~resources~~ fish, wildlife, parks, and forestry to remove fish or fish eggs from a  
8 self-contained fish rearing facility or from a preexisting fish rearing facility that is  
9 an artificial body of water unless the department of agriculture, trade and consumer  
10 protection has requested that the department of ~~natural resources~~ fish, wildlife,  
11 parks, and forestry remove the fish or fish eggs to address a problem affecting fish  
12 health.”.

13 **139.** Page 491, line 19: after that line insert:

14 **SECTION 1235b.** 29.921 (7) of the statutes is amended to read:

15 29.921 (7) DOGS INJURING WILDLIFE. A conservation warden may kill a dog found  
16 running, injuring, causing injury to, or killing, any deer, other than farm-raised  
17 deer, or destroying game birds, their eggs or nests, if immediate action is necessary  
18 to protect the deer or game birds, their nests or eggs, from injury or death.

19 **SECTION 1235m.** 29.924 (2) of the statutes is amended to read:

20 29.924 (2) DRIVING WITHOUT HEADLIGHTS. In the performance of their law  
21 enforcement duties, conservation wardens may operate motor vehicles owned or  
22 leased by the department upon a highway, other than an interstate, a state trunk  
23 highway or any highway within the limits of any incorporated area, during hours of  
24 darkness without lighted headlamps, tail lamps or clearance lamps, contrary to s.

1 347.06, if the driving will aid in the accomplishment of a lawful arrest for violation  
2 of this chapter or in ascertaining whether a violation of this chapter has been or is  
3 about to be committed. Any civil action or proceeding brought against any  
4 conservation warden operating a motor vehicle under this subsection is subject to ss.  
5 893.82 and 895.46.

6 **SECTION 1236g.** 29.931 (2) (a) of the statutes is amended to read:

7 29.931 (2) (a) The department and its conservation wardens shall seize and  
8 hold, subject to the order of the court for the county in which the alleged offense was  
9 committed, any vehicle, boat or object declared by this chapter to be a public  
10 nuisance, or which they have probable cause to believe is being used in violation of  
11 this chapter or s. 167.31, ~~287.81~~, 940.24, 941.20, 948.60, 948.605 or 948.61 or is being  
12 used in the commission of a crime relating to a submerged cultural resource in  
13 violation of s. 44.47. If it is proven that the vehicle, boat or object is a public nuisance  
14 or that within 6 months previous to the seizure the vehicle, boat or object was used  
15 in violation of this chapter or s. 167.31, ~~287.81~~, 940.24, 941.20, 948.60, 948.605 or  
16 948.61 or was used in the commission of a crime relating to a submerged cultural  
17 resource in violation of s. 44.47, it shall be confiscated if the court directs in its order  
18 for judgment.

19 **SECTION 1237g.** 29.944 of the statutes is amended to read:

20 **29.944 Exemption from liability.** Members of the ~~natural resources~~ fish,  
21 wildlife, parks, and forestry board, and each conservation warden, in the  
22 performance of official duties, are exempt from liability to any person for acts done  
23 or permitted or property destroyed by authority of law. No taxable costs or attorney  
24 fees shall be allowed to either party in an action against a member of the ~~natural~~  
25 ~~resources~~ fish, wildlife, parks, and forestry board or a conservation warden.

1           **SECTION 1237m.** 29.951 of the statutes is amended to read:

2           **29.951 Resisting a conservation warden.** Any person who assaults or  
3 otherwise resists or obstructs any conservation warden in the performance of duty  
4 shall be subject to the penalty specified in s. 939.51 (3) (a).

5           **SECTION 1237r.** 29.954 of the statutes is amended to read:

6           **29.954 False impersonation of conservation warden.** Any person who  
7 falsely represents himself or herself to be a conservation warden or who assumes to  
8 act as a conservation warden without having been first duly appointed shall be  
9 subject to the penalty specified in s. 939.51 (3) (a).”

10           **140.** Page 492, line 2: after that line insert:

11           “**SECTION 1245g.** 29.987 (2) of the statutes is amended to read:

12           **29.987 (2) USE OF NATURAL RESOURCES ASSESSMENT FUNDS.** All moneys collected  
13 from natural resources assessments shall be credited to the appropriation under s.  
14 20.370 (3) ~~(mu)~~ (1) (pu).

15           **SECTION 1245r.** 29.989 (2) of the statutes is amended to read:

16           **29.989 (2) USE OF NATURAL RESOURCES RESTITUTION PAYMENT FUNDS.** All moneys  
17 collected from natural resources restitution payments shall be appropriated for use  
18 under s. 20.370 ~~(3) (mu)~~ (1) (pu).

19           **SECTION 1246c.** 30.01 (title) of the statutes is amended to read:

20           **30.01 (title) Definitions for chapter.**

21           **SECTION 1246f.** 30.01 (1j) of the statutes is repealed.

22           **SECTION 1246h.** 30.01 (6) of the statutes is repealed.

23           **SECTION 1246j.** 30.015 of the statutes is created to read:

24           **30.015 Definitions for subchapters I to III. (1)** In subchs. I to III:

1 (a) “Department” means the department of environmental management.

2 (b) “Secretary” means the secretary of environmental management.

3 **SECTION 1246m.** 30.02 (1) of the statutes is amended to read:

4 30.02 (1) In any proceeding under ~~this chapter where~~ subchs. I to III in which  
5 public notice is required, the department shall follow the procedures in subs. (3) and  
6 (4).

7 **SECTION 1246p.** 30.02 (2) of the statutes is amended to read:

8 30.02 (2) In any proceeding under ~~this chapter where~~ subchs. I to III in which  
9 public notice is not required, the department shall follow the procedures in subs. (3)  
10 and (4) if it determines that substantial interests of any party may be adversely  
11 affected by the proceeding.

12 **SECTION 1246r.** 30.03 (2) of the statutes is amended to read:

13 30.03 (2) The district attorney of the appropriate county or, at the request of  
14 the department of environmental management, the attorney general shall institute  
15 proceedings to recover any forfeiture imposed or to abate any nuisance committed  
16 under ~~this chapter subchs. I to III~~ or ch. 31. The district attorney or, at the request  
17 of the department of fish, wildlife, parks, and forestry, the attorney general shall  
18 institute proceedings to recover any forfeiture imposed or to abate any nuisance  
19 committed under subchs. IV or V.”

20 **141.** Page 494, line 8: after that line insert:

21 “**SECTION 1251b.** 30.12 (4m) (a) and (b) of the statutes are amended to read:

22 30.12 (4m) (a) The department of agriculture, trade and consumer protection,  
23 after consulting with the department of ~~natural resources~~ environmental  
24 management, specifically approves the structure or deposit.

1 (b) The structure or deposit is required, under rules promulgated by the  
2 department of agriculture, trade and consumer protection, in order to conform the  
3 drain to specifications approved by the department of agriculture, trade and  
4 consumer protection after consulting with the department of ~~natural resources~~  
5 environmental management.

6 **SECTION 1252b.** 30.124 (title) of the statutes is renumbered 23.244 (title).”.

7 **142.** Page 494, line 14: after that line insert:

8 “**SECTION 1253b.** 30.124 (1) (intro) of the statutes, as affected by 2001  
9 Wisconsin Act .... (this act), is renumbered 23.244 (1) (intro.) and amended to read:  
10 23.244 (1) (intro.) Notwithstanding ss. 23.245, 30.12, 30.20, 30.44 and 30.45  
11 and if the department finds, after consulting with the department of environmental  
12 management, that the activity will not adversely affect public or private rights or  
13 interests in fish and wildlife populations, navigation or waterway flood flow capacity  
14 and will not result in environmental pollution, as defined in s. 299.01 (4), the  
15 department may do all of the following on public lands or waters:”.

16 **143.** Page 494, line 18: after that line insert:

17 “**SECTION 1254b.** 30.124 (1) (a) of the statutes, as affected by 2001 Wisconsin  
18 Act .... (this act), is renumbered 23.244 (1) (a).

19 **SECTION 1254g.** 30.124 (1) (b) of the statutes is renumbered 23.244 (1) (b).

20 **SECTION 1254r.** 30.124 (2) of the statutes is renumbered 23.244 (2).

21 **SECTION 1255m.** 30.1255 of the statutes is renumbered 23.243.

22 **SECTION 1259d.** 30.195 (2) of the statutes is amended to read:

23 30.195 (2) APPLICATIONS. Applications for permits required by this section shall  
24 be made to the department of ~~natural resources~~ upon forms prescribed by it.

1 Applications shall contain such information as the department reasonably requires  
2 to enable it to act on the application.

3 **SECTION 1260b.** 30.20 (1) (d) of the statutes is amended to read:

4 30.20 (1) (d) The drainage board for the Duck Creek Drainage District may,  
5 without a permit under sub. (2) (c), remove material from a drain that the board  
6 operates in the Duck Creek Drainage District if the removal is required, under rules  
7 promulgated by the department of agriculture, trade and consumer protection, in  
8 order to conform the drain to specifications imposed by the department of  
9 agriculture, trade and consumer protection after consulting with the department of  
10 natural resources environmental management.”.

11 **144.** Page 494, line 20: delete the material beginning with that line and  
12 ending with page 497, line 21, and substitute:

13 “**SECTION 1261k.** 30.203 of the statutes is renumbered 23.178.”.

14 **145.** Page 498, line 6: after that line insert:

15 “**SECTION 1261p.** 30.24 of the statutes is renumbered 23.0942.

16 **SECTION 1261r.** 30.26 of the statutes is renumbered 23.43.

17 **SECTION 1261u.** 30.27 of the statutes is renumbered 23.432.

18 **SECTION 1261w.** 30.275 of the statutes is renumbered 23.434.

19 **SECTION 1261y.** 30.277 of the statutes is renumbered 23.0944.”.

20 **146.** Page 498, line 12: after that line insert:

21 “**SECTION 1263c.** 30.40 (3e) of the statutes is created to read:

22 30.40 (3e) “Department” means the department of fish, wildlife, parks, and  
23 forestry.

24 **SECTION 1263e.** 30.40 (15m) of the statutes is created to read:

1           30.40 (15m) “Secretary” means the secretary of fish, wildlife, parks, and  
2 forestry.

3           **SECTION 1263g.** 30.41 (1) of the statutes is amended to read:

4           30.41 (1) There is created a Lower Wisconsin State Riverway consisting of land  
5 as designated by the ~~natural resources~~ fish, wildlife, parks, and forestry board.”.

6           **147.** Page 499, line 3: after that line insert:

7           **“SECTION 1265m.** 30.50 (3m) of the statutes is created to read:

8           30.50 (3m) “Department” means the department of fish, wildlife, parks, and  
9 forestry.”.

10          **148.** Page 499, line 7: after that line insert:

11          **“SECTION 1267m.** 30.50 (11g) of the statutes is created to read:

12          30.50 (11g) “Secretary” means the secretary of fish, wildlife, parks, and  
13 forestry.”.

14          **149.** Page 502, line 17: after that line insert:

15          **“SECTION 1283m.** 30.52 (1m) (e) of the statutes, as affected by 2001 Wisconsin  
16 Act .... (this act), is amended to read:

17          30.52 (1m) (e) *Receipt of fees.* All fees remitted to or collected by the department  
18 under par. (ar) shall be credited to the appropriation account under s. 20.370 (9) ~~(hu)~~  
19 (1) (hw).”.

20          **150.** Page 503, line 7: after that line insert:

21          **“SECTION 1286m.** 30.52 (3m) (b) of the statutes is amended to read:

22          30.52 (3m) (b) All moneys collected under par. (a) shall be deposited into the  
23 account under s. 20.370 ~~(3)~~ (1) (is).”.

24          **151.** Page 507, line 23: after that line insert:

1           **“SECTION 1306m.** 30.71 (4) of the statutes is amended to read:

2           30.71 (4) Any rules necessary to carry out the purposes of this section shall be  
3 promulgated jointly by the department of commerce and the department of ~~natural~~  
4 ~~resources~~ fish, wildlife, parks, and forestry.”

5           **152.** Page 509, line 25: after that line insert:

6           **“SECTION 1319m.** 30.773 (2) of the statutes is amended to read:

7           30.773 (2) PROCEDURES. A municipality authorized to establish a bulkhead line  
8 under s. 30.11 may establish a designated mooring area in the same manner as it is  
9 authorized to establish the bulkhead line except that the municipality is required to  
10 obtain the approval of the department of fish, wildlife, parks, and forestry, rather  
11 than the department of environmental management, and if the municipality created  
12 a board of harbor commissioners, the municipality is also required to obtain the  
13 approval of that board ~~in addition to the approval of the department.~~”

14           **153.** Page 511, line 2: after that line insert:

15           **“SECTION 1331m.** 30.92 (6) (b) of the statutes is amended to read:

16           30.92 (6) (b) The department shall assign staff to the commission for  
17 management of the program under this section. All staff activities, including but not  
18 limited to budgeting, program coordination and related administrative management  
19 functions, shall be consistent with the policies of the department and the ~~natural~~  
20 ~~resources~~ fish, wildlife, parks, and forestry board.”

21           **154.** Page 511, line 25: after that line insert:

22           **“SECTION 1339m.** 30.95 of the statutes is created to read:

1           **30.95 General provision for notice and hearing.** (1) In any proceeding  
2 under this subchapter or subch. IV in which public notice is required, the department  
3 shall follow the procedures in subs. (3) and (4).

4           (2) In any proceeding under this subchapter or subch. IV in which public notice  
5 is not required, the department shall follow the procedures in subs. (3) and (4) if it  
6 determines that substantial interests of any party may be adversely affected by the  
7 proceeding.

8           (3) Upon receipt of a complete permit application, the department shall either  
9 schedule a hearing or provide notice stating that it will proceed on the application  
10 or request without a hearing if, within 30 days after the publication of the notice, no  
11 substantive written objection to issuance of the permit is received. The notice shall  
12 be provided to the clerk of each municipality in which the project is located and to  
13 any other person required by law to receive notice. The department may provide  
14 notice to other persons as it deems appropriate. The department shall provide a copy  
15 of the notice to the applicant, who shall publish it as a class 1 notice under ch. 985  
16 in a newspaper designated by the department that is likely to give notice in the area  
17 affected. The applicant shall file proof of publication with the department.

18           (4) (a) If a public hearing is ordered, the division of hearings and appeals shall  
19 mail a written notice at least 10 days before the hearing to each person given notice  
20 under sub. (3) and, in the case of an application for a permit, to any person who  
21 submitted a substantive written objection to issuance of the permit.

22           (b) The applicant shall publish a class 1 notice under ch. 985 of the hearing in  
23 a newspaper designated by the department that is likely to give notice in the area  
24 affected. The applicant shall file proof of publication under this paragraph with the  
25 hearing examiner at or prior to the hearing.

1           **SECTION 1339u.** 31.01 (2) of the statutes is amended to read:

2           31.01 (2) “Department” means the department of ~~natural resources~~  
3 environmental management.

4           **SECTION 1340m.** 31.02 (4) (c) of the statutes is amended to read:

5           31.02 (4) (c) With good and sufficient fishways or fish ladders, or in lieu thereof,  
6 the department of environmental management may permit the owner may be  
7 permitted to enter into an agreement with the department of fish, wildlife, parks,  
8 and forestry to pay for or to supply to the state of Wisconsin annually such quantities  
9 of game fish for stocking purposes as may be agreed upon by the owner and the  
10 department of fish, wildlife, parks, and forestry.”

11           **155.** Page 512, line 8: after that line insert:

12           **“SECTION 1340rp.** 31.02 (4r) of the statutes is amended to read:

13           31.02 (4r) The department of environmental management shall promulgate  
14 rules specifying the rights held by the public in navigable waters that are dammed.  
15 The rules shall include provisions on the rights held by the public that affect the  
16 placement of fishways or fish ladders in navigable waters that are dammed. The  
17 department of environmental management shall consult with the department of  
18 fish, wildlife, parks, and forestry concerning the rules under this subsection.

19           **SECTION 1342b.** 31.02 (7m) of the statutes is amended to read:

20           31.02 (7m) The drainage board for the Duck Creek Drainage District shall  
21 operate, repair and maintain dams, dikes and other structures in district drains that  
22 the board operates in the Duck Creek Drainage District in compliance with ch. 88  
23 and any rules promulgated by the department of agriculture, trade and consumer  
24 protection under ch. 88. If a county drainage board fails to perform its duties under

1 this subsection, the department of ~~natural resources~~ fish, wildlife, parks, and  
2 forestry may exercise its authority under subs. (6), (8) and (9).

3 **SECTION 1344b.** 31.06 (1) of the statutes is amended to read:

4 31.06 (1) Upon receipt of an application for a permit under s. 31.05 the  
5 department of environmental management may order a hearing or it may mail a  
6 notice that it will proceed on the application without public hearing unless a request  
7 for a public hearing is filed as provided in this section. The notice shall be mailed  
8 to the clerk of each municipality directly affected by the proposed dam and to the  
9 department of fish, wildlife, parks, and forestry. The department of environmental  
10 management may give further or other notice as it considers proper. The department  
11 of environmental management shall mail a copy of the notice to the applicant who  
12 shall cause the notice to be published in each county in which affected riparian lands  
13 are located as a class 1 notice, under ch. 985. If a hearing is not requested in writing  
14 within 30 days after mailing of the notice, the department of environmental  
15 management may waive the hearing.

16 **SECTION 1344c.** 31.06 (3) (b) of the statutes is amended to read:

17 31.06 (3) (b) If it appears, after consulting with the department of fish, wildlife,  
18 parks, and forestry, that the construction, operation or maintenance of the proposed  
19 dam is in the public interest, considering ecological, aesthetic, economic and  
20 recreational values, the department of environmental management shall so find and  
21 grant a permit to the applicant, provided the department of environmental  
22 management also finds that the applicant has complied with s. 31.14 (2) or (3) and,  
23 where applicable, with s. 31.05 (3), based on the ~~department's own~~ estimate of the  
24 department of environmental management of the area of the flowage.

25 **SECTION 1344d.** 31.187 (2) of the statutes is amended to read:

1           31.187 (2) Whenever the department of environmental management  
2 determines, after consultation with the department of fish, wildlife, parks, and  
3 forestry, that the conservation of any species or variety of wild animals will be  
4 promoted thereby, the department may maintain and repair any dam located wholly  
5 upon lands the title to which is in the state either as proprietor or in trust for the  
6 people after giving due consideration to fixing the level and regulating the flow of the  
7 public waters.

8           **SECTION 1344f.** 31.307 (4) of the statutes is repealed.

9           **SECTION 1344g.** 31.309 (1) (a) and (am) of the statutes are repealed.

10           **SECTION 1344h.** 31.309 (1) (b) of the statutes is renumbered 31.309 (1) and  
11 amended to read:

12           31.309 (1) When the department determines that the renovation and repair  
13 described under ~~par. (a) s. 31.309 (1) (a), 1999 stats.,~~ are complete, the city of Portage  
14 shall assume the maintenance of the city of Portage levee in the Portage levee system  
15 in a manner that will best protect the surrounding area from the overflow of the  
16 Wisconsin River.

17           **SECTION 1344j.** 31.309 (2) (a) of the statutes is renumbered 31.309 (2).

18           **SECTION 1344m.** 31.309 (2) (b) of the statutes is repealed.

19           **SECTION 1344p.** 31.34 of the statutes is amended to read:

20           **31.34 Flow of water regulated.** Each person, firm or corporation  
21 maintaining a dam on any navigable stream shall pass at all times at least 25% of  
22 the natural low flow of water of such stream, except as otherwise provided by law.  
23 This section, however, shall not apply to a plant or dam where the water is discharged  
24 directly into a lake, mill pond, storage pond or cranberry marsh, nor shall it apply  
25 to cases ~~where in the opinion of~~ in which the department of environmental

1 management determines, after consultation with the department of fish, wildlife,  
2 parks, and forestry, that such minimum discharge is not necessary for the protection  
3 of fish life. Any person, firm or corporation violating this section shall be fined not  
4 less than \$50 nor more than \$1,000.”.

5 **156.** Page 512, line 6: after that line insert:

6 “**SECTION 1345g.** 32.02 (16) of the statutes is amended to read:

7 32.02 (16) The department of ~~natural resources~~ fish, wildlife, parks, and  
8 forestry with the approval of the appropriate standing committees of each house of  
9 the legislature as determined by the presiding officer thereof and as authorized by  
10 law, for acquisition of lands.

11 **SECTION 1345h.** 32.035 (3) of the statutes is amended to read:

12 32.035 (3) PROCEDURE. The condemnor shall notify the department of any  
13 project involving the actual or potential exercise of the powers of eminent domain  
14 affecting a farm operation. If the condemnor is the department of ~~natural resources~~  
15 fish, wildlife, parks, and forestry, the notice required by this subsection shall be given  
16 at the time that permission of the senate and assembly committees on natural  
17 resources is sought under s. 23.09 (2) (d) or 27.01 (2) (a). To prepare an agricultural  
18 impact statement under this section, the department may require the condemnor to  
19 compile and submit information about an affected farm operation. The department  
20 shall charge the condemnor a fee approximating the actual costs of preparing the  
21 statement. The department may not publish the statement if the fee is not paid.

22 **SECTION 1345n.** 33.01 (2) of the statutes is amended to read:

23 33.01 (2) “Department” means the department of ~~natural resources~~  
24 environmental management.

1           **SECTION 1345p.** 33.265 of the statutes is amended to read:

2           **33.265 Notice, filing and recording requirements.** If a district is created  
3 or its boundaries altered, the board of commissioners shall record the authorizing  
4 document, including a legal description of the boundary, with the register of deeds  
5 in each county where the district is situated, and file the document and legal  
6 description with the department of ~~natural resources~~ environmental management  
7 and the department of revenue.

8           **SECTION 1346e.** 33.457 (4) (intro.) of the statutes is amended to read:

9           **33.457 (4) (intro.)** Within 3 months after the implementation plan is developed  
10 and submitted under sub. (1), the department of environmental management, the  
11 department of fish, wildlife, parks, and forestry, and the designated planning agency  
12 under s. 281.51 that covers the county shall evaluate the implementation plan to  
13 determine whether it is consistent with the criteria for water quality planning under  
14 s. 281.51 and whether the plan is adequate to:

15           **SECTION 1346f.** 33.55 (1) (o) of the statutes is amended to read:

16           **33.55 (1) (o)** One nonvoting representative from the department of ~~natural~~  
17 ~~resources~~ environmental management, who shall be appointed by the secretary of  
18 ~~natural resources~~ environmental management.

19           **SECTION 1346g.** 33.55 (1) (p) of the statutes is created to read:

20           **33.55 (1) (p)** One nonvoting representative from the department of fish,  
21 wildlife, parks, and forestry, who shall be appointed by the secretary of fish, wildlife,  
22 parks, and forestry.

23           **SECTION 1346h.** 33.59 (1) of the statutes is amended to read:

24           **33.59 (1)** The board of commissioners shall develop an implementation plan by  
25 April 1, 1998, and shall submit the plan to the department of ~~natural resources~~

1 environmental management, fish, wildlife, parks, and forestry, the county planning  
2 agency, the chairperson of the county board and the county executive of the county  
3 by April 1, 1998.

4 **SECTION 1346i.** 33.59 (3) (intro.) of the statutes is amended to read:

5 33.59 (3) (intro.) Within 3 months after the implementation plan is developed  
6 and submitted under sub. (1), the department of environmental management, the  
7 department of fish, wildlife, parks, and forestry and the designated planning  
8 agencies under s. 281.51 that cover each county shall evaluate the implementation  
9 plan to determine whether it is consistent with the criteria for water quality  
10 planning under s. 281.51 and whether the plan is adequate to:".

11 **157.** Page 517, line 8: after that line insert:

12 "SECTION 1354f. 36.25 (8) of the statutes is amended to read:

13 36.25 (8) WATER RESOURCES RESEARCH. Funds made available to the various  
14 state agencies for joint water resources research and data collection programs shall  
15 be administered and coordinated by the director of the water resources center of the  
16 University of Wisconsin–Madison. Such funds shall be made available, on  
17 application from the state agencies concerned, when the director, after seeking the  
18 advice of the department of ~~natural resources~~ fish, wildlife, parks, and forestry and  
19 the department of environmental management, finds the proposed projects to be  
20 consistent with other state projects and the needs of the state. The director shall  
21 make biennial reports to the chief clerk of each house of the legislature, for  
22 distribution to the legislature under s. 13.172 (2), at the convening of the legislature.

23 **SECTION 1354j.** 36.25 (11) (c) of the statutes is amended to read:

1           36.25 (11) (c) The laboratory shall provide analytical support to the appropriate  
2 state agencies charged with water system evaluation. The support service shall  
3 include an evaluation from a public health standpoint and analytical support to  
4 ascertain the water's suitability for manufacturing, commercial and recreational  
5 purposes as determined by the rules promulgated by the department of health and  
6 family services, the department of ~~natural resources~~ environmental management  
7 and the department of agriculture, trade and consumer protection.

8           **SECTION 1354k.** 36.25 (11) (d) of the statutes is amended to read:

9           36.25 (11) (d) The laboratory shall be operated to furnish a complete laboratory  
10 service to the department of health and family services, the department of  
11 environmental management, and the department of ~~natural resources~~ fish, wildlife,  
12 parks, and forestry in the areas of water quality, air quality, public health and  
13 contagious diseases and to make available to the system, the department of health  
14 and family services, the department of environmental management, and the  
15 department of ~~natural resources~~ fish, wildlife, parks, and forestry such facilities for  
16 teaching in the fields of public health and environmental protection as may be  
17 derived from such a laboratory.

18           **SECTION 1355d.** 36.25 (12m) (f) of the statutes is amended to read:

19           36.25 (12m) (f) Assist the department of ~~natural resources~~ fish, wildlife, parks,  
20 and forestry in its work as the state representative of the U.S. geographic board and  
21 its other functions under s. 23.25.”.

22           **158.** Page 518, line 12: after that line insert:

23           **“SECTION 1356t.** 36.25 (30) of the statutes is amended to read:

1           **36.25 (30) POLLUTION PREVENTION.** The board shall maintain in the extension  
2 a solid and hazardous waste education center to promote pollution prevention, as  
3 defined in s. 299.13 (1) (dm). In cooperation with the department of ~~natural resources~~  
4 environmental management and the department of commerce, the center shall  
5 conduct an education and technical assistance program to promote pollution  
6 prevention in this state.”.

7           **159.** Page 519, line 5: after that line insert:

8           “**SECTION 1359p.** 36.27 (3m) (a) 2. of the statutes is amended to read:

9           36.27 (3m) (a) 2. “Law enforcement officer” has the meaning given in s. 165.85  
10 (2) (c) and includes a person appointed as a conservation warden under s. 23.10 and  
11 a person appointed as an environmental warden under s. 278.10.”.

12           **160.** Page 533, line 2: after that line insert:

13           “**SECTION 1389p.** 40.02 (48) (am) of the statutes is amended to read:

14           40.02 (48) (am) “Protective occupation participant” includes any participant  
15 whose name is certified to the fund as provided in s. 40.06 (1) (d) and (dm) and who  
16 is a conservation warden, conservation patrol boat captain, conservation patrol boat  
17 engineer, conservation pilot, conservation patrol officer, forest fire control assistant,  
18 environmental warden, member of the state traffic patrol, state motor vehicle  
19 inspector, police officer, fire fighter, sheriff, undersheriff, deputy sheriff, state  
20 probation and parole officer, county traffic police officer, state forest ranger, fire  
21 watcher employed at Wisconsin veterans facilities, state correctional–psychiatric  
22 officer, excise tax investigator employed by the department of revenue, special  
23 criminal investigation agent in the department of justice, assistant or deputy fire  
24 marshal, or person employed under s. 61.66 (1).

1           **SECTION 1389s.** 40.02 (48) (c) of the statutes is amended to read:

2           40.02 (48) (c) In s. 40.65, “protective occupation participant” means a  
3 participating employee who is a police officer, fire fighter, an individual determined  
4 by a participating employer under par. (a) or (bm) to be a protective occupation  
5 participant, county undersheriff, deputy sheriff, state probation and parole officer,  
6 county traffic police officer, conservation warden, state forest ranger, field  
7 conservation employee of the department of ~~natural resources~~ fish, wildlife, parks,  
8 and forestry who is subject to call for forest fire control or warden duty,  
9 environmental warden, member of the state traffic patrol, state motor vehicle  
10 inspector, University of Wisconsin System full-time police officer, guard or any other  
11 employee whose principal duties are supervision and discipline of inmates at a state  
12 penal institution, excise tax investigator employed by the department of revenue,  
13 person employed under s. 61.66 (1), or special criminal investigation agent employed  
14 by the department of justice.”.

15           **161.** Page 535, line 12: after that line insert:

16           **“SECTION 1404c.** 41.41 (4) (c) of the statutes is amended to read:

17           41.41 (4) (c) The department of agriculture, trade and consumer protection, the  
18 department of ~~natural resources~~ fish, wildlife, parks, and forestry, the department  
19 of transportation, the department of commerce, the department of administration,  
20 the state historical society and the University of Wisconsin–Extension shall  
21 cooperate with and assist the board in matters related to its functions.

22           **SECTION 1404d.** 41.41 (5) (e) of the statutes is amended to read:

23           41.41 (5) (e) Consult and cooperate with the department of agriculture, trade  
24 and consumer protection, the department of ~~natural resources~~ fish, wildlife, parks,

1 and forestry, the department of transportation, the department of commerce, the  
2 department of administration, the state historical society, the University of  
3 Wisconsin–Extension, any federally recognized American Indian tribe or band in  
4 this state that appoints a liaison representative to the board regarding the  
5 management of the Kickapoo valley reserve.

6 **SECTION 1404e.** 41.41 (9) of the statutes is amended to read:

7 41.41 (9) STATE NATURAL AREAS. The board shall dedicate as a state natural area  
8 under s. 23.27 any land that is a part of the Kickapoo valley reserve and any land that  
9 has been acquired by the board if the department of ~~natural resources~~ fish, wildlife,  
10 parks, and forestry identifies the land as appropriate for dedication.”.

11 **162.** Page 535, line 24: after that line insert:

12 “**SECTION 1404b.** 41.41 (13) (intro.) of the statutes, as created by 2001  
13 Wisconsin Act .... (this act), is amended to read:

14 41.41 (13) REPORT ON GENERATING REVENUE AND RESUBMITTING BUILDING PLANS.  
15 (intro.) After consulting with the department of ~~natural resources~~ fish, wildlife,  
16 parks, and forestry and any tribal government with whom the Kickapoo reserve  
17 management board or the Lower Wisconsin State Riverway board has entered into  
18 a memorandum of understanding, the Kickapoo reserve management board, in  
19 conjunction with the Lower Wisconsin State Riverway board, shall prepare and  
20 submit to the building commission and to the joint committee on finance a report that  
21 includes all of the following:”.

22 **163.** Page 536, line 14: after that line insert:

23 “**SECTION 1405k.** 42.09 (2) of the statutes is amended to read:

1           42.09 (2) (a) The state fair park board may not alter or renovate any building,  
2 appurtenance, fixture, exhibit or other structure or facility at state fair park that is  
3 owned by the board but that was owned by the former department of natural  
4 resources on July 29, 1995, without the permission of the department of fish, wildlife,  
5 parks, and forestry, but the board may provide routine maintenance without the  
6 department's permission.

7           (b) The state fair park board shall allow the department of ~~natural resources~~  
8 fish, wildlife, parks, and forestry access to and use of the buildings, appurtenances,  
9 fixtures, exhibits and other structures and facilities described in par. (a) so that the  
10 department may prepare, display and dismantle exhibits during events occurring at  
11 state fair park.”.

12           **164.** Page 537, line 19: after that line insert:

13           “**SECTION 1409s.** 44.02 (5) of the statutes is amended to read:

14           44.02 (5) Keep its main library and museum rooms open at all reasonable hours  
15 on business days for the reception of the residents of this state who may wish to visit  
16 the library or museum. Except as provided under subs. (5g) and (5m), the historical  
17 society may collect a fee from residents and shall collect a fee from nonresidents for  
18 admission to historic sites or buildings acquired, leased or operated by the historical  
19 society, including areas within state parks or on other state-owned lands which  
20 incorporate historic buildings, restorations, museums or remains and which are  
21 operated by the historical society by agreement with the department of ~~natural~~  
22 ~~resources~~ fish, wildlife, parks, and forestry or other departments, or for lectures,  
23 pageants or similar special events, or for admission to defray the costs of special  
24 exhibits in its several buildings of documents, objects or other materials not part of

1 the historical society's regular collections but brought in on loan from other sources  
2 for such special exhibitions or for use of the main library. The historical society shall  
3 take action on a continuing basis to raise funds from private sources for the operation  
4 of its main library. The historical society may procure and sell or otherwise dispose  
5 of postcards, souvenirs and other appropriate merchandise to help defray the costs  
6 of operating its several plants and projects.”.

7 **165.** Page 537, line 21: after that line insert:

8 “SECTION 1412. 44.12 (1) of the statutes is amended to read:

9 44.12 (1) The state farm and craft museum, located at Nelson Dewey ~~state park~~  
10 State Park, may be developed by cooperation of the department of ~~natural resources~~  
11 fish, wildlife, parks, and forestry, the society, and such other agencies as may be  
12 interested therein in accordance with such arrangements as the department of  
13 ~~natural resources~~ fish, wildlife, parks, and forestry and society agree upon.”.

14 **166.** Page 538, line 5: after that line insert:

15 “SECTION 1414c. 44.47 (5m) (a) of the statutes is amended to read:

16 44.47 (5m) (a) There is established, to be administered by the historical society  
17 and department of ~~natural resources~~ fish, wildlife, parks, and forestry, a program for  
18 submerged cultural resources of this state.

19 SECTION 1414d. 44.47 (5m) (b) of the statutes is amended to read:

20 44.47 (5m) (b) The historical society, in consultation with the department of  
21 ~~natural resources~~ fish, wildlife, parks, and forestry, shall coordinate the activities of  
22 the state relating to the preservation, management and public use of submerged  
23 cultural resources. The historical society may enter into agreements with federal  
24 and state agencies, political subdivisions and nonprofit organizations regarding the

1 preservation, management and use of submerged cultural resources and the  
2 management of bottomland preserves. On or before February 1 of each  
3 odd-numbered year, the historical society shall submit a report to the governor and  
4 to the chief clerk of each house of the legislature, for distribution to the appropriate  
5 standing committees under s. 13.172 (3), on submerged cultural resources activities  
6 and implementation of this subsection.

7 **SECTION 1414e.** 44.47 (5m) (c) of the statutes is amended to read:

8 44.47 (5m) (c) The historical society and department of ~~natural resources~~ fish,  
9 wildlife, parks, and forestry may by rule designate areas of the bed of any stream or  
10 lake as bottomland preserves, for the purpose of enhancing preservation,  
11 management and public use of any submerged cultural resources within the  
12 bottomland preserve. A bottomland preserve may encompass more than one object  
13 or archaeological site.

14 **SECTION 1414f.** 44.47 (5m) (e) of the statutes is amended to read:

15 44.47 (5m) (e) The historical society and department of ~~natural resources~~ fish,  
16 wildlife, parks, and forestry may promulgate rules relating to the access, use,  
17 stewardship, management, protection and recreational development of bottomland  
18 preserves, and the preservation, conservation, curation and display of submerged  
19 cultural resources and objects removed from underwater archaeological sites.

20 **SECTION 1414g.** 44.57 (1) (c) of the statutes is amended to read:

21 44.57 (1) (c) Game farms, fish hatcheries, nurseries and other production  
22 facilities operated by the department of ~~natural resources~~ fish, wildlife, parks, and  
23 forestry.”

24 **167.** Page 569, line 23: after that line insert:

1           “SECTION 1553p. 46.34 of the statutes is amended to read:

2           **46.34 Emission standards for hazardous air contaminants.** The  
3 department may assist the department of ~~natural resources~~ environmental  
4 management in the development of emission standards for hazardous air  
5 contaminants under s. 285.27 (2) (b).”.

6           **168.** Page 665, line 7: after that line insert:

7           “SECTION 2001pr. 59.52 (4) (a) 3. of the statutes is amended to read:

8           59.52 (4) (a) 3. Records of bounty claims that are forwarded to the department  
9 of ~~natural resources~~ fish, wildlife, parks, and forestry, after one year.

10          **SECTION 2001pt.** 59.52 (6) (e) of the statutes is amended to read:

11          59.52 (6) (e) *Leases to department of ~~natural resources~~ fish, wildlife, parks, and*  
12 *forestry*. Lease lands owned by the county to the department of ~~natural resources~~  
13 fish, wildlife, parks, and forestry for game management purposes. Lands so leased  
14 shall not be eligible for entry under s. 28.11. Of the rental paid by the state to the  
15 county for lands so leased, 60% shall be retained by the county and 40% shall be paid  
16 by the county to the town in which the lands are located and of the amount received  
17 by the town, 40% shall be paid by the town to the school district in which the lands  
18 are located. The amount so paid by a town to a joint school district shall be credited  
19 against the amount of taxes certified for assessment in that town by the clerk of the  
20 joint school district under s. 120.17 (8), and the assessment shall be reduced by such  
21 amount. In case any leased land is located in more than one town or school district  
22 the amounts paid to them shall be apportioned on the basis of area. This paragraph  
23 shall not affect the distribution of rental moneys received on leases executed before  
24 June 22, 1955.”.

1           **169.** Page 668, line 13: after that line insert:

2           “**SECTION 2002xc.** 59.692 (1) (a) of the statutes is amended to read:

3           59.692 (1) (a) “Department” means the department of ~~natural resources~~  
4 environmental management.

5           **SECTION 2002xg.** 59.693 (1) of the statutes is amended to read:

6           59.693 (1) DEFINITION. In this section, “department” means the department of  
7 ~~natural resources~~ environmental management.

8           **SECTION 2002xn.** 59.70 (2) (q) 4. of the statutes is amended to read:

9           59.70 (2) (q) 4. The cleanup of the site is conducted under the supervision of the  
10 department of ~~natural resources~~ environmental management.

11           **SECTION 2002xr.** 59.70 (6) (a) 1. of the statutes is amended to read:

12           59.70 (6) (a) 1. “Department” means the department of ~~natural resources~~  
13 environmental management.

14           **SECTION 2002xw.** 59.70 (13) (b) of the statutes is amended to read:

15           59.70 (13) (b) Members or employees of the commission may request admission  
16 onto any property within the district at reasonable times to determine if mosquito  
17 breeding is present. If the owner or occupant refuses admission, the commission  
18 member or employee shall seek a warrant to inspect the property as a potential  
19 mosquito breeding ground. Commission members or employees may enter upon  
20 property to clean up stagnant pools of water or shores of lakes or streams, and may  
21 spray mosquito breeding areas with insecticides subject to the approval of the district  
22 director and the department of ~~natural resources~~ environmental management. The  
23 commission shall notify the property owner of any pending action under this

1 paragraph and shall provide the property owner with a hearing prior to acting under  
2 this paragraph if the owner objects to the commission's actions.”.

3 **170.** Page 669, line 11: after that line insert:

4 “SECTION 2003p. 59.74 (2) (g) of the statutes is amended to read:

5 59.74 (2) (g) Every land surveyor and every officer of the department of ~~natural~~  
6 ~~resources~~ fish, wildlife, parks, and forestry and the district attorney shall enforce  
7 this subsection.”.

8 **171.** Page 669, line 17: after that line insert:

9 “SECTION 2003tc. 60.627 (1) of the statutes is amended to read:

10 60.627 (1) DEFINITION. In this section, “department” means the department of  
11 ~~natural resources~~ environmental management.

12 SECTION 2003te. 60.71 (4) (b) of the statutes is amended to read:

13 60.71 (4) (b) The town board shall publish a class 2 notice, under ch. 985, of the  
14 hearing. The notice shall contain an announcement of the hearing and a description  
15 of the boundaries of the proposed town sanitary district. The town board shall mail  
16 the notice to the department of commerce and the department of ~~natural resources~~  
17 environmental management at least 10 days prior to the hearing.

18 SECTION 2003th. 60.71 (4) (c) of the statutes is amended to read:

19 60.71 (4) (c) Any person may file written comments on the formation of the  
20 district with the town clerk. Any owner of property within the boundary of the  
21 proposed district may appear at the hearing and offer objections, criticisms or  
22 suggestions as to the necessity of the proposed district and the question of whether  
23 his or her property will be benefited by the establishment of the district. A  
24 representative of the department of commerce and of the department of ~~natural~~

1 ~~resources~~ environmental management may attend the hearing and advise the town  
2 board.

3 **SECTION 2003tL.** 60.71 (7) of the statutes is amended to read:

4 **60.71 (7) FILING AND RECORDING THE ORDER.** The town board shall file copies of  
5 the order establishing the town sanitary district with the department of ~~natural~~  
6 ~~resources~~ environmental management and record the order with the register of  
7 deeds in each county in which the district is located.

8 **SECTION 2003tp.** 60.72 (title) and (1) of the statutes are amended to read:

9 **60.72 (title) Creation of town sanitary district by order of the**  
10 **department of ~~natural resources~~ environmental management. (1)**  
11 **DEFINITION.** In this section, “department” means the department of ~~natural~~  
12 ~~resources~~ environmental management.

13 **SECTION 2003tr.** 60.73 of the statutes is amended to read:

14 **60.73 Review of orders creating town sanitary districts.** Any person  
15 aggrieved by any act of the town board or the department of ~~natural resources~~  
16 environmental management in establishing a town sanitary district may bring an  
17 action in the circuit court of the county in which his or her lands are located, to set  
18 aside the final determination of the town board or the department of ~~natural~~  
19 ~~resources~~ environmental management, within 90 days after the final determination,  
20 as provided under s. 893.73 (2). If no action is taken within the 90-day period, the  
21 determination by the town board or the department of ~~natural resources~~  
22 environmental management is final.

23 **SECTION 2003tu.** 60.782 (2) (d) of the statutes is amended to read:

1           60.782 (2) (d) Lease or acquire, including by condemnation, any real property  
2 situated in this state that may be needed for the purposes of s. 23.09 (19), 23.094 (3g)  
3 or ~~30.275~~ 23.434 (4).

4           **SECTION 2003ty.** 60.785 (2) (a) of the statutes is amended to read:

5           60.785 (2) (a) Any town sanitary district may be consolidated with a contiguous  
6 town sanitary district by resolution passed by a two-thirds vote of all of the  
7 commissioners of each district, fixing the terms of the consolidation and ratified by  
8 the qualified electors of each district at a referendum held in each district. The  
9 resolution shall be filed as provided in s. 8.37. The ballots shall contain the words  
10 “for ~~consolidation~~”, consolidation,” and “against ~~consolidation~~”, consolidation.” If a  
11 majority of the votes cast on the referendum in each town sanitary district are for  
12 consolidation, the resolutions are effective and have the force of a contract. Certified  
13 copies of the resolutions and the results of the referendum shall be filed with the  
14 secretary of ~~natural resources~~ environmental management, and the original  
15 documents shall be recorded with the register of deeds in each county in which the  
16 consolidated district is situated.

17           **SECTION 2003vc.** 61.351 (1) (b) of the statutes is amended to read:

18           61.351 (1) (b) “Wetlands” has the meaning specified under s. ~~23.32~~ 278.32 (1).

19           **SECTION 2003vg.** 61.351 (2) of the statutes is amended to read:

20           61.351 (2) FILLED WETLANDS. Any wetlands ~~which that~~ that are filled prior to the  
21 date on which a village receives a final wetlands map ~~from the department of natural~~  
22 ~~resources~~ under s. 278.32 in a manner ~~which that~~ that affects their characteristics as  
23 wetlands are filled wetlands and not subject to an ordinance adopted under this  
24 section.

25           **SECTION 2003vn.** 61.351 (3) of the statutes is amended to read:

1           61.351 (3) ADOPTION OF ORDINANCE. To effect the purposes of s. 281.31 and to  
2 promote the public health, safety and general welfare, each village shall zone by  
3 ordinance all unfilled wetlands of 5 acres or more which are shown on the final  
4 wetland inventory maps prepared by the department of natural resources for the  
5 village under s. ~~23.32~~ 278.32, which are located in any shorelands and which are  
6 within its incorporated area. A village may zone by ordinance any unfilled wetlands  
7 ~~which that~~ are within its incorporated area at any time.

8           **SECTION 2003vr.** 61.351 (6) of the statutes is amended to read:

9           61.351 (6) FAILURE TO ADOPT ORDINANCE. If any village does not adopt an  
10 ordinance required under sub. (3) within 6 months after receipt of final wetland  
11 inventory maps prepared by the department of natural resources for the village  
12 under s. ~~23.32~~ 278.32, or if the department of ~~natural resources~~ environmental  
13 management, after notice and hearing, determines that a village adopted an  
14 ordinance which fails to meet reasonable minimum standards in accomplishing the  
15 shoreland protection objectives of s. 281.31 (1), the department of ~~natural resources~~  
16 environmental management shall adopt an ordinance for the village. As far as  
17 applicable, the procedures set forth in s. 87.30 apply to this subsection.

18           **SECTION 2003vw.** 61.354 (1) of the statutes is amended to read:

19           61.354 (1) DEFINITION. As used in this section, “department” means the  
20 department of ~~natural resources~~ environmental management.

21           **SECTION 2003yc.** 62.231 (1) (b) of the statutes is amended to read:

22           62.231 (1) (b) “Wetlands” has the meaning specified under s. ~~23.32~~ 278.32 (1).

23           **SECTION 2003yg.** 62.231 (2) of the statutes is amended to read:

24           62.231 (2) FILLED WETLANDS. Any wetlands ~~which that~~ are filled prior to the  
25 date on which a city receives a final wetlands map ~~from the department of natural~~

1 resources under s. 278.32 in a manner ~~which~~ that affects their characteristics as  
2 wetlands are filled wetlands and not subject to an ordinance adopted under this  
3 section.

4 **SECTION 2003yL.** 62.231 (3) of the statutes is amended to read:

5 62.231 (3) ADOPTION OF ORDINANCE. To effect the purposes of s. 281.31 and to  
6 promote the public health, safety and general welfare, each city shall zone by  
7 ordinance all unfilled wetlands of 5 acres or more which are shown on the final  
8 wetland inventory maps prepared by ~~the department of natural resources~~ for the city  
9 under s. ~~23.32~~ 278.32, which are located in any shorelands and which are within its  
10 incorporated area. A city may zone by ordinance any unfilled wetlands ~~which~~ that  
11 are within its incorporated area at any time.

12 **SECTION 2003yp.** 62.231 (6) of the statutes is amended to read:

13 62.231 (6) FAILURE TO ADOPT ORDINANCE. If any city does not adopt an ordinance  
14 required under sub. (3) within 6 months after receipt of final wetland inventory maps  
15 prepared by ~~the department of natural resources~~ for the city under s. ~~23.32~~ 278.32,  
16 or if the department of ~~natural resources~~ environmental management, after notice  
17 and hearing, determines that a city adopted an ordinance ~~which~~ that fails to meet  
18 reasonable minimum standards in accomplishing the shoreland protection  
19 objectives of s. 281.31 (1), the department of ~~natural resources~~ environmental  
20 management shall adopt an ordinance for the city. As far as applicable, the  
21 procedures set forth in s. 87.30 apply to this subsection.

22 **SECTION 2003yt.** 62.231 (6m) of the statutes is amended to read:

23 62.231 (6m) CERTAIN AMENDMENTS TO ORDINANCES. For an amendment to an  
24 ordinance enacted under this section that affects an activity that meets all of the  
25 requirements under s. 281.165 (2) or (3) (a), the department of ~~natural resources~~

1 environmental management may not proceed under sub. (6), or otherwise review the  
2 amendment, to determine whether the ordinance, as amended, fails to meet  
3 reasonable minimum standards.

4 **SECTION 2003yx.** 62.234 (1) of the statutes is amended to read:

5 62.234 (1) DEFINITION. As used in this section, “department” means the  
6 department of ~~natural resources~~ environmental management.”

7 **172.** Page 678, line 22: after that line insert:

8 “**SECTION 2019g.** 66.0217 (9) (b) of the statutes is amended to read:

9 66.0217 (9) (b) Within 10 days of receipt of the ordinance, certificate and plat,  
10 the secretary of state shall forward 2 copies of the ordinance, certificate and plat to  
11 the department of transportation, one copy to the department of administration, one  
12 copy to the department of revenue, one copy to the department of public instruction,  
13 one copy to the department, one copy to the department of ~~natural resources~~  
14 environmental management, one copy to the department of fish, wildlife, parks, and  
15 forestry, one copy to the department of agriculture, trade and consumer protection  
16 and 2 copies to the clerk of the municipality from which the territory was annexed.”.

17 **173.** Page 679, line 21: after that line insert:

18 “**SECTION 2019mb.** 66.0221 (1) of the statutes, as affected by 2001 Wisconsin  
19 Act ... (this act), is amended to read:

20 66.0221 (1) Upon its own motion, a city or village, by a two-thirds vote of the  
21 entire membership of its governing body, may enact an ordinance annexing territory  
22 which comprises a portion of a town or towns and which was completely surrounded  
23 by territory of the city or village on December 2, 1973. The ordinance shall include  
24 all surrounded town areas except those that are exempt by mutual agreement of all

1 of the governing bodies involved. The annexation ordinance shall contain a legal  
2 description of the territory and the name of the town or towns from which the  
3 territory is detached. Upon enactment of the ordinance, the city or village clerk  
4 immediately shall file 6 certified copies of the ordinance in the office of the secretary  
5 of state, together with 6 copies of a scale map. The secretary of state shall forward  
6 2 copies of the ordinance and scale map to the department of transportation, one copy  
7 to the department of ~~natural resources~~ environmental management, one copy to the  
8 department of fish, wildlife, parks, and forestry, one copy to the department of  
9 revenue and one copy to the department of administration. This subsection does not  
10 apply if the town island was created only by the annexation of a railroad  
11 right-of-way or drainage ditch. This subsection does not apply to land owned by a  
12 town government which has existing town government buildings located on the land.  
13 No town island may be annexed under this subsection if the island consists of over  
14 65 acres or contains over 100 residents. Section 66.0217 (11) applies to annexations  
15 under this subsection. Except as provided in sub. (2), after December 2, 1973, no city  
16 or village may, by annexation, create a town area which is completely surrounded by  
17 the city or village.”.

18 **174.** Page 680, line 5: after that line insert:

19 “SECTION 2019p. 66.0223 of the statutes is amended to read:

20 **66.0223 Annexation of territory owned by a city or village.** In addition  
21 to other methods provided by law and subject to ss. 59.692 (7) and 66.0307 (7),  
22 territory owned by and lying near but not necessarily contiguous to a village or city  
23 may be annexed to a village or city by ordinance enacted by the board of trustees of  
24 the village or the common council of the city, provided that in the case of

1 noncontiguous territory the use of the territory by the city or village is not contrary  
2 to any town or county zoning regulation. The ordinance shall contain the exact  
3 description of the territory annexed and the names of the towns from which  
4 detached, and attaches the territory to the village or city upon the filing of 7 certified  
5 copies of the ordinance in the office of the secretary of state, together with 7 copies  
6 of a plat showing the boundaries of the territory attached. Two copies of the  
7 ordinance and plat shall be forwarded by the secretary of state to the department of  
8 transportation, one copy to the department of administration, one copy to the  
9 department of ~~natural resources~~ environmental management, one copy to the  
10 department of fish, wildlife, parks, and forestry, one copy to the department of  
11 revenue and one copy to the department of public instruction. Within 10 days of filing  
12 the certified copies, a copy of the ordinance and plat shall be mailed or delivered to  
13 the clerk of the county in which the annexed territory is located. Section 66.0217 (11)  
14 applies to annexations under this section.

15 **SECTION 2019r.** 66.0235 (5) of the statutes is amended to read:

16 66.0235 (5) APPORTIONMENT BOARD. The boards or councils of the local  
17 governmental units, or committees selected for that purpose, acting together,  
18 constitute an apportionment board. When a local governmental unit is dissolved  
19 because all of its territory is transferred the board or council of the local  
20 governmental unit existing at the time of dissolution shall, for the purpose of this  
21 section, continue to exist as the governing body of the local governmental unit until  
22 there has been an apportionment of assets by agreement of the interested local  
23 governmental units or by an order of the circuit court. After an agreement for  
24 apportionment of assets has been entered into between the interested local  
25 governmental units, or an order of the circuit court becomes final, a copy of the

1 apportionment agreement, or of the order, certified to by the clerks of the interested  
2 local governmental units, shall be filed with the department of revenue, the  
3 department of ~~natural resources~~ environmental management, the department of  
4 fish, wildlife, parks, and forestry, the department of transportation, the state  
5 superintendent of public instruction, the department of administration, and with  
6 any other department or agency of the state from which the town may be entitled by  
7 law to receive funds or certifications or orders relating to the distribution or  
8 disbursement of funds, with the county treasurer, with the treasurer of any local  
9 governmental unit, or with any other entity from which payment would have become  
10 due if the dissolved local governmental unit had continued in existence. Subject to  
11 ss. 79.006 and 86.303 (4), payments from the shared revenue account made pursuant  
12 to ch. 79, payments of forest crop taxes under s. 77.05, of transportation aids under  
13 s. 20.395, of state aids for school purposes under ch. 121, payments for managed  
14 forest land under subch. VI of ch. 77 and all payments due from a department or  
15 agency of the state, from a county, from a local governmental unit, or from any other  
16 entity from which payments would have become due if the dissolved local  
17 governmental unit had continued in existence, shall be paid to the interested local  
18 governmental unit as provided by the agreement for apportionment of assets or by  
19 any order of apportionment by the circuit court and the payments have the same  
20 force and effect as if made to the dissolved local governmental unit.

21 **SECTION 2019t.** 66.0307 (4) (a) 1. of the statutes is amended to read:

22 66.0307 (4) (a) 1. The department, the department of ~~natural resources~~  
23 environmental management, the department of fish, wildlife, parks, and forestry,  
24 the department of agriculture, trade and consumer protection and the department  
25 of transportation.