

2013 DRAFTING REQUEST

Assembly Amendment (AA-AB40)

Received: 5/29/2013 Received By: eshea
Wanted: As time permits Same as LRB:
For: Legislative Fiscal Bureau By/Representing: Probst
May Contact: Drafter: eshea
Subject: Nat. Res. - miscellaneous Addl. Drafters:
Extra Copies:

Submit via email: YES
Requester's email: Legislative Fiscal Bureau
Carbon copy (CC) to: elisabeth.shea@legis.wisconsin.gov

Pre Topic:

LFB:.....Probst -

Topic:

Summer tribal youth natural resources program

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/P1	eshea 5/31/2013	evinz 5/31/2013	rschluet 5/31/2013	_____	sbasford 5/31/2013		
/P2	eshea 5/31/2013	evinz 5/31/2013	rschluet 5/31/2013	_____	mbarman 5/31/2013		
/P3	eshea 6/3/2013	evinz 5/31/2013	jmurphy 5/31/2013	_____	sbasford 5/31/2013		
/P4		evinz	jmurphy	_____	lparisi		

Vers. Drafted

Reviewed
6/3/2013

Typed
6/3/2013

Proofed

Submitted
6/3/2013

Jacketed

Required

FE Sent For:

<END>

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/P1	eshea 5/31/2013	evinz 5/31/2013	rschluet 5/31/2013	_____	sbasford 5/31/2013		
/P2	eshea 5/31/2013	evinz 5/31/2013	rschluet 5/31/2013	_____	mbarman 5/31/2013		
/P3		evinz 5/31/2013	jmurphy 5/31/2013	_____	sbasford 5/31/2013		

*1/4
eev 6/3/13*

*Jim
6/13*

*Jim
6/13*

FE Sent For:

<END>

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/P1	eshea 5/31/2013	evinz 5/31/2013	rschluet 5/31/2013	_____	sbasford 5/31/2013		
/P2		evinz 5/31/2013	rschluet 5/31/2013	_____	mbarman 5/31/2013		
FE Sent For:		1p3 evv 5/31/13	Jr 5/31	self			

<END>

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Submit via email: **YES**
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Pre Topic:

LFB:.....Probst -

Topic:

Summer tribal youth natural resources program

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/P1	eshea 5/31/2013	evinz 5/31/2013	rschluet 5/31/2013	_____	sbasford 5/31/2013		

FE Sent For:

1p2 eeV
5/31/13
3/13
<END>

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Assembly Amendment (AA-AB40)

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 Extra Copies:

Submit via email: YES
 Requester's email: Legislative Fiscal Bureau
 Carbon copy (CC) to: elisabeth.shea@legis.wisconsin.gov

Pre Topic:

LFB:.....Probst -

Topic:

Tribal youth summer natural resources program ✓

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/P1	eshea	1pl eev 5/31/13	 5/31/13	==			
FE Sent For:							

<END>

1350256

Representative LeMahieu
Senator Leibham

NATURAL RESOURCES -- FISH, WILDLIFE, AND RECREATION

Walleye Production

01

Motion:

Move to do the following:

1. *Hatchery Operations.* Provide \$626,000 GPR in fiscal year 2013-14 and \$1,230,300 GPR in 2014-15 for fish hatchery operations to increase production capacity.

2. *Hatchery Expansions.* Enumerate a fish hatchery capacity expansion project funded with \$8.2 million in existing conservation fund SEG-supported general obligation bonds in the 2013-15 capital development budget for increased walleye production at various state fish hatcheries. Debt service on the \$8.2 million in bonds would be expected at approximately \$45,000 SEG in fiscal year 2014-15, and \$625,000 annually once the bonds are fully issued (likely in the 2015-17 biennium) and would be paid from the fish and wildlife account of the conservation fund. (Bonding would be utilized for facility improvements primarily at the Art Oehmcke fish hatchery in Woodruff, and the Governor Tommy G. Thompson fish hatchery in Spooner, but also for Wild Rose, and potentially other facilities.)

3. *Walleye Population Maintenance and Enhancement Grants.* Provide \$1 million GPR annually in a new, biennial appropriation and direct DNR to create by administrative rule a competitive walleye population maintenance and enhancement grant program to provide grants to municipalities (city, village, town, county, or federally recognized American Indian tribe or band in Wisconsin) and private fish farms (fish farms as defined in s. 95.001(1)(aj), located in Wisconsin that are registered with DATCP, and currently in compliance with all applicable state and federal fish health and environmental regulations) for the purpose of building, improving, or repairing fish hatchery or rearing facilities and associated infrastructure to increase the capacity to raise walleye for stocking in Wisconsin waters. Specify that grants under this section be used to build, improve, or repair any of the following facilities or associated infrastructure that will be or can be used in raising walleye under this section: (a) hatchery or rearing buildings or facilities; (b) rearing ponds; (c) wells or water recirculation systems; (d) biosecurity systems; (e) broodstock holding facilities; or (f) fish distribution, fish broodstock, or fish spawn collection equipment. Specify that the terms of the grant agreements must include production expectations and the purchase price of walleye fingerlings (young fish). Further, specify that DNR may promulgate emergency rules without the finding of an emergency to establish the grant program and specify that these rules remain in place until June 30, 2016 or until permanent rules are established, whichever is sooner.

4. *Walleye Contracts.* Provide \$500,000 GPR annually beginning in fiscal year 2014-15 in a new annual appropriation and direct DNR to use these funds to contract with municipalities (city, village, town, county, or federally recognized American Indian tribe or band in Wisconsin)

and private fish farms to purchase fish for the purpose of raising walleye for stocking in Wisconsin waters. For the purposes of implementing this subsection, specify that DNR may furnish or sell at cost fish or fish eggs to municipalities and private fish farms and the Department may enter into agreements or contracts for periods of up to five years. Also, specify that in addition to the amount appropriated for the contracts for purchase of walleye, DNR may also expend all monies received from the sale of fish or fish eggs to municipalities and private fish farms for the contracts. Further, specify that DNR may promulgate emergency rules for implementing this section without the finding of an emergency and specify that these rules remain in place until June 30, 2016 or until permanent rules are established, whichever is sooner.

5. *UW-Extension Private Fish Farms.* Provide \$160,000 GPR in fiscal year 2013-14 in one-time funding and direct DNR to provide a grant to UW-Extension for work with private fish farms through the end of fiscal year 2013-14. [UW Extension aquaculture (fish farm) outreach specialists work with public, private, and tribal groups to develop programs and provide services that support industry growth and profitability including: business plan development and individual consultations, aquaculture field days, workshops and vendor fairs, facility planning to support best management practices, biosecurity workshops, beginning aquaculture workshops, and veterinarian health training workshops].

6. *Private Fish Farm Stocking Capacity Study.* Direct DNR, in consultation with the Department of Administration (DOA), the Department of Agriculture, Trade, and Consumer Protection (DATCP), the Wisconsin Economic Development Corporation (WEDC), the Wisconsin Aquaculture Association, and the University of Wisconsin Extension System, to conduct a study of the current and future capacity of private fish farms to stock fish in Wisconsin waters for the purpose of maintaining and enhancing fish populations. Require DNR to submit a report of the study results to the appropriate standing committees of the Legislature by June 30, 2014.

7. *Fish Farm Regulations Study.* Direct DNR, in cooperation with DATCP, to conduct a study of the regulations applicable to private fish farms in Wisconsin to assess the need for existing regulations, reducing regulatory overlap and streamlining regulatory processes in DNR and DATCP. Authorize DNR and DATCP to promulgate administrative rule changes necessary to implement the recommendations of the study as emergency rules without the finding of an emergency. Specify that these emergency rules may remain in place until June 30, 2016, or until permanent rules are established, whichever is sooner. Further direct DNR, in cooperation with DATCP, to evaluate the viability of establishing a fish hatchery stamp. Require DNR to submit a report of the fish farm regulation and hatchery stamp study results to the appropriate standing committees of the Legislature and the Joint Committee for Review of Administrative Rules by November 15, 2013.

8. *Tribal Youth Program.* Provide \$250,000 GPR annually in a new annual appropriation to expand the existing summer Tribal Youth Program. Allow DNR to provide up to 50% of eligible project costs to provide tribal high school-aged youth with an opportunity to work on natural resources-related projects.

Note:

Funding under the motion would be provided as follows:

	<u>2013-14</u>	<u>2014-15</u>	<u>Source</u>
1. Hatchery Operations	\$626,000	\$1,230,300	GPR
2. Hatchery Expansions*	0	45,000	SEG
3. Walleye Population Maintenance and Enhancement Grants	1,000,000	1,000,000	GPR
4. Walleye Contracts	0	500,000	GPR
5. UW Extension Private Aquaculture	160,000	0	GPR
6. Private Fish Farm Stocking Capacity Study	0	0	
7. DNR and DATCP Fish Farm Regulations Study	0	0	
8. Tribal Youth Program	<u>250,000</u>	<u>250,000</u>	GPR
Total	\$2,036,000	\$2,980,300	GPR
	\$0	\$45,000	SEG

*Provides \$8.2 million from existing G.O. bond authority; debt service payments would be estimated at approximately \$45,000 SEG in fiscal year 2014-15.

Under section 23.09(2)(f) of the statutes, DNR may, subject to s. 95.60 (related to DATCP permits required to bring fish or fish eggs into Wisconsin and regulation of fish farms), capture, propagate, transport, sell or exchange any species of fish needed for stocking or restocking any waters of the state. (Under section 281.01(18) of the statutes, "waters of this state" includes those portions of Lake Michigan and Lake Superior within the boundaries of this state, and all lakes, bays, rivers, streams, springs, ponds, wells, impounding reservoirs, marshes, watercourses, drainage systems and other surface water or groundwater, natural or artificial, public or private, within this state or its jurisdiction.) Section 95.001(1)(aj) of the statutes defines "fish farm" as "a facility at which a person hatches fish eggs or rears fish for the purpose of introduction into the waters of the state, human or animal consumption, permitting fishing, use as bait or fertilizer or any other purpose specified by the Department by rule or for sale to another person to rear for one of those purposes".

The Governor's office stated the Wisconsin Walleye Initiative is estimated to increase production of large walleye fingerlings (six to eight inch fish) from 60,000 to 120,000 currently to well over 500,000 by 2016. DNR officials indicate over 750,000 large walleye fingerlings could be produced under the initiative.

The motion would require DNR, in cooperation with DATCP, to conduct a study that would include the viability of establishing a fish hatchery stamp. Currently, in order to hunt or fish certain species, a person must purchase a stamp in addition to a license. Revenue from the sale of these stamps must be utilized exclusively for habitat and propagation projects for the benefit of the respective species. Currently, five stamps are required: (a) waterfowl; (b) wild turkey; (c) pheasant; (d) inland waters trout; and (e) Great Lakes trout and salmon. For example, a new fish hatchery stamp could be proposed which a person would be required to purchase in addition to a fishing license in order to fish in Wisconsin waters, and revenues from the stamp could be utilized to fund fish hatchery production, maintenance or improvements.

DNR currently provides the Tribal Youth Program approximately \$22,000 each year from federal and conservation fund revenues for salaries, supplies, travel and equipment for projects such

as searching for elk calves, trail maintenance and construction, and trout stream habitat during the summer. Since 2007, DNR has partnered with the Lac du Flambeau, Lac Courte Oreilles, and Red Cliff tribes. The additional funding would expand opportunities for youths in the participating tribes and expand the program to the remaining eight tribal nations within Wisconsin.

[Change to Bill: \$5,016,300 GPR and \$45,000 SEG]

5/29/13 ^{EHS} tel conf. with Erin Probst, LFB

Who provides other 50% costs? tribe - current practice
limited to tribe members? yes (NWS sec. Stepp's statement)

No rules because not in motion.

Create appropriation and basic program statutory language
currently - different DNR property managers have collaborated
w/ different tribes

Will send link to info about current program

Lac du Flambeau Band of Lake Superior Chippewa Indians

Background Information:

In 2007, Steve Peterson, met with the Lac du Flambeau (LDF) tribal council to discuss the implementation of a summer program that would provide DNR staff mentors for LDF youth. The cost of the youth's wages would be shared between the DNR and the tribe. The program would provide hands on experience in a number of fields of work and possibly generate an interest in attending school to become resource managers or apply for limited term employment within the DNR. The summer program would be supported by DNR staff across multiple programs providing two week sessions in different fields of work.



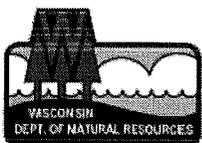
Summer 2008 – Initial Program Start Up

- Two tribal youth between the junior and senior year in high school began work the Monday after school ended for summer break and continued working until the Friday before school started in fall.
- Work was primarily on the state forest but they also spent time with the fisheries and wildlife program. State forest experiences included boat landing work, customer service, building maintenance, forestry work and riding along with the rangers.
- One of the participants expressed an interest in working for the DNR in 2009.
- Both tribal youth have enrolled in college courses related to natural resources.

Summer 2009

- Steve Peterson worked with the human resources department to determine a funding source for the tribal youth summer program.
- Bruce Maatta was assigned to organize the work and provide guidance to six tribal youth.
- They have been working on erosion control and shoreline stabilization, beach and ski trail maintenance, invasive control, forestry work along with general campsite and building maintenance work.

Contact: Steve Peterson, Superintendent, Northern Highland American Legion State Forest, 715-358-9225



Summer Tribal Youth Activities

Lac Courte Oreilles Band of Ojibwe

Background Information:

The success of the Lac du Flambeau Summer Youth Program inspired a similar program that was implemented for youth from the Lac Courte Oreilles Band of Ojibwe in 2009. A 12 week multi-agency program was developed by the DNR, Lac Courte Oreilles Band of Ojibwe Conservation Department, and the United States Forest Service. A crew leader (college intern) and six employees were assigned projects to complete. DNR staff across multiple programs worked together to identify projects that would be completed in a little over three weeks. The projects included:

- Searching for elk calves.
- Removal of an old fence for habitat improvement.
- Construction of erosion mats on lake banks.
- Trail maintenance and construction.
- Stream shocking.
- Trout stream habitat work.
- Relocation of campsites.



Contact: Neal Kephart, Property Manager, Chippewa Flowage, 715-634-9658, Ext. 3513





State of Wisconsin
2013 - 2014 LEGISLATURE



LRBb0256/P1

EHS:j:....

lew

LFB:.....Probst – Summer tribal youth natural resources program

FOR 2013-2015 BUDGET — NOT READY FOR INTRODUCTION
ASSEMBLY AMENDMENT ,
TO ASSEMBLY BILL 40

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

2 **1.** Page 349, line 13: after that line insert:

3 “SECTION 277m. 20.370 (1) (hg) of the statutes is created to read:

4 20.370 (1) (hg) *Summer tribal youth programs.* From the general fund, the
5 amounts in the schedule for the summer tribal youth programs under s. 23.09 (27).”.

6 **2.** Page 402, line 4: after that line insert:

7 “SECTION 500m. 23.09 (27) of the statutes is created to read:

8 23.09 (27) SUMMER TRIBAL YOUTH PROGRAMS. The department may, in
9 partnership with any of the federally recognized American Indian tribes or bands
10 domiciled in this state, establish a summer program that provides members of the
11 tribe or band who are 13 to 19 years of age with an opportunity to work on projects

②
Δ percent

1 related to the conservation of natural resources. The department may not provide
2 funding that exceeds 50% of the eligible program costs. The tribe or band shall be
3 responsible for the remainder of those costs.”. ✓

4

(END)

Shea, Elisabeth

From: Probst, Erin
Sent: Friday, May 31, 2013 1:52 PM
To: Shea, Elisabeth
Subject: RE: LRB Draft: 13b0256/P1 Summer tribal youth natural resources program

Lis- I think the summer youth draft looks good, but can we refer to it as the summer tribal youth "program" rather than "programs". It's just semantics but that's what I refer to it as in the motion so I'd like to be consistent there.

Thanks,
Erin

Erin K. (Rushmer) Probst

*Legislative Fiscal Analyst
Wisconsin Legislative Fiscal Bureau
ph. (608) 266-3847
fax (608)267-6873
Erin.Probst@legis.wisconsin.gov*

From: Schlueter, Ron
Sent: Friday, May 31, 2013 1:13 PM
To: Probst, Erin
Cc: Hinz, Daryl; Hanaman, Cathlene; Holten, Vicki
Subject: LRB Draft: 13b0256/P1 Summer tribal youth natural resources program

Following is the PDF version of draft 13b0256/P1.

<< File: 13b0256/P1 >>



State of Wisconsin
2013 - 2014 LEGISLATURE



LRBb0256/P1

EHS:eev:rs

lh 5/31/13

Stays

RMR

LFB:.....Probst - Summer tribal youth natural resources program

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ASSEMBLY AMENDMENT ,
TO ASSEMBLY BILL 40**

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

2 **1.** Page 349, line 13: after that line insert:

3 **"SECTION 277m.** 20.370 (1) (hg) of the statutes is created to read:

4 20.370 (1) (hg) *Summer tribal youth* ~~programs~~ ^{program} ^(I). From the general fund, the
5 amounts in the schedule for the summer tribal youth programs under s. 23.09 (27)."

6 **2.** Page 402, line 4: after that line insert:

7 **"SECTION 500m.** 23.09 (27) of the statutes is created to read:

8 23.09 (27) SUMMER TRIBAL YOUTH ~~PROGRAMS~~ ^{program} ^(CS) The department may, in
9 partnership with any of the federally recognized American Indian tribes or bands
10 domiciled in this state, establish a summer program that provides members of the
11 tribe or band who are 13 to 19 years of age with an opportunity to work on projects

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2 funding that exceeds 50 percent of the eligible program costs. The tribe or band shall
3 be responsible for the remainder of those costs.”

4 (END)



State of Wisconsin
2013 - 2014 LEGISLATURE



LRBb0256/P2
EHS:eev:rs

P3

In 5/31/13

Stays

LFB:.....Probst – Summer tribal youth natural resources program

FOR 2013-2015 BUDGET – NOT READY FOR INTRODUCTION
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TO ASSEMBLY BILL 40

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3 “SECTION 277m. 20.370 (1) (hg) of the statutes is created to read:

4 20.370 (1) (hg) *Summer tribal youth program.* From the general fund, the

5 amounts in the schedule for the summer tribal youth ~~programs~~^{program} under s. 23.09 (27).”

6 **2.** Page 402, line 4: after that line insert:

7 “SECTION 500m. 23.09 (27) of the statutes is created to read:

8 23.09 (27) SUMMER TRIBAL YOUTH PROGRAM. The department may, in partnership
9 with any of the federally recognized American Indian tribes or bands domiciled in
10 this state, establish a summer program that provides members of the tribe or band
11 who are 13 to 19 years of age with an opportunity to work on projects related to the

1 conservation of natural resources. The department may not provide funding that
2 exceeds 50 percent of the eligible program costs. The tribe or band shall be
3 responsible for the remainder of those costs.”.

4 (END)



State of Wisconsin
2013 - 2014 LEGISLATURE



LRBb0256/P3

EHS:eev:jm

P4

RMR

STAYS

LFB:.....Probst – Summer tribal youth natural resources program

FOR 2013-2015 BUDGET – NOT READY FOR INTRODUCTION

ASSEMBLY AMENDMENT ,

TO ASSEMBLY BILL 40

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

2 **1.** Page 349, line 13: after that line insert: ✓
286m (B) 20.370 (5) (fc)

3 “SECTION 277m. 20.370 (1) (hg) of the statutes is created to read:

4 20.370 (1) (hg) Summer tribal youth program. From the general fund, the
B

5 amounts in the schedule for the summer tribal youth program under s. 23.09 (27).”.

6 **2.** Page 402, line 4: after that line insert:

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11 who are 13 to 19 years of age with an opportunity to work on projects related to the

1 conservation of natural resources. The department may not provide funding that
2 exceeds 50 percent of the eligible program costs. The tribe or band shall be
3 responsible for the remainder of those costs.”.

4 (END)

Shea, Elisabeth

From: Probst, Erin
Sent: Monday, June 03, 2013 1:01 PM
To: Shea, Elisabeth
Subject: RE: LRB Draft: 13b0256/P3 Summer tribal youth natural resources program

Importance: High

Lis- For draft 0256, I need to change the appropriation that you created to an appropriation in program 5, rather than program 1. I'm not sure if the same alpha will be available or if you'll need to find a new one, but I need to have you make that change please. Thanks,
Erin

Erin K. (Rushmer) Probst

*Legislative Fiscal Analyst
Wisconsin Legislative Fiscal Bureau
ph. (608) 266-3847
fax (608)267-6873
Erin.Probst@legis.wisconsin.gov*

From: Murphy, Janice
Sent: Friday, May 31, 2013 3:00 PM
To: Probst, Erin
Cc: Hinz, Daryl; Hanaman, Cathlene; Holten, Vicki
Subject: LRB Draft: 13b0256/P3 Summer tribal youth natural resources program

Following is the PDF version of draft 13b0256/P3.
<< File: 13b0256/P3 >>



LFB:.....Probst – Summer tribal youth natural resources program

FOR 2013-2015 BUDGET — NOT READY FOR INTRODUCTION
ASSEMBLY AMENDMENT ,
TO ASSEMBLY BILL 40

At the locations indicated, amend the bill as follows:

1. Page 351, line 3: after that line insert:

“**SECTION 286m.** 20.370 (5) (fc) of the statutes is created to read:

20.370 (5) (fc) *Summer tribal youth program.* From the general fund, the amounts in the schedule for the summer tribal youth program under s. 23.09 (27).”.

2. Page 402, line 4: after that line insert:

“**SECTION 500m.** 23.09 (27) of the statutes is created to read:

23.09 (27) SUMMER TRIBAL YOUTH PROGRAM. The department may, in partnership with any of the federally recognized American Indian tribes or bands domiciled in this state, establish a summer program that provides members of the tribe or band who are 13 to 19 years of age with an opportunity to work on projects related to the

conservation of natural resources. The department may not provide funding that exceeds 50 percent of the eligible program costs. The tribe or band shall be responsible for the remainder of those costs.”.

(END)