

No. 141, A.]

[Published June 30, 1953.

CHAPTER 319

AN ACT to amend and revise chapter 20; and to make divers other changes in the statutes, relating to conservation commission finances and appropriations, constituting a budget bill of the 1953 legislature, and making appropriations.

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

SECTION 1. 15.16 (5) (a) of the statutes is amended to read:

15.16 (5) (a) On August 31 of each fiscal year all outstanding incumbrances entered for the previous fiscal year shall be transferred by the director as incumbrances against the appropriation for the current fiscal year, and in the case of maintenance and miscellaneous capital appropriations for state institutions, and capital outlay for the conservation commission, an equivalent prior year appropriation balance shall also be forwarded to the current year by the director. Payments made on previous year incumbrances forwarded shall be charged to the current fiscal year. All other charges incurred during any previous fiscal year, and not evidenced by incumbrances, which are presented for payment between September 1 in any fiscal year and August 31 in the next succeeding fiscal year shall be entered as charges in the fiscal year in which said September 1 falls; but such charges shall not be paid if they exceed the unincumbered appropriation balance as of August 31 of the fiscal year preceding the year of payment.

~~SECTION 2. 20.07 (2) (a) of the statutes is created to read:
20.07 (2) (a) Forest crop lands. Annually, beginning July 1, 1953, a sum sufficient to carry out the provisions of ch. 79, excluding s. 79.14, only on the condition that aids from the appropriation made by s. 20.20 (14) (c) are invalid.~~

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SECTION 3. 20.20 (1) of the statutes is repealed and recreated to read:

20.20 (1) All moneys, except fines, accruing to the state by reason of any provision of ch. 29, or otherwise received or collected by each and every person for or in behalf of the state conservation commission, if not payable into the forest reserve fund, shall constitute the "conservation fund" and shall be paid, within one week after receipt, into the state treasury and credited to said fund. No money shall be expended or paid from the conservation fund except in pursuance of an appropriation by law. All moneys received pursuant to the operation of a program for which a specific allotment is made in

s. 20.20 shall be credited to the proper appropriation made for such program and are allotted for the specific purpose therein provided.

There is appropriated from the conservation fund to the conservation commission:

SECTION 4. 20.20 (1d), (1e) and (1f) of the statutes are created to read:

20.20 (1d) On July 1, 1953, to the general fund the sum of \$7,255.65 to compensate the general fund for payment of a judgment in favor of Trempealeau county, which is a just claim against the conservation fund.

(1e) On July 1, 1953, \$3,900,200, and annually beginning July 1, 1954, \$3,964,900 for the execution of its functions under s. 23.09. Of this appropriation there is allotted for the following purposes:

	1953-1954	1954-1955
Personal services	\$2,382,400	\$2,438,700
Materials and expense	1,340,000	1,354,200
Capital outlay	177,800	172,000

(1f) A sum sufficient to pay the state's share to the Wisconsin retirement fund and the wardens' pension fund, except that pension contributions for forestry purposes under s. 20.20 (14) (d) shall be paid from s. 20.20 (14) (e) and contributions under ss. 20.20 (14) (a) and (29) shall be paid from these respective appropriations.

SECTION 5. 20.20 (2) of the statutes is repealed.

SECTION 6. 20.20 (3) of the statutes is repealed and recreated to read:

20.20 (3) Annually, beginning July 1, 1953, \$203,100 for the execution of its functions under s. 23.09 (7) (L). Of this there is allocated annually, beginning July 1, 1953, not to exceed \$10,000 to pay the state's share of the advertising and publicity work and of carrying out the functions of the Northern Great Lakes Area Council. Of the total appropriation there is allotted for the following purposes:

	1953-1954	1954-1955
Personal services	\$ 17,000	\$ 17,400
Materials and expense	184,200	183,800
Capital outlay	1,900	1,900

SECTION 7. 20.20 (5) and (9) of the statutes are repealed.

SECTION 8. 20.20 (11) of the statutes is amended to read:

20.20 (11) All moneys collected by the conservation commission or its authorized agents for voluntary sportsmen's licenses pursuant to s. 29.147 shall be paid within 10 days after receipt to the state treasurer who shall deposit all fees so collected for sportsmen's licenses into the conservation fund, and all moneys collected for any such license over and above the sum of \$4 shall constitute a fund to be known as the "Public Hunting and Fishing Fund"; and all moneys deposited in such "Public Hunting and Fishing Fund" are appropriated to the conservation commission for the purpose of acquiring lands for game refuges and public fishing and hunting grounds. Any unexpended balance in such fund at the close of any fiscal year is reappropriated to said "Public Hunting and Fishing Fund" for said purposes.

Annually, beginning July 1, 1953, \$108,300 to carry out the provisions of this section.

Of this appropriation there is allotted for the following purposes:

	1953-1954	1954-1955
Materials and expense	\$53,600	\$53,600
Capital outlay	54,700	54,700

SECTION 9. 20.20 (14) (a) of the statutes is amended to read:

20.20 (14) (a) * * * Twelve per cent of the tax which is levied in s. 70.58 (2) or of the funds provided for in lieu of such levy, for the fiscal year beginning July 1, 1953 and annually thereafter to be used to acquire and develop state forest lands within areas approved by the conservation commission and the governor and located within the region composed of Manitowoc, Calumet, Winnebago, Sheboygan, Fond du Lac, Ozaukee, Washington, Dodge, Milwaukee, Waukesha, Jefferson, Racine, Kenosha, Walworth, Rock and Outagamie counties, and at least one-third of said annual allotments shall be used for the purchase of lands. *Of this appropriation there is allotted for the following purposes:*

	1953-1954	1954-1955
Personal services	\$123,900	\$126,200
Materials and expense	34,854	34,809
Capital outlay	146,200	158,100

SECTION 10. 20.20 (14) (b) of the statutes is amended to read:

20.20 (14) (b) Annually, on March 15, * * * a sum sufficient to be used for the payment of aid for county forest reserves at the rate of 10 cents per acre as authorized in s. 28.14 * * *.

SECTION 11. 20.20 (14) (e) of the statutes is renumbered 20.20 (14) (f).

~~SECTION 12. 20.20 (14) (c) of the statutes is created to read:
20.20 (14) (c) Annually, on March 15, a sum sufficient for the payment of aids at the rate of 10 cents per acre to carry out the provisions of ch. 77, excluding s. 77.14. If the payment of aids out of this appropriation is invalid then such aids shall be paid from the appropriation made by s. 29.07 (2) (a).~~

SECTION 13. 20.20 (14) (d) of the statutes is created to read:

20.20 (14) (d) On July 1, 1953, \$2,630,500 and annually, beginning July 1, 1954, \$2,661,500 to carry out the provisions of ch. 28, except ss. 28.14 and 20.20 (8a). Of this appropriation there is allotted for the following purposes:

	1953-1954	1954-1955
Personal services	\$1,936,500	\$1,966,500
Materials and expense	556,200	551,800
Capital outlay	137,800	143,200

SECTION 14. 20.20 (14) (e) of the statutes is created to read:

20.20 (14) (e) Annually, beginning July 1, 1953, a sum sufficient to pay the state's share of the Wisconsin retirement fund and the warden's pension fund.

SECTION 14a. 20.20 (26), (27) and (28) of the statutes are repealed.

SECTION 15. 20.20 (29) of the statutes is amended to read:

20.20 (29) Annually, as may be determined by the conservation commission, an amount not to exceed 10 per cent of the income of the conservation fund for the preceding fiscal year, but not less than \$220,000 annually, excluding transfers from the general fund, and in addition, annually, beginning July 1, 1951, there is appropriated \$150,000 as provided by s. 20.201 to be used for park purposes as authorized by s. 27.01. If at the end of any fiscal year the total expenditures do not exceed \$370,000 then the difference between \$370,000 and the actual expenditure incurred shall be returned to the general fund. * * * The appropriation made under this subsection may not be used for the purchase of land except when the total expenditures in any fiscal year exceed \$250,000. * * *. *Of this there is allotted for the following purposes:*

	1953-1954	1954-1955
Personal services	\$307,300	\$312,400
Materials and expense	88,613	88,662
Capital outlay	29,600	30,700

SECTION 16. 20.205 of the statutes is created to read:

20.205 Annually, beginning July 1, 1953, a sum sufficient for forestry administration, forest fire prevention and other forestry purposes. This appropriation shall be transferred to the conservation fund in such amounts as the emergency board may approve during the portion of those 2 fiscal years preceding the collection of the tax for forestry purposes. Upon the collection of the tax for forestry purposes and payment into the conservation fund of such tax, the general fund shall be reimbursed by the conservation fund for all amounts transferred from the general fund under this appropriation.

SECTION 17. 20.74 (2) of the statutes is amended to read:

20.74 (2) Allotments may be made by the emergency board from any state fund as it may deem advisable to supplement appropriations made from such fund. All allotments made to an appropriation and all transfers made between allotments within an appropriation made pursuant to this subsection shall be certified to the director of budget and accounts, and expenditures therefrom shall be shown in the state budget report as an additional cost of the department or commission and activity for which such allotments were made. To the extent that allotments are made pursuant to this subsection in any fiscal year, the appropriation made by sub. (1) for such fiscal year shall be correspondingly reduced, with the exception that allotments made from the conservation fund for emergency forest fire fighting purposes shall not correspondingly reduce the appropriations made by sub. (1) for such fiscal year. *With the approval of the emergency board, transfers may be made between allotments within any appropriation made to the highway commission from highway funds, and between allotments within any appropriation made to the conservation commission from conservation funds.*

SECTION 18. 29.10 of the statutes is amended to read:

29.10 Resident small game hunting licenses shall be issued subject to s. 29.09, by designated permanent civil service employees of the commission and by the county clerks upon blanks supplied to them by the commission, to residents duly applying therefor who have resided in this state for at least one year next preceding the application. The fee for each license is \$2. Such license does not permit the hunting of deer. * * *

The commission shall spend for the acquisition, leasing, development and maintenance of public hunting and fishing grounds, not less than one-fourth of the net cash receipts derived from the sale of resident small game hunting licenses.

SECTION 19. 29.105 (1) of the statutes is amended to read:

29.105 (1) Resident deer hunting licenses shall be issued subject to s. 29.09 by designated permanent civil service employes of the commission or by the county clerks, on blanks furnished by the commission, to any resident duly applying therefor, who has resided in this state for at least one year next preceding the application. The fee for each license shall be \$2.50 * * *.

SECTION 20. 29.60 (1), (2), (3), (4) and (6) of the statutes are repealed.

SECTION 21. 29.605 (1) of the statutes is amended to read:

29.605 (1) It shall be lawful for the conservation commission, its agents, or deputies, to give, present, or turn over alive, for educational purposes, to any bona fide public zoo any predatory animal * * *.

SECTION 22. 29.61 (1) of the statutes is amended to read:

29.61 (1) The governing body of any county, town, city or village may direct that every person who shall kill any crow, * * * or any sharp-shinned or Cooper's hawk, * * * or any pocket gopher, * * * or any streaked gopher, * * * or any black, brown, gray or Norway rat, commonly known as the house rat or barn rat, * * * or any rattlesnake, * * * or any ground hog or any woodchuck, * * * or any mole, * * * or any red or grey fox, or any wolf, or any coyote, or any wildcat, or any lynx, or any weasel shall be entitled to a reward as determined by the governing board of any county, town, city or village.

SECTION 23. 29.65 (2) of the statutes is amended to read:

29.65 (2) Any damages recovered in such action shall be paid into the state conservation fund and disbursed therefrom by the conservation commission * * *. The costs of such action in case of a judgment in favor of the defendant shall be paid out of the conservation fund.

SECTION 24. 77.05 (2) of the statutes is amended to read:

77.05 (2) As soon after the twentieth day of April of each year as feasible, the conservation commission shall pay to each town treasurer on each description as above certified and also on all county-owned forest crop lands in each town the sum of 10 cents per acre out of the appropriation made by * * * s. 20.07 (2) (a) * * *.

SECTION 25. 348.34 of the statutes is amended to read:

348.34 Any county, city, village, or town clerk or conservation warden who shall knowingly make any untrue or false certificate in respect to * * * any animals on which a bounty is paid, and any person who shall obtain or endeavor to obtain any such certificate from such clerk or conservation warden by false or fraudulent misrepresentation or practices, and any person who shall obtain or endeavor to obtain a reward as provided in s. * * * 29.61 for the killing of any animal that has been raised, reared, harbored or held in captivity by anyone shall be * * * fined not exceeding \$500 or imprisoned not more than one year.

Approved in part and vetoed in part June 26, 1953.
