

1       23.79 (2) The payment of any judgment may be suspended or deferred for  
2 not more than 90 days in the discretion of the court. In cases where a  
3 deposit has been made, any forfeitures, penalty assessments, jail assessments,  
4 weapons assessments, natural resources assessments, natural resources resti-  
5 tution payments and costs shall be taken out of the deposit and the balance,  
6 if any, returned to the defendant.

7       ••87b1690/1••SECTION 550t. 23.80 (2) of the statutes is amended to read:

8       23.80 (2) Upon default of the defendant corporation or municipality, or  
9 upon conviction, judgment for the amount of the forfeiture, the penalty  
10 assessment, the jail assessment, any applicable weapons assessment, any  
11 applicable natural resources assessment and any applicable natural resources  
12 restitution payment shall be entered.

13       ••87b1690/1••SECTION 550u. 23.84 of the statutes is amended to read:

14       23.84 (title) FORFEITURES AND ASSESSMENTS COLLECTED; TO WHOM PAID.

15 Except for actions in municipal court, all moneys collected in favor of the  
16 state or a municipality for forfeiture, penalty assessment, jail assessment,  
17 applicable weapons assessment, applicable natural resources assessment and  
18 applicable natural resources restitution payment shall be paid by the officer  
19 who collects the same to the appropriate municipal or county treasurer, within  
20 20 days after its receipt by the officer, except that all jail assessments  
21 shall be paid to the county treasurer. In case of any failure in such the  
22 payment, the municipal or county treasurer may collect the payment from the  
23 officer by an action in the treasurer's name of office and upon the official  
24 bond of the officer, with interest at the rate of 12% per year from the time  
25 when it should have been paid.

26       ••87b1690/1••SECTION 550v. 23.85 of the statutes is amended to read:

27       23.85 STATEMENT TO COUNTY BOARD; PAYMENT TO STATE. Every county trea-  
28 surer shall, on the first day of the annual meeting of the county board of

1 supervisors, submit to it a verified statement of all forfeitures, penalty  
2 assessments, jail assessments, weapons assessments, natural resources assess-  
3 ments and natural resources restitution payments money received during the  
4 year next preceding. The county clerk shall deduct all expenses incurred by  
5 the county in recovering ~~such~~ those forfeitures, penalty assessments, weapons  
6 assessments, natural resources assessments and natural resources restitution  
7 payments from the aggregate amount so received, and shall immediately certify  
8 to the county treasurer the amount of clear proceeds of ~~such~~ those  
9 forfeitures, penalty assessments, weapons assessments, natural resources  
10 assessments and natural resources restitution payments, so ascertained, who  
11 shall pay ~~such~~ the proceeds to the state treasurer as provided in s. 59.20.  
12 Jail assessments shall be treated separately as provided in s. 53.46.

13 ••87b1284/1 •• 87b1780/en••SECTION 552e. 24.60 (2) of the statutes is  
14 amended to read:

15 24.60 (2) "Municipality" means a town, village, city, county, public  
16 inland lake protection and rehabilitation district, town sanitary district  
17 created under s. 60.71, metropolitan sewerage district created under s. 66.22  
18 or 66.882, joint sewerage system created under s. 144.07 (4), school district  
19 ~~or~~ vocational, technical and adult education district or the Yahara watershed  
20 management district.

21 ••87b1284/1 •• 87b1780/en••SECTION 552m. 24.61 (3) (a) 4m of the statutes  
22 is created to read:

23 24.61 (3) (a) 4m. The Yahara watershed management district for the pur-  
24 poses of the exercise of its powers under ss. 33.42 to 33.48.

25 ••87b1284/1 •• 87b1780/en••SECTION 552s. 24.66 (2n) of the statutes is  
26 created to read:

1       24.66 (2n) FOR THE YAHARA WATERSHED MANAGEMENT DISTRICT. Every applica-  
2 tion shall be approved and authorized for the Yahara watershed management  
3 district by a majority of the commissioners of the district.

4       ••87-1851/7••SECTION 554. 25.14 (1) of the statutes is amended to read:

5       25.14 (1) There is created a state investment fund under the jurisdiction  
6 and management of the investment board (hereinafter referred to as "board") to  
7 be operated as an investment trust for the purpose of managing the securities  
8 of all the state's funds consisting of the funds specified in s. 25.17 (1)  
9 except the ~~state property insurance fund~~, state life fund, fixed retirement  
10 investment trust, variable retirement investment trust, capital improvement  
11 fund, bond security and redemption fund, state building trust fund, the state  
12 housing authority reserve fund, the children's trust fund, funds which under  
13 article X of the constitution are controlled and invested by the board of  
14 commissioners of public lands, funds which are required by specific provision  
15 of law to be controlled and invested by any other authority, the university  
16 trust funds and the trust funds of the state universities except that the  
17 respective authorities controlling the investment of any such excluded fund  
18 may authorize the transfer of any temporary cash assets of any such excluded  
19 fund to the state investment fund in accordance with subs. (2) and (3).

20       ••87b1735/1 •• 87b1922/en••SECTION 554d. 25.16 (6) of the statutes is  
21 amended to read:

22       25.16 (6) All deeds, contracts and other documents which must be executed  
23 by or on behalf of the board shall be signed ~~only~~ by the executive director  
24 ~~or, in the event of his or her absence or disability, by the assistant direc-~~  
25 ~~tor unless the.~~ The executive director may delegate the authority to execute  
26 documents to other board employees. Where the board has an interest in  
27 property, the authority to execute leases as lessor may be delegated within  
28 leasing guidelines to outside managers retained pursuant to a written

1 contract. The members of the board or the executive director may require the  
2 countersignature of an investment director or an investment supervisor on  
3 certain documents.

4 ••87b1081/2 •• 87b1226/2••SECTION 554e. 25.17 (1) (ks) of the statutes is  
5 created to read:

6 25.17 (1) (ks) Petroleum storage environmental cleanup fund (s. 25.47);

7 ••87b0193/1••SECTION 554m. 25.17 (3) (bg) of the statutes is repealed.

8 ••87b1735/1 •• 87b1922/en••SECTION 554p. 25.17 (8) of the statutes is  
9 amended to read:

10 25.17 (8) Accept when necessary to protect a mortgage loan, a quitclaim  
11 deed or warranty deed to the mortgaged property in full satisfaction of the  
12 mortgage debt, and manage, operate, lease, exchange, sell and convey, by land  
13 contract, quitclaim deed or warranty deed, and grant easement rights in, any  
14 real property acquired by said board. ~~Any lease, land contract, quitclaim~~  
15 ~~deed, warranty deed, easement, satisfaction of mortgage, partial release of~~  
16 ~~mortgage, or any other instrument relating to real property in which said~~  
17 ~~board has an interest shall be executed on behalf of said board by the execu-~~  
18 ~~tive director.~~

19 ••87-2283/3••SECTION 555. 25.18 (2) of the statutes is created to read:

20 25.18 (2) In addition to the powers set forth in sub. (1) and s. 25.17,  
21 the investment board may:

22 (a) Nominate employes, members, agents or other representatives of the  
23 board to serve as directors of corporations, companies, associations or any  
24 other legal entities and allow them to serve as such representing the board.  
25 Notwithstanding ss. 19.56 (3) and 25.16 (2), members, agents or other repre-  
26 sentatives of the board, except employes, may retain any compensation paid to  
27 them as directors. An employe of the board who receives compensation for  
28 serving as a director shall deposit the compensation with the board.

1 (b) Have its employes, agents or other representatives represent the  
2 board in meetings of shareholders, partnerships or associations.

3 (c) Have any of its employes serve as an officer of a corporation in  
4 which it owns voting stock, or have any of its employes serve as an officer of  
5 a company, joint venture or association in which it owns an interest.

6 (d) Insure against from the current income of any fund or trust, or pay  
7 out of current income of any fund or trust, amounts arising from any acts of  
8 employes, members or agents of the board acting as officers or directors of a  
9 company in which the board has invested the moneys in the fund or trust.

10 (e) Contract with and delegate to investment advisers the management and  
11 control over assets from any fund or trust delivered to such investment  
12 advisers for investment in real estate, mortgages, equities, debt of foreign  
13 corporations and debt of foreign governments, and pay such advisers fees from  
14 the current income of the fund or trust being invested. No more than 10% of  
15 the total assets of the fixed retirement investment trust or 10% of the total  
16 assets of the variable retirement investment trust may be delivered to  
17 investment advisers. The board shall set performance standards for such  
18 investment advisers, monitor such investments to determine if performance  
19 standards are being met and if an investment adviser does not consistently  
20 meet the performance standards then terminate the contract with such invest-  
21 ment adviser.

22 ••87b0474/2••SECTION 555m. 25.185 of the statutes is created to read:

23 25.185 MINORITY FINANCIAL ADVISERS AND INVESTMENT FIRMS. (1) In this  
24 section, "minority financial adviser" and "minority investment firm" mean a  
25 financial adviser and investment firm, respectively, certified by the depart-  
26 ment of development under s. 560.036 (2).

27 (2) The investment board shall attempt to ensure that 5% of the total  
28 funds expended for financial and investment analysis and for common stock and

1 convertible bond brokerage commissions in each fiscal year is expended for the  
2 services of minority financial advisers or minority investment firms.

3 (3) The investment board shall annually report to the department of  
4 administration the total amount of moneys expended under sub. (2) for common  
5 stock and convertible bond brokerage commissions, the services of minority  
6 financial advisers and the services of minority investment firms during the  
7 preceding fiscal year.

8 ••87a0878/3••SECTION 555r. 25.29 (1) (c) of the statutes is created to  
9 read:

10 25.29 (1) (c) An amount equal to the estimated motorboat gas tax payment.  
11 The estimated motorboat gas tax payment is calculated by multiplying the  
12 number of motorboats registered under s. 30.52 on January 1 of the previous  
13 fiscal year by 50 gallons, multiplying that product by 1.2 and multiplying  
14 that product by the excise tax imposed under s. 78.01 (1) on April 1 of the  
15 previous fiscal year.

16 ••87b1282/2 •• 87b1780/en••SECTION 556c. 25.29 (3) (c) of the statutes is  
17 created to read:

18 25.29 (3) (c) As provided in s. 20.370 (1) (Lr).

19 ••87-1155/5••SECTION 557. 25.38 (1) (a) of the statutes is amended to  
20 read:

21 25.38 (1) (a) Amounts received ~~in the form of a general fund loan~~ from  
22 the appropriation under s. 20.855 (4) (fb), 1985 stats.

23 ••87-1155/5••SECTION 558. 25.38 (2) of the statutes is amended to read:

24 25.38 (2) Moneys from this trust fund shall be used only for the program  
25 under subch. IV of ch. 77, including payment to the department of revenue for  
26 its costs incurred in administering that program, ~~and for transfer to the~~  
27 ~~appropriation under s. 20.566 (8) (wc), except that on February 8, 1986,~~

1 ~~\$7,500,000 in the fund from the loan under sub. (1) (a) shall lapse to the~~  
2 ~~general fund.~~

3 ••87-1107/1••SECTION 559. 25.40 (2) of the statutes is amended to read:

4 25.40 (2) Payments from the transportation fund, except for appropria-  
5 tions made by ss. 20.115 (1) (q), 20.255 (2) (r) and (rm), 20.285 (1) (x),  
6 20.292 (1) (u) and (v), 20.370 (1) (dq), (dr) and (mr), (2) ~~(aq)~~ and (cq) and  
7 (dw) and (4) (bt), ~~(bu)~~, (bw) and (bz) ~~and (fr)~~, 20.399 (1) (r), 20.465 (1)  
8 (q), 20.505 (2) (q), 20.566 (1) (u) and (2) (q) and 20.855 (4) (q) and (s) or  
9 authorized by s. 25.17 shall be made only on the order of the secretary of  
10 transportation, from which order the secretary of administration shall draw a  
11 warrant in favor of the payee and charge the same to the transportation fund.

12 ••87b1298/1 •• 87b1780/en••SECTION 559g. 25.40 (2) of the statutes, as  
13 affected by 1987 Wisconsin Act .... (this act), is repealed and recreated to  
14 read:

15 25.40 (2) Payments from the transportation fund, except for appropria-  
16 tions made by ss. 20.115 (1) (q), 20.255 (2) (r) and (rm), 20.285 (1) (x),  
17 20.292 (1) (u) and (v), 20.370 (1) (dq), (dr) and (mr), (2) (cq) and (4) (bt)  
18 and (bz), 20.399 (1) (r), 20.465 (1) (q), 20.505 (2) (q), 20.566 (1) (u) and  
19 (2) (q) and 20.855 (4) (q) and (s) or authorized by s. 25.17 shall be made  
20 only on the order of the secretary of transportation, from which order the  
21 secretary of administration shall draw a warrant in favor of the payee and  
22 charge the same to the transportation fund.

23 ••87-1943/2••SECTION 559m. 25.46 (1) of the statutes is amended to read:

24 25.46 (1) The fees and surcharges imposed under s. 144.442 (2) and (3); and

25 ••87-1943/2••SECTION 559s. 25.46 (2) of the statutes is amended to read:

26 25.46 (2) All moneys recovered under s. 144.442 (9); and

27 ••87b0314/5••SECTION 569g. 25.46 (4) of the statutes is created to read:

28 25.46 (4) All moneys received under s. 94.68 (4) (c).

1       ••87-2607/2••SECTION 569L. 25.46 (4m) of the statutes is created to read:  
2       25.46 (4m) All moneys received under s. 20.445 (1) (j).  
3       ••87-1943/2••SECTION 569m. 25.46 (7) of the statutes is created to read:  
4       25.46 (7) All moneys received from municipalities under s. 144.442 (8)  
5 (c).  
6       ••87a0891/3••SECTION 569o. 25.46 (8) of the statutes is created to read:  
7       25.46 (8) All moneys received from fees under s. 144.442 (1s).  
8       ••87a1027/3••SECTION 569q. 25.47 of the statutes is created to read:  
9       25.47 PETROLEUM STORAGE ENVIRONMENTAL CLEANUP FUND. There is established  
10 a separate nonlapsible trust fund designated as the petroleum storage envi-  
11 ronmental cleanup fund, to consist of the fees imposed under s. 168.12 (1m)  
12 and moneys received under s. 144.4425 (5) (c).  
13       ••87b0314/5••SECTION 569r. 25.48 (2) of the statutes is amended to read:  
14       25.48 (2) The fees ~~and late payment fees imposed~~ specified under s.  
15 ~~94.681 (2)~~ 94.68 (4) (b).  
16       ••87-1948/3••SECTION 569t. 25.48 (7) of the statutes is amended to read:  
17       25.48 (7) The fees imposed under s. 147.033 (1).  
18       ••87-2282/1••SECTION 570. 25.50 (10) of the statutes is created to read:  
19       25.50 (10) INSURANCE OF PRINCIPAL. The state treasurer may obtain  
20 insurance for the safety of the principal investments of the fund. The  
21 insurance is a reimbursable expense under sub. (7).  
22       ••87-2364/3••SECTION 571. 25.70 of the statutes is amended to read:  
23       25.70 HISTORICAL SOCIETY TRUST FUND. There is established a separate  
24 nonlapsible trust fund designated as the historical society trust fund, con-  
25 sisting of all endowment principal and income and all cash balances of the  
26 historical society. Unless the board of curators of the historical society  
27 determines otherwise in each case, only the income from the assets in the  
28 historical society trust fund is available for expenditure. In this section,

1 unless otherwise provided in the gift, grant, or bequest ~~or~~ devise, principal  
2 and income are determined as provided under s. 701.20 (3).

3 ••87b1344/1••SECTION 571g. 26.08 (2) (b) of the statutes is amended to  
4 read:

5 26.08 (2) (b) The department may lease Rib Mountain state park lands and  
6 Willow river state park lands for terms not exceeding 30 years.

7 ••87-1956/2••SECTION 571b. 27.01 (7) (c) 6 of the statutes is amended to  
8 read:

9 27.01 (7) (c) 6. Any vehicle, except a motor bus, occupied by a person  
10 holding a senior citizen recreation card issued under s. 29.095;

11 ••87-1956/2••SECTION 571d. 27.01 (7) (c) 7 of the statutes is amended to  
12 read:

13 27.01 (7) (c) 7. Any vehicle, except a motor bus, occupied by a person  
14 holding a conservation patron license issued under s. 29.1475;

15 ••87-1956/2••SECTION 571f. 27.01 (7) (d) of the statutes is amended to  
16 read:

17 27.01 (7) (d) Issuance of vehicle admission stickers. An annual vehicle  
18 admission sticker shall be issued by the department and is valid for the  
19 calendar year for which it is issued. An annual vehicle admission sticker may  
20 not be issued by the department for a motor bus. A daily vehicle admission  
21 sticker shall be issued by the department, shall state the date for which it  
22 is issued and is effective only for the date issued.

23 ••87a0875/1••SECTION 571h. 27.01 (7) (f) of the statutes is amended to  
24 read:

25 27.01 (7) (f) Resident vehicle admission stickers; fees. 1. The fee for  
26 an annual vehicle admission sticker is ~~\$12~~ \$14 for each vehicle which has  
27 Wisconsin registration plates, except that no fee is charged for a sticker  
28 issued under s. 29.1475 (6).

1       2.   The Except as provided in subds. 3 and 4, the fee for the a daily  
2 vehicle admission sticker is ~~\$3~~ \$3.50 for any vehicle which has Wisconsin  
3 registration plates.

4       ••87a0875/1••SECTION 571j. 27.01 (7) (f) 3 of the statutes is created to  
5 read:

6       27.01 (7) (f) 3. The fee for a daily vehicle admission sticker for a  
7 motor bus is an amount calculated by multiplying 50 cents by the number of  
8 persons in the motor bus, except persons who hold a senior citizen recreation  
9 card issued under s. 29.095 or a conservation patron license issued under s.  
10 29.1475, for any motor bus which has Wisconsin registration plates.

11       SECTION 571k. 27.01 (7) (f) 4 of the statutes is created to read:

12       27.01 (7) (f) 4. Notwithstanding subd. 3, the fee for a daily vehicle  
13 admission sticker for a motor bus which primarily transports residents from  
14 nursing homes located in this state is \$3.50, for any motor bus which has  
15 Wisconsin registration plates.

16       ••87a0875/1••SECTION 571L. 27.01 (7) (g) of the statutes is amended to  
17 read:

18       27.01 (7) (g) Nonresident vehicle admission stickers; fees. 1. The fee  
19 for an annual vehicle admission sticker for any vehicle which has a registra-  
20 tion plate or plates from another state is ~~\$20~~ \$30.

21       2. The Except as provided in subds. 3 and 4, the fee for a daily vehicle  
22 admission sticker for any vehicle which has a registration plate or plates  
23 from another state is ~~\$5~~ \$6.

24       ••87a0875/1••SECTION 571n. 27.01 (7) (g) 3 of the statutes is created to  
25 read:

26       27.01 (7) (g) 3. The fee for a daily vehicle admission sticker for a  
27 motor bus is an amount calculated by multiplying \$1 by the number of persons  
28 in the motor bus, except persons who hold a senior citizen recreation card

1 issued under s. 29.095 or a conservation patron license issued under s.  
2 29.1475, for any motor bus which has a registration plate or plates from  
3 another state.

4 SECTION 571o. 27.01 (7) (g) 4 of the statutes is created to read:

5 27.01 (7) (g) 4. Notwithstanding subd. 3, the fee for a daily vehicle  
6 admission sticker for a motor bus which primarily transports residents from  
7 nursing homes located in this state is \$6, for any motor bus which has a  
8 registration plate or plates from another state.

9 ••87-1956/2••SECTION 571p. 27.01 (9) of the statutes is amended to read:

10 27.01 (9) WAIVER OF FEES; SPECIAL FEES. The department may waive the  
11 fees under subs. (7) and (8) or may be waived and charge admission fees in  
12 addition to or instead of those fees may be charged or authorized by the  
13 department for certain classes of persons or groups, certain areas, certain  
14 types of visitation or times of the year and for admission to special sched-  
15 uled events or programs.

16 ••87-1956/2••SECTION 571r. 27.01 (10) (d) 1 to 4 of the statutes are  
17 amended to read:

18 27.01 (10) (d) 1. The camping fee for each night at a campsite in a  
19 campground which is classified as a Type "A" campground by the department is  
20 ~~\$4~~ \$6, including sales tax, for a resident camping party.

21 2. The camping fee for each night at a campsite in a campground which is  
22 classified as a Type "A" campground by the department is ~~\$7~~ \$10, including  
23 sales tax, for a nonresident camping party.

24 3. The camping fee for each night at a campsite in a state campground  
25 which is classified as a Type "B" campground by the department is ~~\$3.50~~ \$5,  
26 including sales tax, for a resident camping party.

1 4. The camping fee for each night at a campsite in a state campground  
2 which is classified as a Type "B" campground by the department is \$5 \$8.50,  
3 including sales tax, for a nonresident camping party.

4 ••87-1956/2••SECTION 571t. 27.01 (10) (d) 5 and 6 of the statutes are  
5 created to read:

6 27.01 (10) (d) 5. The camping fee for each night at a campsite in a  
7 campground which is classified as a Type "C" campground by the department is  
8 \$4, including sales tax, for a resident camping party.

9 6. The camping fee for each night at a campsite in a campground which is  
10 classified as a Type "C" campground by the department is \$6.75, including  
11 sales tax, for a nonresident camping party.

12 ••87-1956/2••SECTION 571v. 27.01 (10) (f) of the statutes is amended to  
13 read:

14 27.01 (10) (f) Waiver of fees; special fees. The department, ~~by rule,~~  
15 may waive camping fees, ~~may charge reduced or additional~~ camping fees, ~~may~~  
16 ~~charge additional camping fees or may charge special fees instead of camping~~  
17 ~~fees for certain classes of persons, or groups, certain areas, certain types~~  
18 ~~of camping, certain or times of the year and for admission to special events.~~

19 ••87-1956/2••SECTION 571w. 27.01 (11) (b) of the statutes is repealed.

20 ••87-1956/2••SECTION 571x. 27.98 of the statutes is created to read:

21 27.98 GENERAL PENALTY PROVISION. Any person who violates any provision  
22 of this chapter or any department rule or order promulgated under this chapter  
23 for which no other penalty is prescribed is subject to a forfeiture of not  
24 more than \$100.

25 ••87-1950/1••SECTION 571z. 28.06 (2) of the statutes is amended to read:

26 28.06 (2) DISTRIBUTION. In addition to use of planting stock on state  
27 lands, the department may distribute stock for growing forest products, for  
28 establishing windbreaks or shelterbelts, for control of soil erosion, and for

1 game food or cover, but not for ornamental or landscape planting except by  
2 school pupils celebrating arbor day. Prices of planting stock shall be  
3 approved annually by the department and shall be based on the total cost of  
4 ~~production and administering the forest nursery program under this section,~~  
5 including the cost of processing applications and producing, packaging and  
6 distributing nursery stock. To encourage forest planting, free stock may be  
7 allotted to any nonprofit organization or any school for the celebration of  
8 arbor day under s. 118.025.

9 ••87b0376/4••SECTION 594m. 28.06 (2m) of the statutes is repealed.

10 ••87b1182/2 •• 87b1226/2••SECTION 594x. 28.11 (8) (a) of the statutes is  
11 amended to read:

12 28.11 (8) (a) Acreage payments. As soon after April 20 of each year as  
13 feasible, the department shall pay to each town treasurer ~~20~~ 40 cents per  
14 acre, based on the acreage of such lands as of the preceding June 30, as a  
15 grant out of the appropriation made by s. 20.370 (4) (ar) on each acre of  
16 county lands entered under this section.

17 ••87-1954/1••SECTION 595m. 28.11 (8) (b) 1 of the statutes is amended to  
18 read:

19 28.11 (8) (b) 1. A county having established and maintaining a county  
20 forest under this section is eligible to receive from the state ~~out of from~~  
21 the appropriation under s. 20.370 (4) (ar) an annual payment as a noninterest  
22 bearing loan to be used for the purchase, development, preservation and  
23 maintenance of the county forest lands and the payment shall be credited to a  
24 county account to be known as the county forestry aid fund. ~~If the county~~  
25 ~~board makes no request, the county shall receive a payment of 10 cents for~~  
26 ~~each acre of land entered and designated as "county forest land".~~ A county  
27 board may, by a resolution adopted during the year and transmitted to the  
28 department by December 31, request to receive ~~no payment or request to receive~~

1 a payment of ~~20, 30, 40 or~~ not more than 50 cents for each acre of land  
2 entered and designated as "county forest land". The department shall review  
3 the request and approve the request if the request is found to be consistent  
4 with the comprehensive county forest land use plan. If any lands purchased  
5 from the fund are sold, the county shall restore the purchase price to the  
6 county forestry aid fund. The department shall pay to the county the amount  
7 due to it on or before March 31 of each year, based on the acreage of the  
8 lands as of the preceding June 30. If the amount in the appropriation under  
9 s. 20.370 (4) (ar) is not sufficient to pay all of the amounts approved by the  
10 department under this subdivision, the department shall pay eligible counties  
11 on a prorated basis.

12 ••87-1961/2••SECTION 596m. 29.01 (12m) of the statutes is created to  
13 read:

14 29.01 (12m) "Resident senior citizen" means a resident who has attained  
15 the age of 65 years.

16 ••87b0964/3 •• 87b1226/2••SECTION 600n. 29.09 (7m) (a) of the statutes is  
17 repealed.

18 ••87b0964/3 •• 87b1226/2••SECTION 600p. 29.09 (7m) (b) of the statutes is  
19 amended to read:

20 29.09 (7m) (b) If a county retains issuing fees established under s.  
21 29.092 (15) as permitted under sub. (7) or (10) ~~and the county board requires~~  
22 ~~the county clerk to deposit collections of fees for approvals with the county~~  
23 ~~treasurer,~~ the county clerk shall deposit collections of fees for approvals  
24 with the county treasurer within one week after receipt. Payment to the  
25 department of the monthly remittance specified under sub. (7) shall then be  
26 made by the county treasurer upon written order of the county clerk. ~~If the~~  
27 ~~county board does not require collections of fees for approvals to be depos-~~

1 ~~ited with the county treasurer, the county clerk shall make deposits and~~  
2 ~~remittances of collections of fees for approvals as required under par. (a).~~

3 ••87b1663/1••SECTION 601g. 29.09 (9) of the statutes is renumbered 29.09  
4 (9) (b) and amended to read:

5 29.09 (9) (b) After proper application and presentation of a current  
6 hunting license duly issued to the applicant, the secretary may, after due  
7 investigation and without cost, grant a special permit to any person who is  
8 unable to walk and requires a wheel chair or prosthetic appliance for  
9 mobility, to shoot or hunt from a standing ~~automobile~~ motor vehicle that is  
10 parked off a highway, as defined under s. 340.01 (22), and parked more than 50  
11 feet from the center of a roadway, as defined under s. 340.01 (54). A person  
12 holding a permit under this subsection may hunt any deer, whether a buck or a  
13 doe, during the regular deer season, notwithstanding any other provision of  
14 this chapter to the contrary. Regardless of deer hunting party permit limits,  
15 any holder of a permit under this section may obtain a party permit deer tag  
16 without cost upon application in any area for which a party deer season has  
17 been established.

18 ••87b1663/1••SECTION 601r. 29.09 (9) (a) of the statutes is created to  
19 read:

20 29.09 (9) (a) In this subsection, "motor vehicle" means a self-propelled  
21 vehicle, including any automobile, truck, snowmobile, all-terrain vehicle or  
22 other vehicle which travels on or off roads or highways.

23 ••87b2167/1••SECTION 602m. 29.09 (10) (c) of the statutes is amended to  
24 read:

25 29.09 (10) (c) Nonpublic issuing agents. Deputies appointed by county  
26 clerks, other than county employees, are entitled to retain 60% two-thirds of  
27 the issuing fee. Deputies appointed by the department, other than state  
28 employees, are entitled to retain 60% two-thirds of the issuing fee.

1       ••87-1961/2••SECTION 604m. 29.092 (2) (a) of the statutes is amended to  
2 read:

3       29.092 (2) (a) Resident small game. The fee for a resident small game  
4 hunting license is ~~\$7~~ \$8.

5       ••87-1961/2••SECTION 605m. 29.092 (2) (c) of the statutes is amended to  
6 read:

7       29.092 (2) (c) Resident deer. The fee for a resident deer hunting  
8 license is ~~\$11.50~~ \$13.75.

9       ••87-1961/2••SECTION 606m. 29.092 (2) (e) to (h) of the statutes are  
10 amended to read:

11       29.092 (2) (e) Resident archer. The fee for a resident archer hunting  
12 license is ~~\$11.50~~ \$14.

13       (f) Nonresident annual small game. The fee for a nonresident annual  
14 small game hunting license is ~~\$60~~ \$65.

15       (g) Nonresident 5-day small game. The fee for a nonresident 5-day small  
16 game hunting license is ~~\$30~~ \$35.

17       (h) Nonresident deer. The fee for a nonresident deer hunting license is  
18 ~~\$85~~ \$105.

19       ••87-1961/2••SECTION 607m. 29.092 (2) (j) of the statutes is amended to  
20 read:

21       29.092 (2) (j) Nonresident fur-bearing animal. The fee for a nonresident  
22 fur-bearing animal hunting license is ~~\$125~~ \$135.

23       ••87-1961/2••SECTION 608m. 29.092 (2) (k) of the statutes is amended to  
24 read:

25       29.092 (2) (k) Nonresident archer. The fee for a nonresident archer  
26 hunting license is ~~\$65~~ \$75.

27       ••87-1961/2••SECTION 609m. 29.092 (2) (L) of the statutes is amended to  
28 read:

1       29.092 (2) (L) Wild turkey hunting stamp. The fee for a wild turkey  
2 hunting stamp is ~~\$11.50~~ \$13.50.

3       ••87-1961/2••SECTION 610m. 29.092 (3) (a) and (b) of the statutes are  
4 amended to read:

5       29.092 (3) (a) Resident annual. The fee for a resident annual fishing  
6 license is ~~\$7~~ \$8.50.

7       (b) Resident annual husband and wife. The fee for a resident annual  
8 husband and wife fishing license is ~~\$12~~ \$15.

9       ••87a1012/2••SECTION 612m. 29.092 (3) (h) to (L) of the statutes are  
10 amended to read:

11       29.092 (3) (h) Nonresident annual. The fee for a nonresident annual  
12 fishing license is ~~\$18~~ \$23.50.

13       (i) Nonresident annual family. The fee for a nonresident annual family  
14 fishing license is ~~\$32~~ \$41.

15       (j) Nonresident 15-day. The fee for a nonresident 15-day fishing license  
16 is ~~\$11~~ \$14.50.

17       (k) Nonresident 15-day family. The fee for a nonresident 15-day family  
18 fishing license is ~~\$18~~ \$25.

19       (L) Nonresident 4-day. The fee for a nonresident 4-day fishing license is  
20 ~~\$8.50~~ \$11.50.

21       ••87-1961/2••SECTION 613m. 29.092 (4) (a) of the statutes is amended to  
22 read:

23       29.092 (4) (a) Resident sports license. The minimum fee for a resident  
24 sports license is ~~\$25.50~~ \$31. Any applicant, at the applicant's option, may  
25 pay a greater or additional fee for this license.

26       ••87b1300/1 •• 87b1780/en••SECTION 613r. 29.092 (4) (b) of the statutes  
27 is amended to read:

1 29.092 (4) (b) Resident conservation patron license. The fee for a  
2 resident conservation patron license is \$100 if that license is issued by the  
3 department from its central office. If a conservation patron license is not  
4 issued by the department from its central office, the fee for this license is  
5 ~~\$99.50~~ \$99.40.

6 ••87-1961/2••SECTION 614m. 29.092 (6) (a) of the statutes is amended to  
7 read:

8 29.092 (6) (a) Resident trapping. The fee for a resident trapping  
9 license is ~~\$12~~ \$13.

10 ••87-1951/1••SECTION 615m. 29.092 (11) (b) of the statutes is amended to  
11 read:

12 29.092 (11) (b) Wild rice harvest license. The fee for a wild rice  
13 harvest license is ~~\$1~~ \$7.50.

14 ••87-2896/1••SECTION 616m. 29.092 (12) of the statutes is amended to  
15 read:

16 29.092 (12) SENIOR CITIZEN RECREATION CARD. The fee for a senior citizen  
17 recreation card is ~~\$11~~ \$15.

18 ••87-1961/2••SECTION 617m. 29.092 (13) (a) to (d) of the statutes are  
19 amended to read:

20 29.092 (13) (a) Duplicate deer hunting license. The fee for a duplicate  
21 resident deer hunting license or a nonresident deer hunting license is ~~\$6~~  
22 \$6.50.

23 (b) Duplicate archer hunting, sports or conservation patron license. The  
24 fee for a duplicate resident archer hunting license, nonresident archer hunt-  
25 ing license, sports license or conservation patron license is ~~\$6~~ \$6.50 if the  
26 duplicate license includes any deer tags and ~~\$2~~ \$3 if the duplicate license is  
27 issued after the open season for hunting deer and does not include any deer  
28 tags.

1 (c) Duplicate hunting license; other. The fee for a duplicate hunting  
2 license not specified under par. (a) or (b) is ~~\$2~~ \$3.

3 (cm) Duplicate bear harvest permit. The fee for a duplicate resident  
4 bear harvest permit or a duplicate nonresident bear harvest permit is ~~\$6~~ \$13.

5 (d) Duplicate fishing license. The fee for a duplicate fishing license  
6 is ~~\$2~~ \$3.

7 ••87-1961/2 •• 87b1300/1 •• 87b1780/en••SECTION 618m. 29.092 (15) (b) and  
8 (c) of the statutes are amended to read:

9 29.092 (15) (b) License. Except as provided under par. (c), the issuing  
10 fee for each license is ~~50~~ 60 cents.

11 (c) Conservation patron license. There is no issuing fee for a conser-  
12 vation patron license issued by the department from its central office. If a  
13 conservation patron license is not issued by the department from its central  
14 office, the issuing fee for this license is ~~50~~ 60 cents.

15 ••87-1961/2••SECTION 619m. 29.092 (16) of the statutes is created to  
16 read:

17 29.092 (16) FEES HELD IN TRUST. All fees collected under this section  
18 for approvals issued under this chapter shall be held in trust for the state.  
19 Any person who collects, possesses or manages fees for approvals acts in a  
20 fiduciary capacity for the state.

21 ••87-1961/2 •• 87b1406/2 •• 87b1791/en••SECTION 620m. 29.093 (3) (b) of  
22 the statutes is amended to read:

23 29.093 (3) (b) Resident senior citizen fishing license. A permanent  
24 fishing license issued to a resident senior citizen under s. 29.145 (1a) is  
25 valid from the date of issuance and ~~shall remain~~ remains valid ~~as long as~~ if  
26 the licensee is a resident.

27 ••87-1952/1••SECTION 621m. 29.093 (11) (b) of the statutes is amended to  
28 read:

1       29.093 (11) (b) Wild ginseng harvest license. A wild ginseng harvest  
2 license is valid from ~~August 15~~ September 1 or the date of issuance, whichever  
3 is later, until November 1 of that same year.

4       ••87-1961/2••SECTION 622m. 29.095 (1) of the statutes is amended to read:  
5       29.095 (1) The department and the county clerk of each county shall issue  
6 a senior citizen recreation card, subject to s. 29.09, to any resident ~~65~~  
7 ~~years of age or older~~ senior citizen who presents satisfactory proof of age  
8 ~~and residence.~~

9       ••87-1956/2••SECTION 623m. 29.095 (2) of the statutes is amended to read:  
10       29.095 (2) The recreation card entitles the holder to exercise all of the  
11 combined rights and privileges conferred by a resident small game hunting  
12 license and resident fishing license, subject to all duties, conditions,  
13 limitations and restrictions prescribed under this chapter and by department  
14 order. The card permits any vehicle, except a motor bus, as defined in s.  
15 340.01 (31), having a card holder as an occupant to enter any vehicle admis-  
16 sion area under s. 27.01 ~~(2\*)~~ (7) without having an admission sticker affixed  
17 to it and ~~no~~ without paying a fee may be charged for the vehicle to gain  
18 ~~entrance to the vehicle admission area.~~ The card permits a card holder to  
19 enter Heritage Hill state park or a state trail ~~and no~~ without paying an  
20 admission fee ~~may be charged for the person to gain entrance to those areas.~~

21       ••87-1961/2••SECTION 625m. 29.14 (7) (b) and (c) of the statutes are  
22 repealed and recreated to read:

23       29.14 (7) (b) Authorization. Unless otherwise specifically prohibited, a  
24 nonresident daily sports fishing license authorizes fishing in the outlying  
25 waters or inland waters.

26       (c) Use of fees. The department shall deposit receipts from the sale of  
27 nonresident daily sports fishing licenses in the conservation fund. The  
28 department shall expend up to 50% of these receipts to supplement and enhance

1 the trout and salmon rearing and stocking program for outlying waters and up  
2 to 50% of these receipts to improve and maintain trout habitat in the inland  
3 trout waters of the state, calculated by the department to be relatively pro-  
4 portionate to the number of nonresident daily sports fishing licenses issued  
5 for fishing in the outlying waters or the inland waters, respectively.

6 ••87-1961/2 •• 87b1406/2 •• 87b1791/en••SECTION 628m. 29.145 (1a) of the  
7 statutes is amended to read:

8 29.145 (1a) The department shall issue a permanent fishing license to any  
9 resident ~~over the age of 65 years~~ senior citizen who applies for this license.

10 ••87-1961/2••SECTION 630m. 29.145 (3) (b) and (c) of the statutes are  
11 repealed and recreated to read:

12 29.145 (3) (b) Authorization. Unless otherwise specifically prohibited,  
13 a resident daily sports fishing license authorizes fishing in the outlying  
14 waters or inland waters.

15 (c) Use of fees. The department shall deposit receipts from the sale of  
16 resident daily sports fishing licenses in the conservation fund. The depart-  
17 ment shall expend up to 50% of these receipts to supplement and enhance the  
18 trout and salmon rearing and stocking program for outlying waters and up to  
19 50% of these receipts to improve and maintain trout habitat in the inland  
20 trout waters of the state, calculated by the department to be relatively pro-  
21 portionate to the number of resident daily sports fishing licenses issued for  
22 fishing in the outlying waters or the inland waters, respectively.

23 ••87-1956/2••SECTION 631m. 29.1475 (3) of the statutes is amended to  
24 read:

25 29.1475 (3) AUTHORIZATION; ADMISSION TO STATE PARKS AND RELATED AREAS. A  
26 conservation patron license permits any vehicle, except a motor bus, as  
27 defined in s. 340.01 (31), having a conservation patron license holder as an  
28 occupant to enter any vehicle admission area under s. 27.01 (7) without charge

1 having an admission sticker affixed to it and without paying a fee. The  
2 conservation patron license permits the license holder to enter Heritage Hill  
3 state park or a state trail ~~and no~~ without paying an admission fee ~~may be~~  
4 ~~charged for the person to gain entrance to those areas.~~

5 ••87b1282/2 •• 87b1780/en••SECTION 632m. 29.174 (2) (e) of the statutes  
6 is created to read:

7 29.174 (2) (e) The department may limit the number of trappers and hunt-  
8 ers and the maximum harvest of beaver in any area.

9 ••87b1282/2 •• 87b1780/en••SECTION 633m. 29.24 of the statutes is amended  
10 to read:

11 29.24 (title) HUNTING AND TRAPPING BY LANDOWNERS. The owner or occupant  
12 of any land, and any member of his or her family may hunt or trap beaver,  
13 foxes, raccoons, woodchucks, rabbits and squirrels on the land without a  
14 license at any time, except that such persons may not hunt during the period  
15 of 24 hours prior to the opening date for deer hunting in those counties or  
16 parts of counties where an open season for hunting deer with firearms is  
17 established. The owner or occupant of any land and any member of his or her  
18 family may take beaver, rabbits, raccoons and squirrels on the land at any  
19 time by means of live trapping with box traps in cities or villages or other  
20 areas where the firing discharge of a gun firearm is unlawful.

21 ••87b1282/2 •• 87b1780/en••SECTION 634m. 29.41 of the statutes is amended  
22 to read:

23 29.41 SKINS OF FUR-BEARING ANIMALS. No person may ~~possess~~ do any of the  
24 following:

25 (1) Possess or ~~have under his or her~~ control the skin of any mink,  
26 muskrat, fisher, pine marten, ~~beaver~~ or otter showing that the animal was shot  
27 ~~or speared.~~ No person may possess.

1        (2) Possess or ~~have under his or her~~ control the green skin of any fur-  
2 bearing animal, except beaver, from the 5th day after the beginning of the  
3 closed season for that animal until the end of that closed season. ~~No person~~  
4 ~~may possess~~

5        (3) Possess the raw skin of any muskrat, mink, ~~beaver~~, otter, fisher or  
6 pine marten at any time unless the person is the holder of a scientific  
7 collector permit, fur dealer license, trapping license or conservation patron  
8 license of current issue. No license is required for a person breeding,  
9 raising and producing domestic fur-bearing animals in captivity as defined in  
10 s. 29.579, ~~nor or~~ for a person authorized to take muskrats on a cranberry  
11 marsh under a permit issued to the person by the department.

12        ••87b0836/1 •• 87b1226/2••SECTION 636p. 29.415 (5) (a) of the statutes is  
13 renumbered 29.415 (5) (a) 2 and amended to read:

14        29.415 (5) (a) 2. Whoever violates ~~this section~~ sub. (4) (b) or (c) or  
15 any rules promulgated ~~thereunder~~ under those paragraphs shall forfeit not more  
16 than \$1,000. Whoever intentionally violates ~~this section~~ sub. (4) (b) or (c)  
17 or any rules promulgated ~~thereunder~~ under those paragraphs shall be fined not  
18 more than \$1,000 or imprisoned not more than 9 months or both.

19        ••87b0836/1 •• 87b1226/2••SECTION 636s. 29.415 (5) (a) 1 of the statutes  
20 is created to read:

21        29.415 (5) (a) 1. Whoever violates sub. (4) (a) or any rules promulgated  
22 under it shall forfeit not less than \$500 nor more than \$2,000. In addition,  
23 the court shall order the revocation of all hunting approvals issued to the  
24 person under this chapter and shall prohibit the issuance of any new hunting  
25 approvals under this chapter for one year. Whoever intentionally violates  
26 sub. (4) (a) or any rules promulgated under it shall be fined not less than  
27 \$2,000 nor more than \$5,000 or imprisoned not more than 9 months or both. In  
28 addition, the court shall order the revocation of all hunting approvals issued

1 to the person under this chapter and shall prohibit the issuance of any new  
2 hunting approvals under this chapter for 3 years.

3 ••87b1315/2••SECTION 636z. 29.48 (6) of the statutes is created to read:

4 29.48 (6) This section does not apply to any transaction involving a  
5 taxidermist who is issued a permit under s. 29.136 (2) and who uses the wild  
6 animal or the carcass thereof for instructional purposes as part of an  
7 approved course of instruction at a taxidermy school which is approved by the  
8 educational approval board under s. 38.51 (7).

9 ••87-1951/1••SECTION 637m. 29.544 (2) (a) of the statutes is amended to  
10 read:

11 29.544 (2) (a) The department may ~~establish~~ promulgate such rules gov-  
12 erning the harvest, use and disposition of wild rice growing in the navigable  
13 lakes of the state as it deems reasonably necessary for the conservation and  
14 wise use thereof. The secretary may designate the opening date for harvesting  
15 wild rice in any navigable lake or stream by posting notice of such opening  
16 date on the shores of and at places of public access to such lake at least 48  
17 24 hours before such opening date, unless the department promulgates by rule a  
18 different time period required for notice. Such posting is deemed sufficient  
19 notice of such opening date and no other publication thereof is required.

20 ••87-1952/1••SECTION 638m. 29.547 (2), (3) and (4) of the statutes are  
21 amended to read:

22 29.547 (2) CUTTING. No person may, between November 1 and the following  
23 ~~August 15~~ September 1, cut, root up, gather or destroy wild ginseng.

24 (3) EVIDENCE. The purchase or sale of wild green ginseng between Novem-  
25 ber 1 and the following ~~August 15~~ September 1 is prima facie evidence of a  
26 violation of this section.

27 (4) PURCHASE WITH KNOWLEDGE. No person may purchase wild ginseng if the  
28 person knows the ginseng was cut, rooted up or gathered between November 1 and

1 the following ~~August 15~~ September 1. No person may purchase wild ginseng if  
2 the person knows that the vendor does not have a license to harvest ginseng or  
3 that the vendor has violated this section or a rule promulgated under this  
4 section.

5 ••87b1282/2 •• 87b1780/en••SECTION 639g. 29.59 of the statutes is  
6 repealed and recreated to read:

7 29.59 BEAVER DAMAGE CONTROL. (1) DEPARTMENT POWERS. The department or  
8 persons authorized by the department have the power to remove beaver and  
9 structures built by beaver causing damage to roads, timber, streams, agricul-  
10 ture or property upon consent of the owner or occupant of the land on which  
11 the beaver or structures are located.

12 (2) LIABILITY. If an owner or lessee of land on which damage occurs does  
13 not consent to the removal of structures built by beaver or to the destruction  
14 of beaver after receiving a written request for consent from the department,  
15 the owner or lessee is liable for all damages occurring thereafter because of  
16 the presence of the beaver or beaver structures.

17 (3) DAMAGE CONTROL AREAS. (a) Establishment. The department may  
18 promulgate rules to establish beaver damage control areas. A beaver damage  
19 control area may be established if the department finds that the regional  
20 beaver population is abundant in the particular area and that beaver damage is  
21 widespread within the area.

22 (b) Removal of beaver and beaver structures. Subject to landowner or  
23 lessee approval under sub. (2) and the establishment of beaver damage control  
24 areas under par. (a), if beaver or structures built by beaver are causing or  
25 are likely to cause damage in a beaver damage control area, the owner or  
26 lessee of the property, the governmental body in charge of the maintenance of  
27 the property being damaged or an agent or employe of the owner, lessee or

1 governmental body may, without being authorized by the department under sub.  
2 (1) or s. 29.596, remove or destroy the beaver or beaver structures.

3 (c) Beaver control subsidy. 1. If funds are available under s. 20.370  
4 (1) (Lq) or (Lr) and if the department establishes beaver damage control areas  
5 under par. (a), the department shall, no later than June 30, calculate the  
6 total amount of funds which are available under s. 20.370 (1) (Lq) and (Lr)  
7 for the subsequent fiscal year and shall allocate the available funds for  
8 distribution among the counties within beaver damage control areas in propor-  
9 tion to the amount of damage in the county caused by beaver or beaver  
10 structures, as determined by the department.

11 2. In accordance with the allocation of funding calculated under subd. 1,  
12 the department may enter into written agreements with landowners and lessees  
13 under par. (b) and with persons holding a valid hunting license or a valid  
14 trapping license to pay \$7.50 for each beaver which the person removes from a  
15 beaver damage control area.

16 (cm) Beaver control subsidy; 1987 payments. 1. If funds are available  
17 under s. 20.370 (1) (Lq) or (Lr) and if the department establishes beaver  
18 damage control areas under par. (a), the department shall, no later than Sep-  
19 tember 30, 1987, calculate the total amount of funds which are available under  
20 s. 20.370 (1) (Lq) and (Lr) for fiscal year 1987-88 and shall allocate the  
21 available funds for distribution among the counties within beaver damage con-  
22 trol areas in proportion to the amount of damage in the county caused by  
23 beaver or beaver structures, as determined by the department.

24 2. In accordance with the allocation of funding calculated under subd. 1,  
25 the department may enter into written agreements with landowners and lessees  
26 under par. (b) and with persons holding a valid hunting license or a valid  
27 trapping license to pay \$7.50 for each beaver which the person removes from a  
28 beaver damage control area during fiscal year 1987-88.

1 (d) Information publicized. The department shall make reasonable efforts  
2 to publicize the availability of beaver control subsidies for beaver removed  
3 from beaver damage control areas and the procedures for entering into written  
4 agreements with the department to obtain beaver control subsidies.

5 (e) Penalty. Any person who submits a duplicate or fraudulent claim  
6 under par. (c) 2 or (cm) 2 or who knowingly obtains or attempts to obtain a  
7 payment under par. (c) 2 or (cm) 2 for a beaver which was held in captivity  
8 when it was killed shall forfeit \$200.

9 ••87a0944/1••SECTION 639m. 29.599 of the statutes is created to read:

10 29.599 LAW ENFORCEMENT AID PROGRAM; SPEARFISHING. (1) DEFINITIONS. As  
11 used in this section:

12 (a) "Municipality" means any city, village or town.

13 (b) "Spearfishing" means a method of taking fish which is authorized by  
14 an agreement negotiated between the state and the members of federally recog-  
15 nized American Indian tribes or bands domiciled in Wisconsin relating to the  
16 tribes' or bands' treaty-based, off-reservation rights to hunt, fish and  
17 gather.

18 (2) PARTICIPATING COUNTY OR MUNICIPALITY. In order to be eligible to  
19 receive reimbursement from the department for costs incurred on or after the  
20 effective date of this subsection .... [revisor inserts date], by law  
21 enforcement agencies in response to members of federally recognized American  
22 Indian tribes exercising or attempting to exercise their right to engage in  
23 spearfishing, a county or municipality must do all of the following:

24 (a) Notice to department. File with the department by January 1 a notice  
25 of intent to provide additional law enforcement services during the  
26 spearfishing season occurring in that calendar year.

27 (b) Daily records. Maintain daily records of any overtime costs incurred  
28 by law enforcement agencies that are directly related to spearfishing and make

1 the daily records available, upon request, to the department for inspection at  
2 periodic times during normal business hours.

3 (c) Filing of application. File an application for state aid with the  
4 department by June 1 of the calendar year in which additional law enforcement  
5 services are provided, specifying all of the following:

6 1. The names and salaries of the officials who provided additional law  
7 enforcement services during the spearfishing season.

8 2. The number of overtime hours worked by the persons under subd. 1.

9 3. Any additional costs, such as the cost of supplies and support  
10 services, incurred by the county or municipality that are directly attribut-  
11 able to the additional law enforcement services provided during the  
12 spearfishing season.

13 4. Any other information requested by the department.

14 (3) PARTICIPATING COUNTY OR MUNICIPALITY; 1987 REIMBURSEMENT. In order  
15 to be eligible to receive reimbursement from the department for costs incurred  
16 on or after January 1, 1987, and before the effective date of this subsection  
17 .... [revisor inserts date], by law enforcement agencies in response to mem-  
18 bers of federally recognized American Indian tribes exercising or attempting  
19 to exercise their right to engage in spearfishing, a county or municipality  
20 must do all of the following:

21 (a) Make records available. Make any records of any overtime costs  
22 incurred by law enforcement agencies that are directly related to spearfishing  
23 available, upon request, to the department for inspection at periodic times  
24 during normal business hours.

25 (b) Filing of application. File an application for state aid with the  
26 department no later than 3 months after the effective date of this paragraph  
27 .... [revisor inserts date], specifying all of the following:

1 1. The names and salaries of the officials who provided additional law  
2 enforcement services during the 1987 spearfishing season.

3 2. The number of overtime hours worked by the persons under subd. 1.

4 3. Any additional costs, such as the cost of supplies and support  
5 services, incurred by the county or municipality that are directly attribut-  
6 able to the additional law enforcement services provided during the 1987  
7 spearfishing season.

8 4. Any other information requested by the department.

9 (4) STATE AID PAYMENTS. (a) Costs reimbursed. Except as provided under  
10 par. (c), the department shall pay each participating county or municipality  
11 up to 100% of the county's or municipality's actual costs that are directly  
12 attributable to providing additional law enforcement services during the  
13 spearfishing season. The department shall make state aid payments from the  
14 appropriation under s. 20.370 (4) (ga) by June 30 of the calendar year in  
15 which the county or municipality files an application under sub. (2) (c).

16 (b) Costs reimbursed in 1987. Except as provided under par. (c), the  
17 department shall pay each participating county or municipality up to 100% of  
18 the county's or municipality's actual costs that are directly attributable to  
19 providing additional law enforcement services during the 1987 spearfishing  
20 season. The department shall make state aid payments from the appropriation  
21 under s. 20.370 (4) (ga) no later than 4 months after the effective date of  
22 this paragraph .... [revisor inserts date].

23 (c) Prorated payments allowed. If the total amount of reimbursable costs  
24 under par. (a) or (b) exceeds the amount available for payments under s.  
25 20.370 (4) (ga), the department may prorate payments to participating counties  
26 and municipalities.

27 ••87b1282/2 •• 87b1780/en••SECTION 639r. 29.60 (2) of the statutes is  
28 amended to read:

1 29.60 (2) No person may take, capture or kill or attempt to take, capture  
2 or kill any wild animal with the aid of dynamite or any other explosive or  
3 poison gas, or set any dynamite or other explosives near or on any beaver or  
4 muskrat houses, except that an owner or lessee of property subject to beaver  
5 damage, a governmental body in charge of the maintenance of a highway subject  
6 to beaver damage or an agent or employe of the owner, lessee or governmental  
7 body may possess explosives near established beaver houses for the purpose of  
8 destroying beaver dams within beaver damage control areas under s. 29.59 (3)

9 (b). Possession or control of explosives or poison gases in places described  
10 in sub. (1) is prima facie evidence of intent to violate this subsection. Any  
11 person who violates this subsection shall be fined not more than \$300 or  
12 imprisoned not more than 30 days or both.

13 ••87-2601/1••SECTION 640m. 30.205 of the statutes is created to read:

14 30.205 WATER RESOURCES DEVELOPMENT PROJECTS. The department may cooper-  
15 ate with and enter into agreements with the appropriate federal agencies for  
16 the purpose of constructing, maintaining and operating water resources  
17 development projects. Such agreements may contain any indemnification provi-  
18 sions required by federal law.

19 ••87b1486/2 •• 87b1922/en••SECTION 640s. 30.275 (2) of the statutes is  
20 amended to read:

21 30.275 (2) DESIGNATION. The Illinois Fox river and its watershed is and  
22 the Milwaukee river and its watershed are designated a scenic urban waterway  
23 waterways and shall receive special management as provided under this section.

24 ••87b1284/1 •• 87b1780/en••SECTION 640t. 30.28 (3) of the statutes is  
25 amended to read:

26 30.28 (3) This section does not apply to any federal agency, state  
27 agency, county, city, village, town, county utility district, town sanitary  
28 district, public inland lake protection and rehabilitation district, metro-

1 politan sewerage district, the Yahara watershed management district or any  
2 federally recognized Native American tribal governing body.

3 ••87b0623/1 •• 87b1226/2••SECTION 641mm. 30.37 (3m) of the statutes is  
4 created to read:

5 30.37 (3m) TERMS OF MEMBERS; 1ST CLASS CITIES. Notwithstanding sub. (3),  
6 s. 66.146 applies to the appointment and terms of harbor commissioners in 1st  
7 class cities.

8 ••87a0893/1••SECTION 641p. 30.38 (8) (b) 4 of the statutes is repealed.

9 ••87b1284/1 •• 87b1780/en••SECTION 642b. 30.77 (3) of the statutes is  
10 amended to read:

11 30.77 (3) LOCAL REGULATIONS. (a) Any town, village or city may, in the  
12 interest of public health, safety or welfare, adopt local regulations not  
13 contrary to or inconsistent with this chapter, relative to the equipment, use  
14 or operation of boats or relative to any activity regulated by ss. 30.60 to  
15 30.71, ~~but no~~ except as provided in s. 33.43 (3) (a). No such local regula-  
16 tion which in any manner pertains to the equipment, use or operation of a boat  
17 on an inland lake is valid unless all towns, cities and villages having  
18 jurisdiction on the waters of the lake have enacted an identical local  
19 regulation. If any county operates any marina development adjacent to any  
20 waters or lake, the authority conferred upon any town, village or city by this  
21 paragraph shall exclusively vest in said county in respect to adoption of such  
22 local regulations insofar as they relate to the development, operation and use  
23 of said facility and its adjoining waters. Local regulations pertaining to  
24 equipment, use or operation of boats on inland lakes shall be subject to  
25 advisory review by the department. Within 60 days after June 19, 1974, the  
26 clerk of each town, village or city which has enacted such regulations shall  
27 submit a copy of such local regulations to the department. Local regulations  
28 proposed subsequent to this date shall be submitted by the clerk to the

1 department at least 60 days prior to final action thereon by the town, village  
2 or city governing body. Advisory reports as to town, village or city regula-  
3 tion of equipment, use or operation of boats on inland lakes shall be based on  
4 consideration of the effect of the local regulation on the state from the  
5 standpoint of uniformity and enforcement and on the affected town, village or  
6 city in view of pertinent local conditions; shall state in what regard such  
7 regulations are deemed consistent or inconsistent with this chapter as to  
8 public health, safety or welfare; and shall be accompanied by suggested  
9 changes, if any. No later than one year after June 19, 1974, as to the town,  
10 village or city regulations in effect on this date and no later than 20 days  
11 after receipt by the department of local regulations proposed after this date,  
12 the department shall advise the town, village or city in writing, addressed to  
13 the clerk, as to the results of its advisory review hereunder.

14 (b) Notwithstanding the prohibition in sub. (1) against local regulations  
15 which exclude any boat from the free use of the waters of the state, any  
16 municipality may charge reasonable fees for the use of public ~~boat launching~~  
17 boat launching facilities owned or operated by it, except as provided in s.  
18 33.43 (5), and any town, village or city may regulate the operation,  
19 equipment, use and inspection of those boats carrying passengers for hire  
20 which operate from a base within its jurisdiction and charge reasonable fees  
21 for such inspection, except as provided in s. 33.43 (5).

22 ••87b1284/1 •• 87b1780/en••SECTION 642d. 30.79 (title) of the statutes is  
23 amended to read:

24 30.79 (title) WATER SAFETY PATROLS; STATE AIDS.

25 ••87b1284/1 •• 87b1780/en••SECTION 642f. 30.79 (1) (a) and (b) of the  
26 statutes are amended to read:

1 30.79 (1) (a) "State aid" means payment by the state to a municipality or  
2 to the Yahara watershed management district for or toward the cost of the  
3 operation or maintenance of a water safety patrol unit.

4 (b) "Water safety patrol unit" means a unit within an existing municipal  
5 law enforcement agency ~~or~~, a separate municipal agency, created by a munici-  
6 pality or by a number of municipalities riparian to a single body of water or  
7 a unit created by the Yahara management district for the purpose of enforcing  
8 ss. 30.50 to 30.80 and any rules and ordinances enacted under ss. 30.50 to  
9 30.80 and for conducting search and rescue operations.

10 ••87b1284/1 •• 87b1780/cn••SECTION 642h. 30.79 (2) of the statutes is  
11 amended to read:

12 30.79 (2) STATE AID. In order to protect public rights in navigable  
13 waters and to promote public health, safety and welfare and the prudent and  
14 equitable use of the navigable waters of the state, a system of state aids for  
15 local enforcement of ss. 30.50 to 30.80 and ordinances enacted under ss. 30.50  
16 to 30.80 and for conducting search and rescue operations is established. Aid  
17 shall be granted under this section to ~~those municipalities which establish,~~  
18 ~~maintain and operate~~ any municipality or to the Yahara watershed management  
19 district if the municipality or Yahara watershed management district  
20 establishes, maintains and operates a water safety patrol units unit in  
21 accordance with this chapter.

22 ••87b1284/1 •• 87b1780/en••SECTION 642j. 30.79 (4) of the statutes is  
23 amended to read:

24 30.79 (4) JURISDICTION. Upon petition by any municipality or group of  
25 municipalities operating or intending to operate a water safety patrol unit,  
26 the department shall, if it finds that it is in the interest of efficient and  
27 effective enforcement to do so, by rule define the waters which may be pa-  
28 trolled by the unit, including waters lying within the territorial jurisdic-

1 tion of some other town, village or city if the town, village or city consents  
2 to the patrol of its waters. Such consent is not required if the petitioner  
3 is a municipality containing a population of 5,000 or more, bordering upon the  
4 waters to be affected by the rule in counties having a population of less than  
5 500,000. A water safety patrol unit operated by the Yahara watershed manage-  
6 ment district has jurisdiction on the waters within the Yahara watershed.  
7 Officers patrolling the waters as part of the water safety patrol unit shall  
8 have the powers of sheriff in enforcing ss. 30.50 to 30.80, or rules or ordi-  
9 nances enacted under ss. 30.50 to 30.80 and in conducting search and rescue  
10 operations, on any of the waters so defined, whether or not the waters are  
11 within the ~~municipality's~~ jurisdiction of the municipality or the Yahara  
12 watershed management district for other purposes.

13 ••87b1284/1 •• 87b1780/en••SECTION 642k. 30.79 (5) of the statutes is  
14 amended to read:

15 30.79 (5) PAYMENT OF AIDS. On or before January 31 of the year following  
16 the year in which a municipality or the Yahara watershed management district  
17 operated a water safety patrol unit, it shall file with the department on the  
18 forms prescribed by ~~the department~~ a detailed statement of the costs  
19 incurred by the municipality or the Yahara watershed management district in  
20 the operation of the water safety patrol unit during the past calendar year  
21 and of the receipts resulting from fines or forfeitures imposed upon persons  
22 convicted of violations of ordinances enacted under s. 30.77. The department  
23 shall audit the statement and determine the net costs, after deduction of any  
24 fines or forfeitures imposed upon persons convicted of violations of ordi-  
25 nances enacted under s. 30.77, which are directly attributable to the oper-  
26 ation and maintenance of the water safety patrol unit, including a reasonable  
27 amount for depreciation of equipment. The department shall compute the state  
28 aids on the basis of 75% of the net costs directly attributable to the oper-

1 ation and maintenance of the water safety patrol unit and shall cause the aids  
2 to be paid on or before April 1 of the year in which the statements are filed.  
3 If the state aids payable to municipalities exceed the moneys available for  
4 such purpose, the department shall prorate the payments. No county or  
5 municipality shall may receive state aid amounting to more than 20% of the  
6 funds available. The Yahara watershed management district may not receive  
7 state aid amounting to more than 20% of the funds available.

8 ••87a0878/3••SECTION 642m. 30.92 of the statutes is repealed.

9 ••87b1284/1 •• 87b1780/en••SECTION 643r. 31.39 (3) of the statutes is  
10 amended to read.

11 31.39 (3) This section does not apply to any federal agency, state  
12 agency, county, city, village, town, county utility district, town sanitary  
13 district, public inland lake protection and rehabilitation district, metro-  
14 politan sewerage district, the Yahara watershed management district or any  
15 federally recognized Native American tribal governing body.

16 ••87b0460/1••SECTION 645d. 32.02 (13m) of the statutes is created to  
17 read:

18 32.02 (13m) Any corporation licensed to do business in Wisconsin which  
19 transmits gas, oil or related products by pipeline in interstate commerce, for  
20 the acquisition before July 2, 1990, of property used to construct a pipeline  
21 connecting the pipeline of that corporation with the pipeline of a Wisconsin  
22 corporation identified in sub. (9), if the public service commission has  
23 prepared an environmental impact statement under s. 1.11 (2) on the entire  
24 portion of the project which is in this state and the public service commis-  
25 sion has approved the portion of the project being undertaken by the Wisconsin  
26 corporation under s. 196.49.

27 ••87b0993/1 •• 87b1226/2••SECTION 645dd. 32.02 (13m) of the statutes, as  
28 affected by 1987 Wisconsin Act .... (this act), is repealed.



1       (2) In accordance with sub. (1), the legislature declares that it is  
2 necessary to embark upon a program of lake protection and rehabilitation, to  
3 authorize a conjunctive state and local program of lake protection and reha-  
4 bilitation to fulfill the positive duty of the state as trustee of navigable  
5 waters, and protect environmental values. The legislature finds that a state  
6 effort of research, analysis, planning and financing, and a local effort  
7 undertaken by public inland lake rehabilitation and protection districts and  
8 the Yahara watershed management district of planning and plan implementation  
9 are necessary and desirable and that the local districts should be formed by  
10 persons directly affected by the deteriorated condition of inland waters and  
11 willing to assist financially, or through other means, in remedying lake  
12 problems. The legislature further finds that state efforts are needed to aid  
13 and assist local efforts, to ensure that projects are undertaken only if they  
14 promote the public rights in navigable waters, environmental values, and the  
15 public welfare, and to administer a program of financial aids to support  
16 rehabilitation projects with benefits to all state citizens.

17       ••87a0878/3••SECTION 650e. 33.01 (1) of the statutes is renumbered 33.01  
18 (1r).

19       ••87a0878/3••SECTION 650h. 33.01 (1g) of the statutes is created to read:  
20 33.01 (1g) "Commission" means the Wisconsin waterways commission estab-  
21 lished under s. 15.345 (1).

22       ••87b1297/1 •• 87b1780/en••SECTION 650j. 33.01 (3g) of the statutes is  
23 created to read:

24 33.01 (3g) "Free-flowing river" means that portion of a river which is at  
25 least 30 miles in length and which flows in its natural course without  
26 impoundment by a dam.

27       ••87a0878/3 •• 87b1297/1 •• 87b1780/en••SECTION 650L. 33.01 (3m) of the  
28 statutes is created to read:



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1 ••87b1284/1 •• 87b1780/en••SECTION 650p. 33.01 (11) of the statutes is  
2 created to read:

3 33.01 (11) "Yahara watershed" means that part of the Yahara river drain-  
4 age basin bounded by, and including, Secs. 36, 35, 27, 21, 20 and 18, T. 6N.,  
5 R. 10E; Secs. 24, 23, 15, 9 and 5, T. 6N., R. 9E; Secs. 32 and 30, T. 7N., R.  
6 9E; Secs. 24, 23, 22, 15, 11 and 3, T. 7N., R. 8E; Secs. 33, 32, 29, 21, 16,  
7 9, 5 and 6, T. 8N., R. 8E; Secs. 32, 33, 27, 26 and 25, T. 9N., R. 8E; Secs.  
8 19, 18, 8 and 4, T. 9N., R. 9E; Secs. 34, 27, 22, 23 and 24, T. 10N., R. 9E;  
9 Secs. 18, 17, 9, 16, 20, 29, 33 and 34, T. 10N., R. 10E; Secs. 3, 11, 13, 24  
10 and 36, T. 9N., R. 10E; Sec. 30, T. 8N., R. 11E; Secs. 2, 10, 15, 23, 26 and  
11 36, T. 8N., R. 10E; Secs. 6, 5, 8, 17, 20, 28, 34 and 35, T. 7N., R. 11E; and  
12 Secs. 2, 11, 14, 23, 26, 35, 34, 33, 32 and 31, T. 6N., R. 11E and including,  
13 but not limited to, the Yahara river, Lake Mendota, Lake Monona, Lake Waubesa,  
14 Lake Wingra, Lake Kegonsa and the upper and lower Mud lakes.

15 ••87a0878/3••SECTION 650r. 33.16 (1m) of the statutes is created to read:

16 33.16 (1m) The commission may grant financial assistance to municipal-  
17 ities for feasibility studies and implementation work from moneys appropriated  
18 under s. 20.370 (4) (bu), subject to the requirements of this chapter.

19 ••87-2764/2••SECTION 650u. 33.16 (7) (e) of the statutes is amended to  
20 read:

21 33.16 (7) (e) North-south split. The department shall grant financial  
22 assistance under this section so that not less than 25% of the moneys granted  
23 biennially in any fiscal year are granted to districts north of a line running  
24 east-west across the state and commencing at the southernmost point on the  
25 southern boundary of the city of Stevens Point, except that this subsection  
26 does not preclude the full utilization of available funds if all applications  
27 north of this line aggregate less than 25% of the biennial annual  
28 appropriations.

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1 ••87a0878/3••SECTION 650y. Subchapter V of chapter 33 of the statutes is  
2 created to read:

3 CHAPTER 33

4 SUBCHAPTER V

5 RECREATIONAL BOATING PROJECTS

6 33.40 RECREATIONAL BOATING PROJECTS; STUDIES AND AIDS. (1) STUDIES.

7 (a) The commission may cause to be conducted appropriate studies, including  
8 feasibility studies, and inventories to aid in assessing the need for recrea-  
9 tional boating projects.

10 (b) Feasibility studies shall be used to determine whether the construc-  
11 tion of recreational boating projects is feasible from environmental, economic  
12 and engineering viewpoints. Feasibility studies may be used to determine  
13 whether recreational boating projects proposed by a governmental unit or by a  
14 nonprofit organization are feasible. The commission may conduct feasibility  
15 studies or cooperate with other state agencies in conducting feasibility  
16 studies. Feasibility studies conducted by state agencies or private persons  
17 shall be reviewed by the commission to ensure that appropriate data have been  
18 collected and analyzed in detail to substantiate the recommendations made in  
19 the feasibility study.

20 (c) Feasibility studies may be conducted upon the request of the affected  
21 governmental unit. Feasibility studies shall be of sufficient detail to allow  
22 affected governmental units to decide if a recreational boating construction  
23 project should be supported.

24 (d) The following factors shall be considered by the commission in  
25 assigning priorities for feasibility studies:

- 26 1. Estimated cost of the study.
- 27 2. Available funds.
- 28 3. Expression of support by the governmental unit.

1 4. Distance the area to be studied is from other recreational boating  
2 projects.

3 5. Work previously completed.

4 (e) A governmental unit's decision to support a recreational boating  
5 project feasibility study shall be made by a resolution indicating support for  
6 a more detailed inquiry into the engineering, environmental and economic  
7 feasibility of a project. Support of a recreational boating project feasi-  
8 bility study does not commit the affected governmental unit to cost-sharing in  
9 the construction of a proposed project or the management or operation of a  
10 project.

11 (2) PROJECT PRIORITY LIST. (a) Only those proposed recreational boating  
12 projects found to be feasible and supported by the affected governmental unit  
13 and approved by the commission shall be placed on a priority list by the  
14 commission. The department shall maintain the list of priority projects.  
15 Annually, the department shall inform all affected governmental units of their  
16 position on the priority list.

17 (b) The following factors shall be considered in establishing priorities  
18 for projects:

19 1. Distance the proposed project is from other recreational boating  
20 projects.

21 2. Demand for safe boating projects.

22 3. Expression of support by the governmental unit.

23 4. Existing projects.

24 5. Projects underway.

25 6. Commitment of funds by the governmental unit or a nonprofit  
26 organization.

27 7. Location of the proposed project within the region identified in s.  
28 25.29 (7) (a).

1           (3) AIDS. (a) The department shall develop and administer, with the  
2 approval of the commission, a financial assistance program for governmental  
3 units and the department in the construction and maintenance of capital  
4 improvements related to recreational boating projects and in the maintenance  
5 and operation of locks and projects which provide access between waterways.  
6 No financial assistance under this section may be provided to the Fox river  
7 management commission for feasibility studies of construction projects or for  
8 construction projects. No financial assistance under this section may be  
9 provided to the department other than for projects for access to inland  
10 waters, as classified under s. 29.01 (9), which are lakes without a public  
11 access facility.

12           (b) The following standards shall apply to the state funding of all  
13 recreational boating projects:

14           1. To the greatest extent possible, state funds shall be used to match  
15 other funding sources. Other funding sources may include, but are not limited  
16 to, the federal land and water conservation fund, the U.S. army corps of  
17 engineers, U.S. economic development administration, general revenue sharing,  
18 gifts, grants and contributions and user fees.

19           2. The department may cost-share, with the approval of the commission,  
20 with a governmental unit or a nonprofit organization at a rate of up to 50%  
21 of the feasibility study, construction costs, management and operation costs  
22 or any combination of these items, of the recreational boating project. The  
23 department may cost-share with a nonprofit organization only for costs related  
24 to river management projects on free-flowing rivers. The department may pay,  
25 with the approval of the commission, an additional 10% of the costs of the  
26 construction project if a municipality or county conducts a boating safety  
27 enforcement and education program approved by the department. If the affected  
28 governmental unit is the Fox river management commission, the department may

1 cost-share, with the approval of the commission, at a rate of up to 50% for  
2 the management and operation costs or any combination of these items, of the  
3 recreational boating project.

4 3. No more than 10% of the state funds available for recreational boating  
5 projects aids under this section may be expended for feasibility studies in  
6 one year. No more than one percent of the state funds available for recrea-  
7 tional boating projects aids under this section may be expended for any one  
8 feasibility study in one year.

9 3m. In fiscal year 1987-88 and in fiscal year 1988-89, \$50,000 from the  
10 appropriation under s. 20.370 (4) (bu) shall be available to conduct feasi-  
11 bility studies to determine whether the construction of recreational boating  
12 projects involving the development of marinas is feasible from an engineering  
13 viewpoint.

14 4. No funds may be used for the purchase of land or the construction of  
15 projects commonly used to berth boats.

16 5. Forty percent of the state funds available for recreational boating  
17 projects aids under this section shall be expended for Great Lakes (including  
18 Chequamegon Bay and Green Bay) projects. Forty percent of the state funds  
19 available for recreational boating projects aids under this section shall be  
20 expended for inland waters, as classified under s. 29.01 (9), projects,  
21 including projects that are also eligible for financial assistance under s.  
22 33.16 (1m). Ten percent of the state funds available for recreational boating  
23 projects aids under this section shall be expended for river management  
24 projects on free-flowing rivers. Ten percent of the state funds available for  
25 recreational boating projects aids under this section shall be expended for  
26 eligible access projects deemed necessary by the commission without regard to  
27 location. The commission may designate recreational boating aids for locks  
28 and projects which provide access between the Great Lakes and inland waters as

1 aids expended for inland waters, as aids expended for projects deemed neces-  
2 sary by the commission without regard to location or as aids under a combi-  
3 nation of those 2 types of projects. Any moneys not obligated by the end of  
4 the 3rd quarter of the fiscal year for which they were allocated may be used  
5 by the department, with the approval of the commission, for purposes of fund-  
6 ing other recreational boating projects.

7 6. Projects qualifying for funds available for recreational boating  
8 projects aids under this section include, but are not limited to, construction  
9 and improvement of harbors of refuge on the Great Lakes; accommodation of  
10 motor-powered recreational watercraft; construction and improvement of public  
11 access and related projects on inland waters where motor-powered recreational  
12 watercraft are permitted; and management and operation of locks and projects  
13 which provide access between waterways for the operators of recreational  
14 watercraft.

15 (4) RULES. The commission shall recommend rules for promulgation by the  
16 department as necessary to implement the recreational boating projects program  
17 under this section. The commission shall recommend rules relating to the type  
18 and content of studies to be conducted, cost-sharing arrangements for studies  
19 and capital improvements and liaison arrangements between the state and fed-  
20 eral agencies, other state agencies, governmental units and other persons.

21 (5) COOPERATION AND ASSISTANCE. (a) The department shall provide  
22 governmental units with technical assistance in all phases of implementing the  
23 boating projects program under this section. The department shall also co-  
24 ordinate the boating projects program with all other related state and federal  
25 programs.

26 (b) The department shall assign staff to the commission for program man-  
27 agement purposes. All staff activities, including but not limited to  
28 budgeting, program coordination and related administrative management

1 functions, shall be consistent with the policies of the department and the  
2 natural resources board.

3 (6) USE OF WISCONSIN CONSERVATION CORPS. To the greatest extent  
4 practicable, the department, the commission and the implementing municipality  
5 shall encourage and utilize the Wisconsin conservation corps for appropriate  
6 projects.

7 ••87b1284/1 •• 87b1780/en••SECTION 652m. Subchapter VI of chapter 33 of  
8 the statutes is created to read:

9 CHAPTER 33

10 SUBCHAPTER VI

11 YAHARA WATERSHED MANAGEMENT DISTRICT

12 33.42 CREATION AND PURPOSE. A Yahara watershed management district is  
13 created for the purpose of protecting and rehabilitating the water quality of  
14 the lakes and rivers in the Yahara watershed and to promote and manage the  
15 recreational, access, scenic, safety, economic and agricultural values of the  
16 Yahara watershed.

17 33.43 POWERS. (1) (a) The management district shall have all of the  
18 powers of a public inland lake protection and rehabilitation district enumer-  
19 ated under s. 33.22 (1) and (2), except that all contracts for the performance  
20 of any work or the purchase of any materials shall be subject to par. (b).

21 (b) All public work, including any contract for the construction, repair,  
22 remodeling or improvement of any public work, building, or furnishing of sup-  
23 plies or material of any kind where the estimated cost of such work will  
24 exceed \$20,000 shall be let by contract by the commissioners to the lowest  
25 responsible bidder in the manner they prescribe. Any public work, the esti-  
26 mated cost of which does not exceed \$20,000, shall be let as the commissioners  
27 may direct. If the estimated cost of any public work is between \$5,000 and  
28 \$20,000, the commissioners shall give a class 1 notice under ch. 985 before

1 they contract for the work or shall contract with a person qualified as a  
2 bidder under s. 66.29 (2).

3 (c) The management district has jurisdiction over the Yahara watershed  
4 with respect to protecting and rehabilitating the water quality of the lakes  
5 and rivers in the Yahara watershed.

6 (2) The management district may make improvements to the lakes and rivers  
7 in the Yahara watershed including, but not limited to, constructing and main-  
8 taining public boat launching facilities, maintaining open green spaces adja-  
9 cent to the lakes and rivers, implementing special shoreline maintenance  
10 requests, maintaining and improving locks and dredging waterways.

11 (3) (a) On and after the effective date of this paragraph .... [revisor  
12 inserts date], the management district has the sole authority to adopt local  
13 regulations relating to boating, recreation and safety upon the surface waters  
14 within the Yahara watershed. All provisions of any county or local ordinance  
15 enacted under s. 27.015 (7) (f), 30.16 (1) (a), 30.77 (3), 30.78 (1) (a),  
16 30.81 (1) and (2) or 59.07 (46) or any other applicable statute that relate to  
17 boating, recreation and safety upon the surface waters within the Yahara  
18 watershed and that are in effect on the effective date of this paragraph ....  
19 [revisor inserts date], shall remain in effect until their specified expira-  
20 tion date or until modified or rescinded by the management district acting  
21 under this paragraph.

22 (b) On and after the effective date of this paragraph .... [revisor  
23 inserts date], the management district has concurrent authority with other  
24 units of government to adopt local regulations relating to the control of land  
25 surfaces within the Yahara watershed including, but not limited to, erosion  
26 control, zoning of shorelands and wetlands, subdivision of land, as provided  
27 in ch. 236, construction, agriculture and conservation, for the purpose of

1 protecting and rehabilitating the water quality of the lakes and rivers in the  
2 Yahara watershed but only if all of the following occur:

3 1. The regulation enacted under this paragraph is more restrictive than  
4 an existing county or local ordinance that relates to land surface control  
5 within the Yahara watershed or no such county or local ordinance exists.

6 2. The regulation only applies within the shorelands, as defined in s.  
7 59.971 (1), of the Yahara watershed or within any other area within the Yahara  
8 watershed which is designated as a water quality priority area on or after the  
9 effective date of this subdivision .... [revisor inserts date], by state law  
10 or by a county board or the governing body of any city, village or town within  
11 the Yahara watershed.

12 (c) If the management district adopts an ordinance under par. (b) which  
13 is more restrictive than an existing county or local ordinance that relates to  
14 land surface control and which affects the same land, the existing county or  
15 local ordinance remains in effect only to the extent of any provisions which  
16 do not conflict with the ordinance adopted under par. (b).

17 (4) The management district may enforce any regulations which it adopts  
18 under sub. (3).

19 (5) The management district may assess fees for the services it provides  
20 under sub. (2) to persons using the lakes and rivers of the Yahara watershed  
21 or owning property contiguous to the lakes and rivers of the Yahara watershed.

22 (6) The management district may promulgate any rules necessary to imple-  
23 ment the powers granted to the management district under this subchapter.

24 (7) To the greatest extent practicable, the management district shall  
25 encourage and utilize the Wisconsin conservation corps for appropriate  
26 projects.

27 (8) The specific powers of the management district enumerated in this  
28 subchapter which relate to protecting and rehabilitating the water quality of

1 the lakes and rivers in the Yahara watershed supersede any concurrent powers  
2 held by any public inland lake protection and rehabilitation district estab-  
3 lished under subch. IV, town sanitary district created under s. 60.71 or  
4 60.72, metropolitan sewerage district created under s. 66.22, regional plan-  
5 ning commission created under s. 66.945, drainage district organized under s.  
6 88.34 or land conservation committee created under s. 92.06 within the Yahara  
7 watershed.

8 33.44 DISTRICT BOARD OF COMMISSIONERS. (1) The board of commissioners  
9 shall govern the management district.

10 (2) The board of commissioners shall consist of the following persons,  
11 all of whom shall be residents of the management district:

12 (a) One member appointed to a 3-year term by the county executive or  
13 county administrator of the county having the largest population within the  
14 management district, or by the county board chairperson if that county does  
15 not have a county executive or county administrator, and approved by the  
16 county board of that county.

17 (b) One member appointed to a 3-year term by the chief executive officer  
18 of the municipality having the largest population within the management dis-  
19 trict and approved by the governing body of that municipality.

20 (c) Three members elected from the management district at large at the  
21 spring election by the qualified electors within the management district, for  
22 3-year terms. One of the commissioners elected under this paragraph shall  
23 reside in unincorporated territory within the management district.

24 (3) Three commissioners shall constitute a quorum for the transaction of  
25 business.

26 (4) The board shall select a chairperson, secretary and treasurer from  
27 among its members each year, no later than 4 months after a commissioner is  
28 elected under sub. (2) (c).

1 (5) The board of commissioners may make an initial assessment of all  
2 taxable property within the management district to raise \$200,000 to pay for  
3 organizational costs and to operate the management district until receipt of  
4 the tax levied under s. 33.47 (2). The manner of making the assessment is  
5 within the discretion of the board of commissioners.

6 (6) Commissioners shall be paid actual and necessary expenses incurred  
7 while conducting business of the management district, plus such compensation  
8 as may be established by the board of commissioners.

9 (7) Vacancies occurring during the term of any commissioner appointed  
10 under sub. (2) (a) or (b) shall be filled within 90 days in the manner pro-  
11 vided in s. 17.27 (1n). Vacancies occurring during the term of any officer  
12 selected under sub. (4) shall be filled within 90 days by the board. A  
13 commissioner appointed to fill a vacancy may be reappointed for subsequent  
14 full terms, as provided in sub. (2) (a) or (b).

15 (8) The board shall meet at least quarterly, and at other times on the  
16 call of the chairperson or the petition of 3 of the members.

17 (9) Any action by the board of commissioners shall require the affir-  
18 mative vote of at least 3 of its members.

19 33.45 BOARD OF COMMISSIONERS; OFFICERS; POWERS AND DUTIES. (1) The  
20 board of commissioners shall have all of the powers and duties enumerated for  
21 a district under s. 33.29 (1) with respect to the management district. The  
22 board of commissioners shall elect officers in accordance with s. 33.44 (4)  
23 and the officers shall have the duties specified under s. 33.29 (3), except  
24 that the powers and duties specified under s. 33.29 which relate to annual  
25 meetings may be exercised by the officers at any time.

26 (2) The board of commissioners shall have control over the fiscal matters  
27 of the district. The board of commissioners shall annually at the close of  
28 the fiscal year cause to be made an audit of the financial transactions of the

1 management district and a report of the operations and activities of the man-  
2 agement district. The board of commissioners shall furnish a copy of the  
3 audit and report to the legislature and to all municipalities and counties  
4 within the management district.

5 (3) The board of commissioners may develop a public information and edu-  
6 cation program on issues related to the Yahara watershed.

7 (4) The board of commissioners may contract with any county within the  
8 Yahara watershed which receives funding for an approved soil erosion control  
9 plan under s. 92.10 or an approved soil and water resource management program  
10 under s. 92.14 for the county to perform soil erosion control or soil and  
11 water resource management projects within the Yahara watershed.

12 (5) The board of commissioners is encouraged to contract with any public  
13 or private person for any services necessary to implement the powers granted  
14 to the board of commissioners and the management district under this  
15 subchapter.

16 33.46 TRANSFER OF CERTAIN STRUCTURES. No later than one year after the  
17 effective date of this section .... [revisor inserts date], any municipality,  
18 as defined in s. 345.05 (1) (c), within the management district which owns  
19 water regulatory structures and related equipment and buildings including, but  
20 not limited to, weed harvesters, boat ramps, storage facilities, locks and  
21 dams shall transfer ownership of the structure to the management district, at  
22 a reasonable cost to be negotiated between the municipality and the management  
23 district.

24 33.47 POWER TO FINANCE. (1) The management district may utilize the  
25 financing powers specified for a district under s. 33.31, including borrowing  
26 money, subject to the requirements of that section.

27 (2) The management district may levy a tax upon all taxable property  
28 within the management district for the costs of operation for the coming year,

1 which tax shall not exceed a rate of one-half mill of equalized valuation as  
2 determined by the department of revenue and reported to the board of  
3 commissioners. The tax shall be apportioned among the municipalities having  
4 property within the management district on the basis of equalized value, and a  
5 report shall be delivered by the treasurer, by November 1, by certified  
6 statement to the clerk of each municipality having property within the man-  
7 agement district for collection.

8 33.48 SPECIAL ASSESSMENTS AND SPECIAL CHARGES. (1) The board of  
9 commissioners shall levy special assessments as an exercise of the management  
10 district's police power for the purpose of carrying out management district  
11 protection and rehabilitation projects or for other Yahara watershed manage-  
12 ment activities undertaken by the management district.

13 (2) Special assessments shall be apportioned to property within the man-  
14 agement district on a reasonable basis and shall be levied in the manner  
15 specified for a district under s. 33.32 (1) (c) to (f) and as follows:

16 (a) Upon approval of plans for any work by the management district, the  
17 commissioners shall determine the entire cost to the management district of  
18 the work to be done.

19 (b) The commissioners shall then examine each parcel within the manage-  
20 ment district, other than federal lands, for the purpose of apportioning spe-  
21 cial assessments. The commissioners may categorize each parcel as a riparian  
22 parcel, a parcel within the shorelands, as defined in s. 59.971 (1), which is  
23 not a riparian parcel or a parcel outside the shorelands. Special assessments  
24 may be apportioned such that assessments on a parcel outside the shorelands do  
25 not exceed one-fifth of the assessments on a riparian parcel and do not exceed  
26 one-third of the assessments on a parcel within the shorelands which is not a  
27 riparian parcel. After assessments to each parcel are determined, assessments  
28 shall be made in an aggregate amount equal to the cost to the management dis-