

1999 DRAFTING REQUEST

Bill

Received: **01/18/2000**

Received By: **gibsom**

Wanted: **Soon**

Identical to LRB:

For: **Legislative Council - JLC**

By/Representing: **patronsky**

This file may be shown to any legislator: NO

Drafter: **gibsom**

May Contact:

Alt. Drafters:

Subject: **Nat. Res. - miscellaneous**

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Private contributions to department of natural resources

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Reouired</u>
/?	gibsom 01/18/2000	wjackson 01/18/2000		_____			S&L
/1			martykr 01/19/2000	_____	lrb-docadmin 01/19/2000	lrb-docadmin 01/19/2000	
				_____	lrb-docadmin 01/19/2000	lrb-docadmin 01/21/2000	

FE Sent For:

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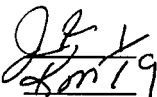
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I?	gibsom						

FE Sent For:

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BILL

1 refunds to the endangered resource program, granting rule-making authority
2 and making appropriations.

Analysis by the Legislative Reference Bureau

This bill is explained in the NOTES provided by the joint legislative council.
For further information see the **state and local** fiscal estimate, which will be printed as an appendix to this bill.

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

PREF NOTE
FOR 1ST
DRAFT

PREFATORY NOTE: This bill was prepared for the joint legislative council's special committee on incentives for resource stewardship. The joint legislative council established the special committee by a June 24, 1998, mail ballot and directed it to study "means to encourage and promote private efforts to conserve and protect the natural values of land and water through an appropriate legislative framework and the use of economic incentives". The bill:

1. Provides an annual grant to a nonprofit corporation to fund activities that encourage and assist private landowners to donate land and interests in land for conservation purposes.

2. Provides an annual grant to a nonprofit corporation to encourage corporations and other persons to undertake activities that protect and promote rare and endangered wild animals and wild plants, to encourage land management activities that promote conservation goals and to provide conservation education.

3. Revises the managed forest land program to encourage private landowners to include land in the managed forest land program by allowing land to be in the program for a 15-year term.

4. Provides an appropriation to the department of natural resources (DNR) to contract with private foresters to prepare plans for inclusion of wooded land into the managed forest land program.

5. Authorizes corporations to donate income tax refunds to the DNR to preserve endangered resources.

6. Requires the DNR to promulgate administrative rules adopting policies to be followed by the DNR in accepting and using donations from private parties.

This bill is explained in more detail in SECTION notes following the relevant SECTIONS of the bill.

SECTION 1. 20.370 (1) (fs) of the statutes is amended to read:

20.370 (1) (fs) **Endangered resources - voluntary payments; sales, leases and fees.** As a continuing appropriation, from moneys received as amounts designated under s. ss. 71.10 (5) (b) and 71.30(10)(b), the net amounts certified under s. ss. 71.10

306M
ASA1

Mary

Please draft the following for
introduction by the Legislative Council

1. SECTION 11 of 294611, as a
separate bill + NOTE + PREF NOTE

3. We agree with all of the changes you
made to WCCS 008511, as discussed
in your drafted note, as these
relate to the 2 Bill drafts we are
requesting.

Thanks.

Bill Ford & Mark Patonohy

soon

1999 BILL

Regen

1 **AN ACT to repeal 23.0955 (2) (am); to renumber and amend 77.82 (12); to**
2 **amend 20.370 (1) (fs), 20.370 (5) (aw), 20.566 (1) (hp), 23.0955 (2) (a) (intro.),**
3 **23.0955 (2) (a) 3., 23.0955 (2) (b) (intro.), 25.29 (1) (a), 74.25 (1) (a) 6., 74.30 (1)**
4 **(f), 74.30 (1) (h), 77.82 (2) (title), 77.82 (2) (h), 77.82 (3) (b), 77.82 (12) (title),**
5 **77.84 (2) (a), 77.84 (2) (b), 77.84 (2) (c), 77.88 (5) (a) 1., 77.88 (5) (a) 2., 77.88 (5)**
6 **(b) 1., 77.88 (5) (b) 2. and 77.89 (2); and to create 23.0955 (2) (b) 2m., 4. and 5.,**
7 **23.0955 (3), 23.0956, 23.099, 71.30 (10), 77.82 (12) (b) and 77.84 (2) (am) of the**
8 **statutes; relating to:** ~~a grant program to encourage private activities that~~
9 ~~promote natural resource conservation,~~ requiring the department of natural
10 resources to promulgate rules establishing policies for the acceptance of
11 contributions from private sources, prohibiting the department of natural
12 resources from selling the naming rights of certain properties under its
13 jurisdiction ~~adding a 15-year term for orders designating land under the~~
14 ~~managed forest land program, authorizing the donation of corporate income tax~~

BILL

1
2

~~refunds to the endangered resource program,~~ ⁹ ~~and~~ granting rule-making authority
~~and making appropriations.~~

Analysis by the Legislative Reference Bureau

This bill is explained in the **NOTES** provided by the joint legislative council.
For further information **see** the **state and local** fiscal estimate, which will be printed as an appendix to this bill.

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

PREFATORY NOTE: This bill was prepared for the joint legislative council's special committee on incentives for resource stewardship. The joint legislative council established the special committee by a June 24, 1998, mail ballot and directed it to study "means to encourage and promote private efforts to conserve and protect the natural values of land and water through an appropriate legislative framework and the use of economic incentives". The bill

Not

- 1. Provides an annual grant to a nonprofit corporation to fund activities that encourage and assist private landowners to donate land and interests in land for conservation purposes.
- 2. Provides an annual grant to a nonprofit corporation to encourage corporations and other persons to undertake activities that protect and promote rare and endangered wild animals and wild plants, to encourage land management activities that promote conservation goals and to provide conservation education.
- 3. Revises the managed forest land program to encourage private landowners to include land in the managed forest land program by allowing land to be in the program for a E-year term.
- 4. Provides an appropriation to the department of natural resources (DNR) to contract with private foresters to prepare plans for inclusion of wooded land into the managed forest land program.
- 5. Authorizes corporations to donate income tax refunds to the DNR to preserve endangered resources.

Requires the ^{department of natural resources} (DNR) to promulgate administrative rules adopting policies to be followed by the DNR in accepting and using donations from private parties.

This bill is explained in more detail in ^{the} SECTION notes following the ^{provisions} relevant sections of the bill.

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***SECTION 1.** 20.370 (1) (fs) of the statutes is amended to read:

20.370 (1) (fs) Endangered resources - voluntary payments; sales, leases and fees. As a continuing appropriation, from moneys received as amounts designated under ~~s. ss.~~ ss. 71.10 (5) (b) and 71.30 (10) (b), the net amounts certified under ~~s. ss.~~ ss. 71.10

BILL

3. Provide grants to nonprofit and other groups to encourage education, land acquisition, restoration and management activities to enhance the state's natural resources.

1 **SECTION 11. 23.099** of the statutes is created to read:

2 **23.099 Contributions to department from private sources; naming**

3 **rights. (1) DEFINITIONS.** In this section:

4 (a) "Contribution" means anything of value, including money, real or personal
5 property, or human effort.

6 (b) "Private source" means any individual or entity that is not a governmental
7 unit.

8 (2) **POLICY ON CONTRIBUTIONS; RULE REQUIRED.** The natural resources board shall
9 establish by rule policies and limitations for the acceptance and use, by the
10 department, of contributions from private sources. The rule shall include policies for
11 all of the following:

12 (a) Procedures for the acceptance of contributions.

13 (b) Acceptance of anonymous contributions.

14 (c) Solicitation of contributions from private sources.

15 (d) Decisions regarding the use of contributions from private sources.

16 (e) Conditions imposed by donors on the use of contributions from private
17 sources.

18 (f) Methods for recognizing the provision of contributions from private sources.

19 (g) Granting exclusive rights or franchises in return for contributions from
20 private sources.

21 (h) Cooperative activities involving the department and any person providing
22 contributions from private sources.

BILL

SECTION 11

1 (i) Records kept by the department regarding contributions from private
2 sources.

3 (3) **NAMING RIGHTS**. The department may not sell the right to name parks, state
4 forests, trails, natural areas or wildlife areas under its jurisdiction.

NOTE: This bill creates s. 23.099, stats., which requires the natural resources board to establish by rule policies and limitations regarding the acceptance and use of contributions to the DNR from private sources.

The purpose of this rule-making is to develop policies in the DNR that will encourage and facilitate partnerships between the DNR and private organizations or individuals, enhance the ability of DNR to leverage private resources and develop policies for the public acknowledgement of private contributions to the DNR.

The rules will apply to a contribution of any type that has value, whether the contribution consists of cash, property or, in the case of individuals, physical effort from a "private source", which is defined to mean any individual and any entity that is not a governmental unit, such as a partnership, corporation or non-governmental association.

The bill prohibits the DNR from selling the naming rights for state parks, forests, trails, natural areas or wildlife areas.

The special committee recommends that the DNR promulgate the rules for contributions from private sources in two stages. The first stage would build on current rules and recent internal DNR studies related to the acceptance of contributions. This portion of the rules could be promulgated soon after this ~~Section of the~~ bill is enacted into law. The second stage would relate to the solicitation of contributions by the DNR.

Delete space.

(End j)

5 **SECTION 12.** 25.29 (1) (a) of the statutes is amended to read:

6 25.29 (1) (a) Except as provided in s. 25.295, all moneys accruing to the state
7 for or i-n on behalf of the department under chs. 26, 27, 28, 29 and 350, subchs. I and
8 VI of ch. 77 and ss. 23.09 to 23.31, 23.325 to 23.42, 23.50 to 23.99, 30.50 to 30.55, 70.58
9 and, 71.10 (5) and 71.30 (10), including grants received from the federal government
10 or any of its agencies except as otherwise provided by law.

11 **SECTION 13.** 71.30 (10) of the statutes is created to read:

12 7 1.30 (10) **ENDANGERED RESOURCES**. , (a) *Definitions*. In this subsection:

13 1. "Conservation fund" means the fund under s. 25.29.

14 2. "Endangered resources program" means a program established for
15 purchasing or improving land or habitats for any native Wisconsin endangered or

**SUBMITTAL
FORM**

**LEGISLATIVE REFERENCE BUREAU
Legal Section Telephone: 266-3561
5th Floor, 100 N. Hamilton Street**

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and **sign** on the appropriate line(s) below.

Date: 01/19/2000

To: Legislative Council - JLC

Relating to LRB drafting number: LRB-4248

Topic

Private contributions to department of natural resources

Subject(s)

Nat. Res. - miscellaneous

1. **JACKET** the draft for introduction William Ford

in the Senate or **the Assembly** (check only one). Only the requester under whose name the drafting request is entered in the **LRB's** drafting records may authorize the draft to be submitted. Please allow one day for the preparation of the required copies.

2. **REDRAFT.** See the changes indicated or attached _____.

A revised draft will be submitted for your approval with changes incorporated.

3. Obtain **FISCAL ESTIMATE NOW**, prior to introduction _____

If the analysis indicates that a fiscal estimate is required because the proposal makes an appropriation or increases or decreases existing appropriations or state or general local government fiscal liability or revenues, you have the option to request the fiscal estimate prior to introduction. If you choose to introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon introduction. It takes about 10 days to obtain a fiscal estimate. Requesting the fiscal estimate prior to introduction retains your flexibility for possible redrafting of the proposal.

If you have any questions regarding the above procedures, please call 266-3561. If you have any questions relating to the attached draft, please feel free to call me.

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