

1999 DRAFTING REQUEST

Bill

Received: **11/3/98**

Received By: **gibsom**

Wanted: **Soon**

Identical to LRB:

For: **Administration-Budget 67973**

By/Representing: **Grinde**

This file may be shown to any legislator: **NO**

Drafter: **rkite**

May Contact:

Alt. Drafters:

Subject: **Nat. Res. - fish and game**

Extra Copies:

Topic:

DOA:.....Grinde - Natural resources law violation hotline

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	gibsom 11/13/98			_____			S&L
/1	rkite 01/8/99	gilfokm 01/9/99	martykr 01/14/99	_____	lrb_docadmin 01/14/99		S&L
/2	rkite 01/20/99	gilfokm 01/20/99	jfrantze 01/20/99	_____	lrb_docadmin 01/20/99		S&L
/3	rkite 01/27/99	ygeller 01/27/99	jfrantze 01/27/99	_____	lrb_docadmin 01/27/99		S&L

FE Sent For:

<END>

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FE Sent For:

13 1/27 jlg
 1/27/99
 1/27
 <END>

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/1	rkite 01/8/99	gilfokm 01/9/99	martykr 01/14/99	_____	lrb_docadmin 01/14/99		S&L

FE Sent For:

*12-1-20-99
kmf*

Jb 1/20

*Jb lp
1/20
<END>*

1999 DRAFTING REQUEST

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Wanted: Soon

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For: Administration-Budget 67973

By/Representing: Grinde

This file may be shown to any legislator: NO

Drafter: gibsom

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Extra Copies: *[Handwritten signature]*

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1/?	gibsom	1-1-9 King	King 1/13	JA King 1/14			

FE Sent For:

<END>

CORRESPONDENCE MEMORANDUM**STATE OF WISCONSIN
Department of Administration**

Date: October 28, 1998

To: Steve Miller
Chief, Legislative Reference Bureau

From: Kirsten Grinde *KMG*
Policy and Budget Analyst, State Budget Office

Subject: Priority of Department of Natural Resources (DNR) FY 1999-2001 Budget Statutory Language Proposal

The following is an additional statutory language proposal from DNR for its FY1999-2001 biennial budget request. I have indicated my priority ranking and attached a copy of the proposed change. The intent of this request is to create a permanent fund from which rewards for information on fish and wildlife violations would be paid. Revenues to the fund would come from donations made by private organizations. The effective date of the fund should be October 1, 1999 (not 1998 as indicated in the attached write-up).

If you have any questions, please contact me at 266-7973.

<u>Issue</u>	<u>Status</u>	<u>Analyst</u>	<u>Priority</u>
Natural Resources Report All Poachers Hotline/Board	Proposal attached	Kirsten	High

cc: Dave Schmiedicke

*Statewide outdoor organizations
devoted to hunting & fishing*

NATURAL RESOURCES REPORT ALL POACHERS HOTLINE

Wk (1) (95)

Create:

15.345

(6) Natural Resources Report All Poachers Board. There is created in the department of natural resources a Natural Resources Report All Poachers Board consisting of not more than 7 members appointed by the Secretary of the Department of Natural Resources. Commencing on October 1, 1998, 2 members shall be appointed to serve for one year, 2 members for 2 years and 3 members for 3 years. Thereafter all terms shall be for 3 years with at least 2 positions on the board to expire each year. Members of the board shall be appointed from major outdoor organizations or corporations within the state. The board shall provide direction as to the financial and promotional activities of the program and meets to evaluate arrests and to decide on the size of rewards to be paid.

Amend and create:

rel 165.72

~~23.38 Natural resources law violation hotline~~ Natural Resources Report All Poachers Hotline.

23.38(1)

29.921(1)
(1) The department shall maintain a toll-free telephone number ~~at department headquarters~~ to receive reports of violations of ~~any statute or administrative rule that the department enforces or administers~~ any law enumerated in s 29.05 (1). The department shall relay these reports to the appropriate warden or officer for investigation and enforcement action. The department shall publicize the toll-free telephone number as widely as possible in the state.

23.38

(2) The department shall maintain records which permit the release of information provided by informants while protecting the identity of the informant. Any records maintained by the department which relate to the identity of informants shall be only for the confidential use of the department in the administration of this section, unless the informant expressly agrees to release the records. Appearance in court as a witness shall not be considered consent by an informant to release confidential records maintained by the department.

23.38

(3) Reward payment program. The department shall administer a reward payment program using funds from private donations and fund raisers. Under the program, the department may offer and pay rewards from the appropriation under 20.370 _____ for information under sub. (1) or from other sources. Rewards may be paid out to individuals who provide information that leads to the arrest, issuance of a prosecuted citation for a violation or violations enumerated in s 29.05 (1).

23.38

(4) Court ordered contributions. In any conviction where rewards are paid to sources, the court may order the convicted person to reimburse the Natural Resources Report All Poachers Board for the amount of the reward paid in their conviction or for an amount determined by the court.

23.38

(5) Program revenue account. The department shall keep a separate account for the collection of gifts and donations. The amounts collected shall be used to pay rewards and to promote both the Natural Resources Report All Poachers Hotline and the reward program.

23.38

(6) Payment limitations. A reward under sub. (3) may not exceed \$1,000 for the arrest, issuance of a prosecuted citation or conviction of any one person. The department may not make any reward payment to a law enforcement officer, jail officer, secure detention officer or department employee.

23.38

(7) Natural Resources Report All Poachers Board authority. If a reward is claimed, the department shall make the final determination regarding any payment. The department may pay portions of a reward to 2 or more persons. The payment of a reward is not subject to a contested case proceeding under ch. 227. The offer of a reward under sub. (3) does not create any liability on the department or the state.

23.38

(8) Records. The department may withhold any record under this section from inspection or copying under s. 19.35.

23.38

(9) Solicitation. The department may solicit gifts, donations, grants and bequests to support the reward program under this section. These monies shall be deposited in the account established by 20.370 _____.

Per Kersten

11-20-98

Change 23.38(7) in instructions so that

Bd. makes final determination re. payment
also in that subsection, make it clear that
the bd. (not dept.) can apportion the reward
among 2 or more persons

In that subsection, the liability language is
intended to make it clear that if there
is not enough money, the bd. state or
dept. is not required to pay w/ other funds

11-25-98

called Kersten re: what "poaching laws" are
intended to be covered

She told me to call Mike Suty (267-7456) at
DNR & draft per his instructions

then called Mike Suty -

draft not intended to just cover poaching
intended to cover all statutes enforced by
wardens

11-25 Per Mike Suty -

refer to statewide org. devoted to hunting & fishing
refer to the laws enumerated in 23.50(1)
reward should only go to successful prosecutions
he doesn't care if the Bd. not called a
Poacher's Hotline

OK to add Board to liability language

12-23-98

Per Kristen Greide -

Do not create a board
instead, the Natural Resources Board will
evaluate reward claims

Also - re: amount -

authorize no more than \$1,000 "without the
consent of the governor"

Also - I asked her what \$1,000 for the arrest etc
of any one person meant -
i.e. what if person commits several violations
she will get back to me



Soon
State of Wisconsin
1999 - 2000 LEGISLATURE

RMR /1
LRB-0710/~~B~~
RNK...*fmj*

D-Note

DOA:.....Grinde – Natural resources ^{law} violation hotline

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

1 AN ACT ^{Don't Gen. Cat.} relating to: the budget.

Analysis by the Legislative Reference Bureau

NATURAL RESOURCES *or ordinance*
OTHER NATURAL RESOURCES

Under current law, the department of natural resources (DNR) maintains a toll-free telephone number at DNR headquarters to receive reports of violations of any statute, ~~or~~ administrative rule that DNR enforces or administers. DNR must relay these reports to the appropriate warden ^{or officer} for investigation and enforcement action. This bill eliminates the requirement that the toll-free telephone number ~~be~~ be maintained by DNR at its headquarters. It also specifies those statutes, administrative rules and ordinances enforced by DNR that, if violated, may be reported over the toll-free telephone number.

The bill also requires DNR to establish and administer a program to pay rewards to individuals who provide information to DNR ~~through the toll-free telephone number or by other means~~ that leads to a finding by a court that an individual has committed a violation of one of the statutes, administrative rules or ordinances enforced by DNR. The bill authorizes the natural resources board to evaluate reward claims and determine whether, and in what amount, a reward ~~should~~ be paid. *will*

stat

1 violation of any statute, administrative rule or ordinance enumerated in s. 23.50 (1)
2 or 29.921 (1) was committed.

3 (4) If an ^{informant} individual claims a reward, the natural resources board shall evaluate
4 the claim to determine if the department ^{will} ~~should~~ pay a reward and, subject to sub.
5 (6), the amount of the reward. The board may apportion a reward among 2 or more
6 individuals. The offer of a reward under sub. (3) does not create any liability on the
7 department, the natural resources board or the state.

8 (5) If a report made under this section leads to a finding by a court that a
9 violation of any statute, administrative rule or ordinance enumerated in s. 23.50 (1)
10 or 29.921 (1) was committed by the ^{person} individual about whom the report was made, the
11 court may order that ^{person} individual to reimburse the department in an amount equal to
12 any reward paid under sub. (3) or in any other amount determined by the court.

~~(6) A reward under sub. (3) may not, without the consent of the governor, exceed
\$1,000 for a report made about any one individual. The department may not make
any reward payment to a law enforcement officer, as defined in s. 30.50 (4s), or
department employee.~~

insert
3-17

17 (7) The department may withhold any record under this section from inspection
18 or copying under s. 19.35.

19 (8) The department may solicit gifts, grants and bequests to support the reward
20 program under this section.

SECTION 9336. Initial applicability; natural resources.

21
22 (1) ^N NATURAL RESOURCES LAW VIOLATION. The treatment of sections 20.370 (3) ^(au) ~~(a)~~
23 and 23.38 (1) and (3) to (8) of the statutes first applies to ^{violations reported} on the
24 effective date of this subsection.

→ information provided to
the department of natural
resources

(END)

impd: about an activity by one individual that results in a finding
of pending by a court made by a court

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0710~~12/10/07~~^{1 dn}
RNK...^{1 dn}
[Signature]

1. One of the instructions for this draft was ^{to} rename the "natural resources law violation hotline" the "natural resources report all poachers hotline". In accordance with our telephone conversation, I spoke with Mike Lutz to determine which "poaching laws" were intended to be reportable over the hotline. He explained that the intention was that the hotline and the board would deal with all offenses that are enforceable by DNR wardens. I am reluctant, therefore, to use the "report all poachers" language in this draft given that the hotline deals with violations not just of laws having to do with "poaching" but with the very wide spectrum of laws enforced by DNR wardens. The "report all poachers" language does not accurately describe the kinds of violations that may be reported over the hotline. Additionally, the use of that language may serve to confuse the public who may not be aware that the hotline may be used to report violations other than those having to do with poaching. Accordingly, I have maintained the title "natural resources law violation hotline" in s. 23.38. If this language does not meet your intent, please give me a call so that we can discuss this further.

2. Although the drafting instructions indicated that the hotline was intended to receive reports of violations of the laws enumerated in s. 29.921 (1), Mike Lutz explained that, because the hotline was intended to receive reports of all violations of the laws enforced by DNR wardens, the hotline should also receive reports of violations of the laws enumerated in s. 23.50 (1). Consequently, I included s. 23.50 violations as those that are reportable over the hotline. Also, because certain of those laws are administrative rules and ordinances rather than criminal statutes, I reworded some of the draft language provided with the instructions to reflect the non-criminal character of those laws. Consequently, instead of referring to "arrests" and "prosecutions", I referred to "findings by a court" of the commission of violations of the relevant laws. (1)

3. The drafting instructions included language relating to limiting the liability of DNR and of the state with regard to the reward program. I included language that limits the natural resources board's liability as well. Again, let me know if this is not consistent with your intent.

4. Please note that I amended s. 23.38 (1) to delete the phrase "or officer" in connection with the person to whom the department is required to relay hotline reports. I made this change because only wardens are authorized to enforce the relevant DNR laws and the use of the term "officer" in that subsection is misleading.

✓
insert
D-Note

Robin N. Kite
Legislative Attorney
266-7291

Insert 3-17 ✓

(6) The department may not, without the consent of the governor, pay a reward under sub. (3) that exceeds \$1,000 for a report made about any ~~activity~~ ^{individual's} ~~activity~~ ^{activity} by ~~any~~ ^{any} individual that results in a finding by a court of the commission of one or more violations ^{by one or} ~~of~~ ^{more persons.}

Insert D-Note ✓

5. Please look closely at the language in s. 23.38(6), as created in this draft. I wasn't sure how you wanted to apply the \$1,000 limit so, in the interest of getting this draft to you for your review, I drafted this provision so that the limit ~~applies to~~ is tied to the reported activities, which may include ^{one} ~~one~~ or more violations ^{committed by one or more persons}. If this is not consistent with your intent, please let me know and I will redraft accordingly.

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0710/1dn
RNK:kmg:km

January 13, 1999

1. One of the instructions for this draft was to rename the "natural resources law violation hotline" the "natural resources report all poachers hotline". In accordance with our telephone conversation, I spoke with Mike Lutz to determine which "poaching laws" were intended to be reportable over the hotline. He explained that the intention was that the hotline and the board would deal with all offenses that are enforceable by DNR wardens. I am reluctant, therefore, to use the "report all poachers" language in this draft given that the hotline deals with violations not just of laws having to do with "poaching" but with the very wide spectrum of laws enforced by DNR wardens. The "report all poachers" language does not accurately describe the kinds of violations that may be reported over the hotline. Additionally, the use of that language may serve to confuse the public who may not be aware that the hotline may be used to report violations other than those having to do with poaching. Accordingly, I have maintained the title "natural resources law violation hotline" in s. 23.38. If this language does not meet your intent, please give me a call so that we can discuss this further.

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3. The drafting instructions included language relating to limiting the liability of DNR and of the state with regard to the reward program. I included language that limits the natural resources board's liability as well. Again, let me know if this is not consistent with your intent.

4. Please note that I amended s. 23.38 (1) to delete the phrase "or officer" in connection with the person to whom the department is required to relay hotline reports. I made this change because only wardens are authorized to enforce the relevant DNR laws and the use of the term "officer" in that subsection is misleading.

5. Please look closely at the language in s. 23.38 (6), as created in this draft. I wasn't sure how you wanted to apply the \$1,000 limit so, in the interest of getting this draft to you for your review, I drafted this provision so that the limit is tied to the reported activities, which may include one or more violations committed by one or more persons. If this is not consistent with your intent, please let me know and I will redraft accordingly.

Robin N. Kite
Legislative Attorney
266-7291

1-15-98 -

Per Kirsten -

want the \$1000 limit to be applied for
each violation by one person

F explained that if there is a report
of many violations by many people,
this could result in many thousands
of dollars -

She said that this is o.k. because the
bd. has discretion on how much to
pay



Soon
State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-0710/~~2~~
RNK:kmg:km

D-Note

DOA:.....Grinde – Natural resources law violation hotline

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

1

*Don't
Gen Cat.*
AN ACT relating to: the budget.

Analysis by the Legislative Reference Bureau

NATURAL RESOURCES

OTHER NATURAL RESOURCES

Under current law, the department of natural resources (DNR) maintains a toll-free telephone number at DNR headquarters to receive reports of violations of any statute, administrative rule or ordinance that DNR enforces or administers. DNR must relay these reports to the appropriate warden for investigation and enforcement action. This bill eliminates the requirement that the toll-free telephone number must be maintained by DNR at its headquarters. It also specifies those statutes, administrative rules and ordinances enforced by DNR that, if violated, may be reported over the toll-free telephone number.

The bill also requires DNR to establish and administer a program to pay rewards to individuals who provide information to DNR that leads to a finding by a court that an individual has committed a violation of one of the statutes, administrative rules or ordinances enforced by DNR. The bill authorizes the natural resources board to evaluate reward claims and determine whether, and in what amount, a reward will be paid.

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:

1 **SECTION 1.** 20.370 (3) (au) of the statutes is created to read:

2 20.370 (3) (au) *Natural resources law violation hotline.* All moneys received
3 from gifts, grants and bequests under s. 23.38 (8) to pay rewards to individuals who
4 provide information to the department under the reward program established under
5 s. 23.38 (3).

 ***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

6 **SECTION 2.** 23.38 (1) of the statutes is amended to read:

7 23.38 (1) The department shall maintain a toll-free telephone number at
8 ~~department headquarters~~ to receive reports of violations of any statute or
9 administrative rule ~~that the department enforces or administers~~ or ordinance
10 enumerated in s. 23.50 (1) or 29.921 (1). The department shall relay these reports
11 to the appropriate warden ~~or officer~~ for investigation and enforcement action. The
12 department shall publicize the toll-free telephone number as widely as possible in
13 the state.

14 **SECTION 3.** 23.38 (3) to (8) of the statutes are created to read:

15 23.38 (3) The department shall establish and administer a program to pay
16 rewards to individuals who provide information to the department under sub. (1) or
17 by other means concerning the violation of any statute, administrative rule or
18 ordinance enumerated in s. 23.50 (1) or 29.921 (1). Under the program, the
19 department may offer and pay rewards from the appropriation under s. 20.370 (3)
20 (au) to informants who provide information that results in a finding by a court that

1 a violation of any statute, administrative rule or ordinance enumerated in s. 23.50
2 (1) or 29.921 (1) was committed.

3 (4) If an informant claims a reward, the natural resources board shall evaluate
4 the claim to determine if the department will pay a reward and, subject to sub. (6),
5 the amount of the reward. The board may apportion a reward among 2 or more
6 individuals. The offer of a reward under sub. (3) does not create any liability on the
7 department, the natural resources board or the state.

8 (5) If a report made under this section leads to a finding by a court that a
9 violation of any statute, administrative rule or ordinance enumerated in s. 23.50 (1)
10 or 29.921 (1) was committed by the person about whom the report was made, the
11 court may order that person to reimburse the department in an amount equal to any
12 reward paid under sub. (3) or in any other amount determined by the court.

13 (6) The department may not, without the consent of the governor, pay a reward
14 under sub. (3) that exceeds \$1,000 for ~~a report made about any activity that results~~

15 ~~in a finding by a court of the commission of one or more violations by one or more~~
16 ~~persons.~~ *each violation committed by any one person.*

17 (7) The department may withhold any record under this section from
18 inspection or copying under s. 19.35.

19 (8) The department may solicit gifts, grants and bequests to support the
20 reward program under this section.

21 **SECTION 9336. Initial applicability; natural resources.**

22 (1) NATURAL RESOURCES LAW VIOLATION. The treatment of sections 20.370 (3) (a) ^u
23 and 23.38 (1) and (3) to (8) of the statutes first applies to information provided to the
24 department of natural resources on the effective date of this subsection.

25 (END)

*see
HARRIS*

D-Note

1. In accordance with your instructions, this draft changes the manner in which the \$1,000 limit is applied.

2. With regard to 5.23.38 (7), as created in this draft, please note that the records-access exemption as drafted is broad ^{in that it applies to all records.} Did you intend ~~to~~ to limit access to information about the ~~identity~~ identity of an informant or did you want to limit access to ^{all} records or did you want to limit access only to information about the ~~identity~~ ^{informant?} If your intention was to have a more limited exemption, please contact me and I will redraft accordingly.

RNK

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0710/2dn
RNK:kmg:jf

January 20, 1999

1. In accordance with your instructions, this draft changes the manner in which the \$1,000 limit is applied.

2. With regard to s. 23.38 (7), as created in this draft, please note that the records-access exemption as drafted is broad in that it applies to all records. Did you intend to limit access to all records or did you want to limit access only to information about the informant? If your intention was to have a more limited exemption, please contact me and I will redraft accordingly.

Robin N. Kite
Legislative Attorney
266-7291



(4002)
State of Wisconsin
1999 - 2000 LEGISLATURE

RMR 3
LRB-0710/2
RNK:kmg:jf

D-Note

DOA:.....Grinde - Natural resources law violation hotline

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

do not gen
1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

NATURAL RESOURCES

OTHER NATURAL RESOURCES

Under current law, the department of natural resources (DNR) maintains a toll-free telephone number at DNR headquarters to receive reports of violations of any statute, administrative rule or ordinance that DNR enforces or administers. DNR must relay these reports to the appropriate warden for investigation and enforcement action. This bill eliminates the requirement that the toll-free telephone number must be maintained by DNR at its headquarters. It also specifies those statutes, administrative rules and ordinances enforced by DNR that, if violated, may be reported over the toll-free telephone number.

The bill also requires DNR to establish and administer a program to pay rewards to individuals who provide information to DNR that leads to a finding by a court that an individual has committed a violation of one of the statutes, administrative rules or ordinances enforced by DNR. The bill authorizes the natural resources board to evaluate reward claims and determine whether, and in what amount, a reward will be paid.

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4 provide information to the department under the reward program established under
5 s. 23.38 (3).

 ****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

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7 23.38 (1) The department shall maintain a toll-free telephone number at
8 ~~department headquarters~~ to receive reports of violations of any statute ~~or~~
9 administrative rule ~~that the department enforces or administers~~ or ordinance
10 enumerated in s. 23.50 (1) or 29.921 (1). The department shall relay these reports
11 to the appropriate warden ~~or officer~~ for investigation and enforcement action. The
12 department shall publicize the toll-free telephone number as widely as possible in
13 the state.

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15 23.38 (3) The department shall establish and administer a program to pay
16 rewards to individuals who provide information to the department under sub. (1) or
17 by other means concerning the violation of any statute, administrative rule or
18 ordinance enumerated in s. 23.50 (1) or 29.921 (1). Under the program, the
19 department may offer and pay rewards from the appropriation under s. 20.370 (3)
20 (au) to informants who provide information that results in a finding by a court that

1 a violation of any statute, administrative rule or ordinance enumerated in s. 23.50
2 (1) or 29.921 (1) was committed.

3 (4) If an informant claims a reward, the natural resources board shall evaluate
4 the claim to determine if the department will pay a reward and, subject to sub. (6),
5 the amount of the reward. The board may apportion a reward among 2 or more
6 individuals. The offer of a reward under sub. (3) does not create any liability on the
7 department, the natural resources board or the state.

8 (5) If a report made under this section leads to a finding by a court that a
9 violation of any statute, administrative rule or ordinance enumerated in s. 23.50 (1)
10 or 29.921 (1) was committed by the person about whom the report was made, the
11 court may order that person to reimburse the department in an amount equal to any
12 reward paid under sub. (3) or in any other amount determined by the court.

13 (6) The department may not, without the consent of the governor, pay a reward
14 under sub. (3) that exceeds \$1,000 for each violation committed by any one person.

15 (7) The department may withhold any record under this section from
16 inspection or copying under s. 19.35.

17 (8) The department may solicit gifts, grants and bequests to support the
18 reward program under this section.

19 **SECTION 9336. Initial applicability; natural resources.**

20 (1) NATURAL RESOURCES LAW VIOLATION. The treatment of section ~~20.370~~ (31) (a)
21 ~~and~~ 23.38 (1) and (3) to (8) of the statutes first applies to information provided to the
22 department of natural resources on the effective date of this subsection.

23 (END)

LRB-0710/3 dn

RNK: jlg

D-Note

In this draft, I deleted the reference to s. 20.370(3)(au) in the initial applicability provision because it is unnecessary to specify the situation to which an appropriation first applies. This is the treatment of a technical change that does not affect the substance of the draft.

RNK

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0710/3dn
RNK:jlg:jf

January 27, 1999

In this draft, I deleted the reference to s. 20.370 (3) (au) in the initial applicability provision because it is unnecessary to specify the situation to which the treatment of an appropriation first applies. This is a technical change that does not affect the substance of the draft.

Robin N. Kite
Legislative Attorney
266-7291



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-0710/3
RNK:kmg:jf

DOA:.....Grinde - Natural resources law violation hotline

FOR 1999-01 BUDGET -- NOT READY FOR INTRODUCTION

1 **AN ACT ...; relating to:** the budget.

Analysis by the Legislative Reference Bureau

NATURAL RESOURCES

OTHER NATURAL RESOURCES

Under current law, the department of natural resources (DNR) maintains a toll-free telephone number at DNR headquarters to receive reports of violations of any statute, administrative rule or ordinance that DNR enforces or administers. DNR must relay these reports to the appropriate warden for investigation and enforcement action. This bill eliminates the requirement that the toll-free telephone number must be maintained by DNR at its headquarters. It also specifies those statutes, administrative rules and ordinances enforced by DNR that, if violated, may be reported over the toll-free telephone number.

The bill also requires DNR to establish and administer a program to pay rewards to individuals who provide information to DNR that leads to a finding by a court that an individual has committed a violation of one of the statutes, administrative rules or ordinances enforced by DNR. The bill authorizes the natural resources board to evaluate reward claims and determine whether, and in what amount, a reward will be paid.

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:

1 **SECTION 1.** 20.370 (3) (au) of the statutes is created to read:

2 20.370 (3) (au) *Natural resources law violation hotline.* All moneys received
3 from gifts, grants and bequests under s. 23.38 (8) to pay rewards to individuals who
4 provide information to the department under the reward program established under
5 s. 23.38 (3).

 ****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

6 **SECTION 2.** 23.38 (1) of the statutes is amended to read:

7 23.38 (1) The department shall maintain a toll-free telephone number at
8 ~~department headquarters~~ to receive reports of violations of any statute ~~or~~
9 ~~administrative rule that the department enforces or administers~~ or ordinance
10 enumerated in s. 23.50 (1) or 29.921 (1). The department shall relay these reports
11 to the appropriate warden ~~or officer~~ for investigation and enforcement action. The
12 department shall publicize the toll-free telephone number as widely as possible in
13 the state.

14 **SECTION 3.** 23.38 (3) to (8) of the statutes are created to read:

15 23.38 (3) The department shall establish and administer a program to pay
16 rewards to individuals who provide information to the department under sub. (1) or
17 by other means concerning the violation of any statute, administrative rule or
18 ordinance enumerated in s. 23.50 (1) or 29.921 (1). Under the program, the
19 department may offer and pay rewards from the appropriation under s. 20.370 (3)
20 (au) to informants who provide information that results in a finding by a court that

1 a violation of any statute, administrative rule or ordinance enumerated in s. 23.50
2 (1) or 29.921 (1) was committed.

3 (4) If an informant claims a reward, the natural resources board shall evaluate
4 the claim to determine if the department will pay a reward and, subject to sub. (6),
5 the amount of the reward. The board may apportion a reward among 2 or more
6 individuals. The offer of a reward under sub. (3) does not create any liability on the
7 department, the natural resources board or the state.

8 (5) If a report made under this section leads to a finding by a court that a
9 violation of any statute, administrative rule or ordinance enumerated in s. 23.50 (1)
10 or 29.921 (1) was committed by the person about whom the report was made, the
11 court may order that person to reimburse the department in an amount equal to any
12 reward paid under sub. (3) or in any other amount determined by the court.

13 (6) The department may not, without the consent of the governor, pay a reward
14 under sub. (3) that exceeds \$1,000 for each violation committed by any one person.

15 (7) The department may withhold any record under this section from
16 inspection or copying under s. 19.35.

17 (8) The department may solicit gifts, grants and bequests to support the
18 reward program under this section.

19 **SECTION 9336. Initial applicability; natural resources.**

20 (1) NATURAL RESOURCES LAW VIOLATION. The treatment of section 23.38 (1) and (3)
21 to (8) of the statutes first applies to information provided to the department of
22 natural resources on the effective date of this subsection.

23

(END)