

1999 DRAFTING REQUEST

Assembly Amendment (AA-AB133)

Received: 06/11/99

Received By: gibsom

Wanted: Soon

Identical to LRB:

For: Legislative Fiscal Bureau

By/Representing: Kava

This file may be shown to any legislator: NO

Drafter: gibsom

May Contact:

Alt. Drafters:

Subject: Nat. Res. - LWSR stewardship

Extra Copies: 1 PJK
1 RNK

Pre Topic:

LFB:.....Kava -

Topic:

Stewardship 2000

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 06/12/99	chanaman 06/13/99		_____			
/P1			haugca 06/14/99	_____	lrb_docadmin 06/14/99		
/1	gibsom 06/14/99	chanaman 06/14/99	mclark 06/15/99	_____	lrb_docadmin 06/15/99		
/2	gibsom 06/15/99	chanaman 06/15/99	jfrantze 06/15/99	_____	lrb_docadmin 06/15/99		

1999 DRAFTING REQUEST

Assembly Amendment (AA-AB133)

Received: **06/11/99**

Received By: **gibsom**

Wanted: **Soon**

Identical to LRB:

For: **Legislative Fiscal Bureau**

By/Representing: **Kava**

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

Drafter: **gibsom**

May Contact:

Alt. Drafters:

Subject: **Nat. Res. - LWSR stewardship**

Extra Copies: **1 PJK
1 RNK**

Pre Topic:

LFB:.....Kava -

Topic:

Stewardship 2000

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 06/12/99	chanaman 06/13/99		_____			
/P1			haugca 06/14/99	_____	lrb_docadmin 06/14/99		
/1	gibsom 06/14/99	chanaman 06/14/99	mclark 06/15/99	_____	lrb_docadmin 06/15/99		

FE Sent For:

cm 21
12
6/15
6/15
6/15
26/15
26/15
<END>
6/15

1999 DRAFTING REQUEST

Assembly Amendment (AA-AB133)

Received: 06/11/99

Received By: gibsom

Wanted: Soon

Identical to LRB:

For: Legislative Fiscal Bureau

By/Representing: Kava

This file may be shown to any legislator: NO

Drafter: gibsom

May Contact:

Alt. Drafters:

Subject: Nat. Res. - LWSR stewardship

Extra Copies: 1 PJK
1 RNK

Pre Topic:

LFB:.....Kava -

Topic:

Stewardship 2000

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 06/12/99	chanaman 06/13/99		_____			
/P1		1 CMM 6/14	haugca 06/14/99 MRS 6/14	_____	lrb_docadmin 06/14/99 MRE/KM 6/14		
FE Sent For:							

<END>

1999 DRAFTING REQUEST

Assembly Amendment (AA-AB133)

Received: 06/11/99

Received By: gibson

Wanted: Soon

Identical to LRB:

For: Legislative Fiscal Bureau

By/Representing: Kava

This file may be shown to any legislator: NO

Drafter: gibson

May Contact:

Alt. Drafters:

Subject: Nat. Res. - LWSR stewardship

Extra Copies: 1 PJK
1 RNK

Pre Topic:

LFB:.....Kava -

Topic:

Stewardship 2000

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>
1?	gibson	cmH 6/12 /P2	ch 6-13	SH 6-13 JS			

FE Sent For:

<END>

NATURAL RESOURCES -- STEWARDSHIP

Warren Knowles-Gaylord Nelson Stewardship 2000 Program

Motion:

Move to incorporate the following provisions into Assembly Bill 133 to create the Warren Knowles-Gaylord Nelson Stewardship 2000 program.

1. *Annual Overall Bonding Authority.* [LFB Paper #261] Adopt Alternative A3, which would allow the state to contract public debt in an amount not to exceed \$404 million for the Warren Knowles-Gaylord Nelson Stewardship 2000 program. Further, adopt Alternative B1, which would specify that the annual bonding authority be set at \$40.4 million per year from fiscal years 2000-01 to 2009-10.

2. *Payment of Debt Service from Conservation Fund.* Specify that the \$2 million annually provided from the forestry account of the conservation fund for payment of stewardship debt service under prior Committee action be ongoing (rather than one-time in the 1999-01 biennium).

3. *Categories.* [LFB Paper #262] Establish two categories under the stewardship program: (a) land acquisition, funded at \$31.0 million annually; and (b) property development, funded at \$9.4 million annually.

4. *Land Acquisition Category.* [LFB Summary Page 472-2 Item #3 and Papers 264 and 265] Specify that DNR and nonprofit conservation organizations (NCOs) would be eligible for funding under this category. Require that up to \$3 million from this category be spent on trails, incorporating the current trails and Ice Age Trail components of stewardship. Of the remaining funds, the following priorities within this category would be specified: (a) water resources, including the Lower Wisconsin State Riverway, wild lakes, wild rivers, Great Lakes shorelines and streambank protection; (b) habitat areas; (c) natural areas; (d) Great Lakes bluffs and the Middle Kettle Moraine; and (e) the Baraboo Hills. Specify that the Department can acquire Great Lakes bluff land outside of established project boundaries. (The Great Lakes bluffs and Baraboo Hills provisions would be in lieu of any of the alternatives in Papers #264 and #265.)

how
about
state
parks
etc.

5. *Property Development Category.* [LFB Summary Page 472-3 Item #4 and Papers #262, 263 and 269] Adopt Alternatives A4, B3 and C2 on Paper #263 to take no action on

consist of
brownfields, federal funding reallocation and other recreational projects provisions. Instead, require that up to \$8 million from this category be spent on assistance to local governments and NCOs, to include grants for urban rivers, urban green space, local park aids and a purchase of development rights program to be created by DNR. → grants to whom

At least \$1.4 million would be used by DNR and for grants to NCOs for property development. A priority would be set for funding not utilized for local assistance for the development of Milwaukee Lakeshore State Park. (The Milwaukee Lakeshore State Park provision would be in lieu of any alternative in Paper #269). Also, approve the Building Commission recommendation to allow DNR to use property development funding for conservation easements adjacent to DNR lands.

Require that funding in this category be used for nature-based outdoor recreation. Require DNR to promulgate in rule a definition for "nature-based outdoor recreation."

Approve the Building Commission's recommendation to extend current law provisions for the grant program for development on DNR properties to the reauthorized stewardship program and to specify that nonprofit conservation organizations would be made eligible for these grants. In addition, increase the amount allocated from property development funding for grants for friends groups and NCOs for development on DNR properties to \$250,000 (from \$200,000 under current law). Also, specify that friends groups have first draw on any funding provided.

6. *Transfer of Funding Between Fiscal Years.* [LFB Summary Page 472-7 Item #10] Specify that unspent bonding authority not used in one fiscal year is available for the same purpose in the next fiscal year and that DNR would have the authority to utilize funding from the succeeding fiscal year with the approval of the Natural Resources Board.

7. *Calculation of Grant Amounts.* [LFB Paper #267] Adopt alternatives 3 and 6, which specify that grants to local units of government and NCOs would be for up to 50% of the appraised value and certain other acquisition costs of property. In addition, require local units of government and NCOs to submit two appraisals for properties where the fair market value exceeds \$200,000. For property that has been owned by the seller for less than three years, grants to local units of government and NCOs would be limited to 50% of the seller's purchase price with an adjustment increase of 7.5% per year of ownership. → DNR ? tighten up current lang 50% w

8. *Prohibitions on Use of Funding.* [LFB Summary Page 472-9 Item #12] Approve the Building Commission's recommendation to prohibit DNR from obligating any money under stewardship for: (a) the acquisition of land for golf courses or for the development of golf courses; (b) the acquisition or development of land by a county or other local governmental unit or political subdivision if the land involved is acquired by condemnation; and (c) the acquisition by a municipality of land that is outside the boundaries of the municipality unless the municipality acquiring the land and the municipality in which the land is located approve the acquisition. Further, prohibit the use of stewardship funding from the property development

category for any purpose not related to nature-based outdoor recreation, as defined by DNR in rule.

9. *Review by the Joint Committee on Finance.* [LFB Paper #268] Adopt Alternative 2, which would maintain the current law provision that prohibits DNR from obligating funding from stewardship for a given project or activity of more than \$250,000 unless it receives approval from Joint Finance under a 14-day passive review process.

10. *Small-Group Participation.* Allow a group that is not qualified as a nonprofit under s. 501(c)(3) of the Internal Revenue Code to enter into a partnership with a qualified 501(c)(3) to apply one time for a stewardship grant of up to \$20,000 for habitat restoration and land acquisition. The qualified 501(c)(3) group would act as the fiscal agent for the grant and retain land rights.

NS
land acquisition

11. *Local Land Use Planning and Zoning.* Require the Department to promulgate rules that provide incentives under the reauthorized stewardship program for local units of government that submit projects that are consistent with a local or regional land use plan and zoning.

12. *Department Flexibility under Warren Knowles-Gaylord Nelson Stewardship Program.* Specify that if the Natural Resources Board determines that moneys appropriated under any of the categories of the current Warren Knowles-Gaylord Nelson stewardship program do not provide sufficient funding for an activity that is uniquely valuable in conserving natural resources, then the Board may authorize the Department to expend moneys from any of the categories for the project.

?

13. *Miscellaneous Provisions.* [LFB Summary Page 472-10 Item #15] Adopt the provisions recommended by the Building Commission in this summary item. Further, require DNR to provide a report to the Joint Committee on Finance and the Governor by December 31, 2004, that includes the following: (a) information about how changes in land prices have affected the ability to protect conservation lands between July 1, 2000, and the date of the report; and (b) a range of options to maintain or restore the purchasing power of the stewardship program.

Note:

[Change to Base: \$404,000,000 BR]
[Change to Bill: \$404,000,000 BR]

NATURAL RESOURCES -- STEWARDSHIP

Signage on Stewardship Lands

Motion:

Move to require DNR to provide signage on all parcels of land purchased with any stewardship dollars. Specify that the signs must be clearly visible to the general public at access points or along public transportation routes indicating that the land was purchased with stewardship dollars and is open to the public for appropriate uses as defined by DNR.

Note:

The Governor's Blue Ribbon Task Force on the Stewardship Program recommended that all properties acquired with stewardship funds that have public access should be identified by an adequate number of signs that notify the public that the property has been purchased in part with state funds and is available for public use, including the purposes for which it can be used.

MO#		
Burke	Y	N
Decker	Y	N
Jauch	Y	N ^(A)
Moore	Y	N
Shibilski	Y	N
Plache	Y	N
Cowles	Y	N
Panzer	Y	N
2Gard	Y	N
Porter	Y	N
Kaufert	Y	N
Albers	Y	N
Duff	Y	N
Ward	Y	N
Huber	Y	N
Riley	Y	N

P 15-0

NATURAL RESOURCES -- STEWARDSHIP

Root River Multi-Purpose Pathway Project

Motion:

Move to require DNR to provide \$500,000 from the stewardship program for the Root River Multi-Purpose Pathway Project in the City of Racine. Require the City to provide a match of at least 50% to receive the stewardship funding. Allow DNR to choose the stewardship categories from which funding will be provided.

out of either program

MO#	Y	N
ZBurke	Y	N
Decker	Y	N
Jauch	Y	N
Moore	Y	N
Shibilski	Y	N
Plache	Y	N
Cowles	Y	N
Panzer	Y	N
Gard	Y	N
Porter	Y	N
Kaufert	Y	N
Albers	Y	N
Duff	Y	N
Ward	Y	N
Huber	Y	N
Riley	Y	N

P 14-2

NATURAL RESOURCES -- STEWARDSHIP

Keyes Lake Recreational Area

Motion:

Move to require DNR to provide an amount up to \$100,000 from the stewardship program for development of the Keyes Lake Recreational Area in Florence County. Allow DNR to determine the categories of stewardship from which the funding is allocated.

expend

out of idher program

MO# 1342
Burke (X) N
Decker (X) N
Jauch (X) N
Moore (X) N
Shibilski (X) N
Plache (X) N
Cowles (X) N
Panzer (X) N

Gard (X) N
Porter (X) N
Kaufert (X) N
Albers (X) N
Duff (X) N
Ward (X) N
Huber (X) N
Riley (X) N

P 15-1

NATURAL RESOURCES -- STEWARDSHIP

Kickapoo Reserve Management Board Eligibility

Motion:

Move to specify that, under the reauthorized stewardship program, the Kickapoo Reserve Management Board be included as a local unit of government for purposes of grant eligibility.

MO#									
Burke		(Y)	(Y)						
Decker		(Y)	(Y)						
Jauch		(Y)	(Y)						
Moore		(X)	(X)						
Shibilski		(X)	(X)						
Plache		(Y)	(Y)						
Cowles		(Y)	(Y)						
Panzer		(Y)	(Y)						
² Gard		(Y)	(Y)						
Porter		(Y)	(Y)						
Kaufert		(X)	(X)						
Albers		(X)	(X)						
1 Duff		(X)	(X)						
Ward		(X)	(X)						
Huber		(X)	(X)						
Riley		(X)	(X)						

P 12-4

MISCELLANEOUS

Stewardship Funding for Fort Atkinson

Motion:

Move to require DNR to provide ^{\$96,500} \$193,000 from the urban rivers component of the Warren Knowles-Gaylord Nelson stewardship program or the local assistance portion of the Warren Knowles-Gaylord Nelson Stewardship 2000 program to the City of Fort Atkinson for the restoration of the Rock River riverwall.

Require local match (fr. amd.)

Note:

Under prior Committee action, shoreline enhancements are an eligible activity for urban river grant funding, with DNR directed to promulgate in rule those enhancement projects that are eligible for funding.

MO#		
Burke	Y	N
Decker	Y	N
Jauch	Y	N
Moore	Y	N
Shibilski	Y	N
Plache	Y	N
Cowles	Y	N
Panzer	Y	N
Gard	X	N
Porter	X	N
Kaufert	X	N
Albers	X	N
Duff	X	N
Ward	X	N
Huber	X	N
Riley	X	N

P 15-1

7. Considering the urgency of preserving irreplaceable land resources, at least 75% of Stewardship dollars should be allocated to the Land Heritage Fund, the other 25% to the Recreational Development and Habitat Restoration Fund.
8. The new program should encourage and facilitate innovative projects, partnerships, and land protection tools that are consistent with program goals and strategies.
9. There should be enough flexibility in administration of the program to act quickly and take advantage of opportunities for preservation of large, unique properties and large blocks of unfragmented habitat as they become available.
10. The Natural Resources Board should promulgate administrative rules that define outdoor recreational activities that are consistent with the new vision statement of the Stewardship Program and are eligible for funding.
11. Because water resources are a defining element of the State and a popular recreation destination under severe development pressure, the new Stewardship Program should place a premium on preservation of natural communities adjacent to Great Lakes shorelines, wild lakes, and river and stream corridors.
12. The cost of land should not be a deterrent from fully considering new and ongoing opportunities near heavily-populated areas.

The Department:

1. The Department should give priority to completing existing projects, including those in the current five-year plan; however, it should also investigate and establish new projects as appropriate.
2. The new program should allow the Department to develop buffer zones around selected Department projects to protect the State's investment in those projects from incompatible development. Land within a buffer zone could remain in private ownership, and easements or other land protection tools would be employed to ensure that the land is used for compatible purposes.

Partnerships:

1. Partnership and collaboration have been an important part of the current Stewardship Program. Such partnerships may be founded on agreements to take complementary actions or on actual sharing of project costs among partners. The Natural Resources Board should establish a policy strongly encouraging the Department to leverage funds with others where practicable and consistent with program priorities.
2. The new program should continue to provide grants to local units of government and nonprofit conservation organizations to leverage resources and enable them to assume greater responsibility for resource protection and outdoor recreation.
3. In order to maximize opportunities for public participation in the Stewardship Program, particularly by small groups doing locally important conservation projects, the new Program should have an option where a non-501(c)(3) group may enter into a partnership with a qualified 501(c)(3) organization in order to apply for a grant. The 501(c)(3) partner would be designated by the Department as the fiscal agent for the grant, and as such, would be responsible for the proper use of all project funds and for seeing that the conditions of the grant contract were met. Both habitat restoration and land acquisition projects would be grant eligible. Land rights purchased would be held by the 501(c)(3) organization with a reversion to the Department. Grants should be limited to no more than \$20,000, and a non-501(c)(3) group should be eligible for only one grant.
4. In the new program, the Department should have authority to develop administrative rules that provide incentives to local units of government to submit projects that are consistent with a local and/or regional land use plan and zoning.

15. MISCELLANEOUS PROVISIONS

Building Commission: Allow DNR and DATCP to promulgate emergency rules, without the finding of an emergency, to implement any provisions related to the Stewardship 2000 program if the rules are necessary for either Department to act as authorized under the program. Allow the emergency rules to remain in effect until June 30, 2001, or until the date any permanent rules take effect, whichever is sooner.

For the purposes of Stewardship 2000, define land to include land in fee simple, conservation easements, other easements in land and development rights in land.

Specify that the earmarks under the Warren Knowles-Gaylord Nelson stewardship program for the Henry Aaron State Park and Trail, the Flambeau Mine Trail, Horicon Marsh Interpretive Center and the Crex Meadows Wildlife Area do not expire in fiscal year 1999-00.

Specify that if there is any funding available in any of the components of the Warren Knowles-Gaylord Nelson stewardship program on July 1, 2000, DNR may expend it for the purposes of that component in one or more subsequent fiscal years.

Extend the current law provisions for the release of funding as a result of a donation of land to the Stewardship 2000 program.

Make technical changes where needed to differentiate between the Warren Knowles-Gaylord Nelson stewardship program and the Stewardship 2000 program.

[LRBb0044/1 Sections: 25 thru 33 and 35 thru 37]

NATURAL RESOURCES -- STEWARDSHIP

Hank Aaron State Trail

current program

Motion:

Move to require DNR to expend an additional \$670,000 from the Warren Knowles-Gaylord Nelson stewardship program (\$400,000 from urban rivers, \$200,000 from stream bank protection and \$70,000 from urban green space) for development of the Hank Aaron State Trail. Specify that the earmark does not expire in fiscal year 1999-00.

redraft into other "Hank Aaron"

Note:

Under current law, a total of \$690,000 must be expended on development of the trail from the habitat areas component of stewardship. In earlier Committee action, \$140,000 annually was provided from the parks account of the conservation fund for operation of the trail. The Department anticipates using the proposed funding for landscaping, riverbank habitat restoration, an interpretive and educational kiosk, trail development and other site amenities.

MO#		
1	Burke	Y N
	Decker	Y N
	Jauch	Y N
	Moore	Y N
	Shibitski	Y N
	Plache	Y N
	Cowles	Y N
	Panzer	Y N
2	Gard	Y N
	Porter	Y N
	Kaufert	Y N
	Albers	Y N
	Duff	Y N
	Ward	Y N
	Huber	Y N
	Riley	Y N

P 16-0

Not Res LWSR stew B

Kava

Representative Ward

NATURAL RESOURCES -- STEWARDSHIP

Funding for Shoreline Enhancements

Motion:

Move to specify that shoreline enhancements are an eligible activity for urban rivers grant funding. Direct DNR to promulgate rule.

↑
Fr. Amnd. } as to what one is

Note:

Currently, urban rivers grants may only be provided for the acquisition of land. Under administrative rule, development, maintenance and operations costs are not eligible for grant assistance. Under current law rule-making authority for the program, the Department would be able to specify in rule the types of enhancements eligible for funding.

MO#			
Burke	Y	Y	N
Decker	Y	Y	N
Jauch	Y	Y	N
Moore	Y	Y	N
Shibilski	Y	N	N
Plache	Y	Y	N
Cowles	Y	N	N
Panzer	Y	N	N
Gard	Y	Y	N
Porter	Y	Y	N
Kaufert	Y	Y	N
Albers	Y	Y	N
Duff	Y	Y	N
Ward	Y	Y	N
Huber	Y	Y	N
Riley	Y	Y	N

P 14-2



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-3195/Pa
MGG:cmh:ch&jf

Re RMB

noon

but RMB not
R
on 60671

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

WPOS / front office -
Call me at home
when this done.
I am not here
~~Handwritten scribbles~~

1 AN ACT relating s-Gaylord Nelson
2 stewardship 2000 pr Nelson stewardship
3 program, granting rule-making authority and making an appropriation.

Analysis by the Legislative Reference Bureau

This is a preliminary draft. It will be converted to a fiscal bureau budget amendment in a later version.

Page 402, line 13: substitute "23,0918" for "23,0917".

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

Page 407, line 18: after that line insert:

4 SECTION 20.370 (7) (aa) of the statutes, as affected by 1997 Wisconsin Act 27,
(333p)Ⓟ
5 is amended to read:

6 20.370 (7) (aa) Resource acquisition and development — principal repayment
7 and interest. A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of
8 principal and interest costs incurred in financing the placement of structures and fill
9 under s. 30.203, in financing the acquisition, construction, development,

Section 412,

SECTION 1

1 enlargement or improvement of state recreation facilities under s. 20.866 (2) (tp) and
2 (tr), in financing state aids for land acquisition and development of local parks under
3 s. 20.866 (2) (tq), in financing land acquisition activities under s. 20.866 (2) (ts) and
4 (tt), in financing the aid program for dams under s. 20.866 (2) (tx), in financing ice
5 age trail development under s. 20.866 (2) (tw) and, in funding financing the Warren
6 Knowles-Gaylord Nelson stewardship program under s. 20.866 (2) (tz) and in
7 financing the Warren Knowles-Gaylord Nelson stewardship 2000 program under s.

8 20.866 (2) (ta), but not including payments made under sub. (7) ^{course} (ac) and (au)

Page 474, line 19: after that line insert:

9 " SECTION ⁽²⁾ 20.866 (2) (ta) of the statutes is created to read:

INSERT
2-8

10 20.866 (2) (ta) Natural resources; Warren Knowles-Gaylord Nelson

11 stewardship 2000 program. From the capital improvement fund a sum sufficient for

IWS
2-9

12 the Warren Knowles-Gaylord Nelson stewardship 2000 program under s. 23.0917.

13 The state may contract public debt in an amount not to exceed \$404,000,000 for this

14 program. Except as provided in s. 23.0917 (5), the amounts obligated, as defined in

15 s. 23.0917 (1) (e), under this paragraph may not exceed \$40,400,000 in each fiscal

16 year. ¹¹ ² ² Page 476, line 8: after that line insert:

17 " SECTION ⁽²⁾ 20.866 (2) (tz) of the statutes is amended to read:

18 20.866 (2) (tz) Natural resources; Warren Knowles-Gaylord Nelson

19 stewardship program. From the capital improvement fund a sum sufficient for the

20 purposes specified in s. 23.0915 (1). The state may contract public debt in an amount

21 not to exceed \$231,000,000 for this purpose. Except as provided in s. 23.0915 (2), the

22 amounts expended under this paragraph and the amounts received and expended

23 by the state for land acquisition under 16 USC 669 669i, 777 777i and

24 460L 460L 22 may not exceed \$25,000,000 in each fiscal year."

Page 483, line 25: after that line insert:

25 " SECTION ⁽²⁾ 23.09 (2) (d) 6. of the statutes is amended to read:

INS 2-24

658 m
B

Page 484, line 4: after that line insert.

1 23.09 (2) (d) 6. For preservation of any endangered species defined in or
2 threatened species under s. 29.604 (2). "

INS 3-2

3 SECTION 659 23.09 (2dm) (b) of the statutes is amended to read:

4 23.09 (2dm) (b) The department shall allocate at least \$1,720,000 of the
5 moneys appropriated under s. 20.866 (2) (tz) in each fiscal year for the acquisition
6 of lands within the boundaries of projects established after January 1, 1988. This
7 paragraph does not apply after June 30, 2000."

Page 484, line 16: after that line insert:

8 SECTION 659 23.09 (2p) (b) of the statutes is amended to read:

9 23.09 (2p) (b) Beginning July 1, 1990, and ~~except~~ Except as provided in par.
10 (c), an amount of money equal to the value of the donation under par. (a) shall be
11 released from the appropriation under s. 20.866 (2) (ta) or (tz) or both to be used for
12 land acquisition activities for the same project for which any donation was made on
13 or after August 9, 1989. The department shall determine how the moneys being
14 released are to be allocated from these appropriations. This paragraph does not
15 apply to transfers of land from agencies other than the department.

16 SECTION 659 23.09 (2p) (c) of the statutes is renumbered 23.09 (2p) (c) 1. and
17 amended to read:

18 23.09 (2p) (c) 1. If the moneys ~~to be released~~ allocated under par. (b) for release
19 from the appropriation under s. 20.866 (2) (tz) to match a donation under par. (b) will
20 exceed the expenditure limit under sub. (2r) for a given fiscal year, as adjusted under
21 s. 23.0915 (2), the department shall release from the moneys appropriated under s.
22 20.866 (2) (tz) the remaining amount available under the expenditure limit under
23 sub. (2r), as adjusted under s. 23.0915 (2) and after deducting the allocation under
24 sub. (2dm) (b), for the given fiscal year and shall release in each following fiscal year
25 from the moneys appropriated under s. 20.866 (2) (tz) an amount equal to the

SECTION 659 CR; 23.09 (2) (d) 16.
23.09 (2) (d) 16. For bluff ~~erosion~~ erosion under s. 30.24. *bluff protection*

SECTION 7

1 expenditure limit under sub. (2r), as adjusted under s. 23.0915 (2) and after
 2 deducting the allocation under sub. (2dm) (b), or equal to the amount still needed to
 3 match the donation, whichever is less, until the entire amount necessary to match
 4 the donation is released. This subdivision does not apply after June 30, 2000.

5 ^{6614 } (B)}
 SECTION 8 23.09 (2p) (c) 2. of the statutes is created to read:

6 23.09 (2p) (c) 2. If the moneys allocated under par. (b) for release from the
 7 appropriation under s. 20.866 (2) (ta) to match a donation under par. (b) will exceed
 8 the annual bonding authority for the subprogram under s. 23.0917 (3) for a given
 9 fiscal year, as adjusted under s. 23.0917 (5), the department shall release from the
 10 moneys appropriated under s. 20.866 (2) (ta) the remaining amount available under
 11 that annual bonding authority, as adjusted under s. 23.0917 (5), for the given fiscal
 12 year and shall release in each following fiscal year from the moneys appropriated
 13 under s. 20.866 (2) (ta) an amount equal to that annual bonding authority, as
 14 adjusted under s. 23.0917 (5), or equal to the amount still needed to match the
 15 donation, whichever is less, until the entire amount necessary to match the donation
 16 is released.

17 ^{6614 } B}
 SECTION 9 23.09 (19) (a) 2. of the statutes is amended to read:

18 23.09 (19) (a) 2. "~~Local~~ governmental Governmental unit" means a city, village,
 19 town, county, lake sanitary district, as defined in s. 30.50 (4q), ~~or~~ public inland lake
 20 protection and rehabilitation district or the Kickapoo reserve management board.

21 ^{6614 } (B)}
 SECTION 10 23.09 (19) (b) of the statutes is amended to read:

22 23.09 (19) (b) Any ~~local~~ governmental unit may apply for state aid for the
 23 acquisition of lands and rights in lands for urban green space. Each application shall
 24 include a comprehensive description of the proposal for urban green space

1 acquisition, plans for development and management of the land and any other
2 information required by the department.

3 SECTION ^{661K } (B)} ~~11~~ 23.09 (19) (d) of the statutes is amended to read: strike
↓

4 23.09 (19) (d) Grants under this subsection shall be for up to 50% of the ~~cost~~
5 acquisition costs of ~~of acquiring~~ the land or the rights in land for the urban green space. The local
6 governmental unit is responsible for the remainder of the acquisition ~~cost~~. costs

7 SECTION ^{661L } (B)} ~~12~~ 23.09 (19) (e) of the statutes is amended to read:

8 23.09 (19) (e) As part of its approval of a grant, the department shall specify
9 for which of the purposes listed in par. (c) the local governmental unit may use the
10 land or the rights in the land acquired with the grant. The local governmental unit
11 may not convert the land or the rights in the land acquired under this subsection to
12 a use that is inconsistent with the uses as approved by the department.

13 SECTION ^{661M } (B)} ~~13~~ 23.09 (19) (f) of the statutes is ^{renumbered 23.09(19)(f) 1.} ~~amended~~ to read: and

14 23.09 (19) (f) ^{1.} ~~Title~~ Except as provided in subd. 2., title to land or to rights in land acquired under this subsection
15 shall vest in the local governmental unit. ← 15
INSERT 5-B

16 SECTION ^{661P } (B)} ~~14~~ 23.09 (19) (h) of the statutes is amended to read:

17 23.09 (19) (h) The department may not approve a grant under this subsection
18 unless the urban green space is identified in any master plan that the local
19 governmental unit may have.

20 SECTION ^{661R } (B)} ~~15~~ 23.09 (19) (j) of the statutes is amended to read:

21 23.09 (19) (j) Any local governmental unit that acquires an area for gardening
22 with a grant under this subsection may charge fees for use of the garden that are
23 sufficient to recover the costs of maintaining the area. The local governmental unit
24 may reduce or waive any fee charged based on the user's inability to pay.

25 SECTION ^{661S } (B)} ~~16~~ 23.09 (19) (k) of the statutes is amended to read:

w.p.v.
please
fix
comment

SECTION 16

1 23.09 (19) (k) Except as provided in s. 23.0915 (2), the department may not
2 expend from the appropriation under s. 20.866 (2) (tz) more than \$750,000 in each
3 fiscal year for urban green space under this subsection and for grants for urban green
4 space under s. 23.096.

INSERT
6-4

5 SECTION 17 ^{D E 6614} 23.09 (20) (a) of the statutes is renumbered 23.09 (20) (am) and
6 amended to read:

7 23.09 (20) (am) Any city, village, town or county governmental unit may apply
8 for state aids for the acquisition and development of recreational lands and rights in
9 lands. State aids received by a city, village, town or county ^{municipality} shall be used for the
10 development of its park system in accordance with priorities based on comprehensive
11 plans submitted with the application and consistent with the outdoor recreation
12 program under s. 23.30. The An application under this subsection shall be made in
13 the manner the department prescribes.

14 SECTION 18 ^{B E 6614} 23.09 (20) (ab) of the statutes is created to read:

15 23.09 (20) (ab) In this subsection, ^{§ 1.} "governmental unit" means a city, village,
16 municipality, ~~town, county,~~ or the Kickapoo reserve management board.

17 SECTION 19 ^{B E 6614} 23.09 (20) (b) of the statutes is amended to read:

18 23.09 (20) (b) State aid under this subsection is limited to no more than 50%
19 of the cost of acquiring and developing ^{acquisition costs} ~~cost of acquiring and developing~~ recreation lands and other outdoor recreation
20 facilities. Costs associated with operation and maintenance of parks and other
21 outdoor recreational facilities established under this subsection are not eligible for
22 state aid. Administrative costs of acquiring lands or land rights are not included in
23 the cost of land ^{acquisition costs} eligible for state aid under this subsection. Title to lands or rights
24 in lands acquired ^{by a municipality} under this subsection shall vest in the local unit of government
25 municipality ~~governmental unit~~ but such land shall not be converted to uses inconsistent with

2. "Municipality" means a city, village, town or county.

1 this subsection without prior approval of the state and proceeds from the sale or other
2 disposal of such lands shall be used to promote the objectives of this subsection.

3 SECTION 20. 23.09 (20) (d) of the statutes is amended to read:

4 23.09 (20) (d) Except as provided in s. 23.0915 (2), the department may not
5 expend from the appropriation under s. 20.866 (2) (tz) more than \$2,250,000 each
6 fiscal year for local park aids under this subsection and for grants for this purpose
7 under s. 23.096.

8 SECTION 21. 23.09 (20m) of the statutes is created to read:

9 23.09 (20m) GRANTS FOR ACQUISITION OF DEVELOPMENT RIGHTS. (a) In this
10 subsection:

11 1. "Governmental unit" means a city, village, town, county or the Kickapoo
12 reserve management board.

13 2. "Nature-based outdoor recreation" has the meaning given by the
14 department by rule under s. 23.0917 (4) (f).

15 3. "Nonprofit conservation organization" has the meaning given in s. 23.0955
16 (1).

17 (b) The department shall establish a program to award grants from the
18 appropriation under s. 20.866 (2) (ta) to governmental units and nonprofit
19 conservation organizations to acquire development rights in land for nature-based
20 outdoor recreation. The grants shall be limited to no more than 50% of the ~~cost~~ of
21 ~~acquiring~~ ^{acquisition costs of} the development rights.

22 SECTION 22. 23.0915 (1) (intro.) of the statutes is amended to read:

23 23.0915 (1) DESIGNATED AMOUNTS. (intro.) The legislature intends that the
24 department will expend the following designated amounts under the Warren
25 Knowles-Gaylord Nelson stewardship program from the appropriation under s.

. Page 485, Line 3; delete lines 3 to 13 and substitute:

← INSERT
7-7

661 x 2 B

663 b B

1 20.866 (2) (tz) for the following purposes in each fiscal year, the expenditures
2 beginning with fiscal year 1990-91 and ending in fiscal year 1999-2000, except as
3 provided in pars. (L), (Lg), (Lr), (m) and (n) sub. (2c):

w.p.o.
phase 4
first
component

^B 6630 RPi
SECTION 23. 23.0915 (1) (L) of the statutes is amended to read:

~~23.0915 (1) (L) Henry Aaron state park State Park a total of \$400,000 to be
expended during a period beginning on August 15, 1991, and ending on June 30,
2000.~~

^B 6631
SECTION 24. 23.0915 (1) (Lg) of the statutes is amended to read:

23.0915 (1) (Lg) Henry Aaron State Park Trail, a total of ~~\$290,000~~, to be
~~expended beginning in fiscal year 1997-98 and ending in fiscal year 1999-2000.~~ ^{\$1,360,000}

^B 6632
SECTION 25. 23.0915 (1) (Lr) of the statutes is amended to read:

23.0915 (1) (Lr) Flambeau Mine Trail, a total of \$100,000, to be expended
beginning in fiscal year 1997-98 and ending in fiscal year 1999-2000.

^B 6633
SECTION 26. 23.0915 (1) (m) of the statutes is amended to read:

23.0915 (1) (m) Horicon ~~marsh~~ Marsh interpretative center, a total of \$250,000,
to be expended beginning in fiscal year 1991-92 and ending in fiscal year 1999-2000.

^B 6634
SECTION 27. 23.0915 (1) (n) of the statutes is amended to read:

23.0915 (1) (n) Crex Meadows Wildlife Area education center, a total of
\$250,000, to be expended beginning in fiscal year 1997-98 and ending in fiscal year
1999-2000.

^B 6635
SECTION 28. 23.0915 (2) (a) of the statutes is amended to read:

23.0915 (2) (a) Beginning with fiscal year 1990-91, if the department expends
in a given fiscal year an amount from the moneys appropriated under s. 20.866 (2)
(tz) for a purpose under sub. (1) (a) or (c) to (k) that is less than the amount designated
for that purpose for that given fiscal year under sub. (1) (a) or (c) to (k), the

1 department may adjust the expenditure limit under the Warren Knowles-Gaylord
2 Nelson stewardship program for that purpose by raising the expenditure limit, as it
3 may have been previously adjusted under this paragraph and par. (b), for the next
4 fiscal year by the amount that equals the difference between the amount designated
5 for that purpose and the amount expended for that purpose in that given fiscal year.

6 ^{(663L) (B)}
SECTION 29. 23.0915 (2) (b) of the statutes is amended to read:

7 23.0915 (2) (b) Beginning with fiscal year 1990-91, if the department expends
8 in a given fiscal year an amount from the moneys appropriated under s. 20.866 (2)
9 (tz) for a purpose under sub. (1) (a) or (c) to (k) that is more than the amount
10 designated for that purpose for that given fiscal year under sub. (1) (a) or (c) to (k),
11 the department shall adjust the expenditure limit under the Warren
12 Knowles-Gaylord Nelson stewardship program for that purpose by lowering the
13 expenditure limit, as it may have been previously adjusted under this paragraph and
14 par. (a), for the next fiscal year by an amount equal to the remainder calculated by
15 subtracting the amount designated for that purpose from the amount expended, as
16 it may be affected under par. (c) or (d), for that purpose in that given fiscal year.

17 ^{(663J) (B)}
SECTION 30. 23.0915 (2) (e) of the statutes is created to read:

18 23.0915 (2) (e) Paragraphs (a) to (d) do not apply after June 30, 2000.

19 ^{(663K) (B)}
SECTION 31. 23.0915 (2c) of the statutes is created to read:

20 23.0915 (2c) EXPENDITURES AFTER JUNE 30, 2000. (a) In this subsection:

- 21 1. "Commit for expenditure" means to encumber ^{not CLS} or otherwise commit or to
22 expend without having previously encumbered or otherwise committed.
23 2. "Moneys available for expenditure" means moneys that have not been
24 committed for expenditure.

SECTION 31

1 (b) If the amount of moneys available for expenditure for a purpose under sub.
2 (1) (a) to ~~(k)~~ ^(m) on July 1, 2000, is greater than zero, the department may expend for that
3 purpose any portion of or all of the moneys available for expenditure in one or more
4 subsequent fiscal years.

5 (c) If the amount of moneys available for expenditure for a purpose under sub.
6 (1) (a) to ~~(k)~~ ^(a) on July 1, 2000, is not sufficient for ^a given project or activity and if the
7 project or activity is uniquely valuable in conserving the natural resources of the
8 state, the department may expend for that project or activity moneys that are
9 designated for any of the purposes under sub. (1) (a) to (k) in one or more subsequent
10 years.

11 **SECTION 32.** ^{663L (B)} 23.0915 (2j) (a) of the statutes is amended to read:

12 23.0915 (2j) (a) From the moneys appropriated under s. 20.866 (2) (tz), before
13 June 30, 2000, the department shall expend \$100,000 for the Flambeau Mine Trail
14 and Rusk County visitor center. ^{INS}

15 **SECTION 33.** 23.0915 (2m) (a) of the statutes is amended to read:

16 23.0915 (2m) (a) From the moneys appropriated under s. 20.866 (2) (tz), the
17 department shall set aside for the period of time specified in sub. (1) (L) ~~\$400,000~~
18 be used only for the development of a state ^{trail} park to be located in the Menomonee
19 valley in the city of Milwaukee and to be designated as the Henry Aaron State Park. ^{Trail}

20 **SECTION 34.** 23.0915 (2m) (e) of the statutes is amended to read:

21 23.0915 (2m) (e) From the moneys appropriated under s. 20.866 (2) (tz), the
22 department shall set aside for the period of time specified in sub. (1) (Lg) ~~\$200,000~~
23 for the ^{Hank} Henry Aaron State Park Trail in the Henry Aaron State Park.

24 **SECTION 35.** ^{663S (B)} 23.0915 (3) (a) of the statutes is amended to read:

^{INS}
10-23

1 23.0915 (3) (a) From the moneys appropriated under s. 20.866 (2) (tz), the
2 department shall set aside during fiscal year 1991–92 for the period of time specified
3 ~~in sub. (1) (m)~~ \$250,000 for a project to develop a vacant building to be used as an
4 interpretative and administrative center for the Horicon ~~marsh~~ Marsh area.
5 Expenditures under this paragraph shall be made in a manner that, for every \$3
6 received by the department from private grants, gifts or bequests for the project, \$1
7 will be expended from the moneys under this paragraph.

8 ~~SECTION 36.~~ ^{6637 (B)} 23.0915 (3m) (a) of the statutes is amended to read:

9 23.0915 (3m) (a) From the moneys appropriated under s. 20.866 (2) (tz), the
10 department shall set aside during fiscal year 1997–98 for the period of time specified
11 ~~in sub. (1) (n)~~ \$250,000 for a project to construct and equip a wildlife education center
12 for Crex Meadows Wildlife Area. Expenditures under this paragraph shall be made
13 in a manner that, for every \$3 received by the department from private grants, gifts
14 or bequests for the project, \$1 will be expended from the moneys under this
15 paragraph.

16 ~~SECTION 37.~~ ^{6634 (B)} 23.0917 of the statutes is created to read:

17 **23.0917 Warren Knowles–Gaylord Nelson stewardship 2000 program.**

18 (1) DEFINITIONS. In this section:

19 (a) “Annual bonding authority” means the amount that may be obligated under
20 a subprogram for a fiscal year.

21 (b) “Baraboo Hills” means the area that is within the boundaries of Baraboo
22 Range National Natural Landmark.

23 (c) “Department land” means an area of land that is owned by the state, that
24 is under the jurisdiction of the department and that is used for one of the purposes
25 specified in s. 23.09 (2d).

1 (d) "Land" means land in fee simple, conservation easements, other easements
2 in land and development rights in land.

3 (e) "Obligate" means to encumber or otherwise commit or to expend without
4 having previously encumbered or otherwise committed.

5 ^(f) (g) ~~(f)~~ "Remaining bonding authority" means the amount of moneys that has not
6 been obligated.

7 (2) ESTABLISHMENT. (a) The department shall establish the following
8 subprograms for conservation and recreational purposes under the Warren
9 Knowles-Gaylord Nelson stewardship 2000 program:

- 10 1. A subprogram for land acquisition purposes.
- 11 2. A subprogram for property development and local assistance.

12 (b) No moneys may be obligated from the appropriation under s. 20.866 (2) (ta)
13 before July 1, 2000.

14 (3) LAND ACQUISITION SUBPROGRAM. (a) Beginning with fiscal year 2000-01 and
15 ending with fiscal year 2009-10, the department may obligate moneys under the
16 subprogram for land acquisition to acquire land for ^{the purposes specified} ~~recreational and conservation~~
17 ~~purposes~~ ^{in s. 23.09(2)(d)}

18 (b) The purposes for which moneys may be obligated under the subprogram for
19 land acquisition shall include all of the following:

- 20 1. Acquisition of land for state forests, state parks, state shooting, trapping or
21 fishing grounds or waters, state fish hatcheries, state forest nurseries or
22 experimental stations, state recreation areas, state wildlife areas and state natural
23 resources areas.

- 24 2. Acquisition of land for state trails and for grants for state trails under s.
25 23.096.

"Owner's acquisition price" equals the price the owner paid for the land or if the owner acquired the land as gift or bequest, the fair market appraised value of the land at the time it was transferred to the owner.

****NOTE: I changed this language to limit it to state trails since that is how DNR has interpreted s. 23.175. OK?

1 3. Acquisition of land for the ice age trail under ss. 23.17 and 23.293 and for
2 grants for the ice age trail under s. 23.096.

3 4. Acquisition of land to preserve any endangered species or threatened species
4 under s. 29.604.

5 5. Acquisition of land in and for the Lower Wisconsin State Riverway.

6 ~~6. Acquisition of land for natural areas under ss. 23.27 and 23.29 and for grants~~
7 ~~for these acquisitions under s. 23.096.~~

8 *Acquisition of land*
9 ~~6. For habitat areas and fisheries under s. 23.092 and for grants for habitat~~
10 ~~areas and fisheries under s. 23.096.~~

11 *Acquisition of land*
12 ~~3. For the stream bank protection program under s. 23.094 and for grants under~~
13 ~~the program under s. 23.096.~~

14 *Acquisition of land*
15 ~~4. For bluff protection under s. 30.24 and for grants for bluff protection under~~
16 ~~s. 23.096.~~

17 (b) (c) In obligating moneys under the subprogram for land acquisition, the
18 department shall set aside in each fiscal year \$3,000,000 that may be obligated only
19 for the purposes specified in par. (c) 2 ~~and~~. The period of time during which the
20 moneys shall be set aside in each fiscal year shall begin on the July 1 of the fiscal year
21 and end on the June 30 of the same fiscal year.

22 (c) ~~3~~ In obligating moneys under the subprogram for land acquisition, the
23 department shall give priority to the purposes specified in par. (b) 6, 7, 8, and 9, and
24 to all of the following purposes: *and to awarding grants under s. 23.096 for all the following purposes*

25 5. Acquisition of land that preserves or enhances the state's water resources,
26 including land in and for the Lower Wisconsin State Riverway; land abutting wild

trails and the ice age trails

1 rivers designated under s. 30.26, wild lakes ~~or wilderness lakes~~ and land along the
2 shores of the Great Lakes.

3 ~~6~~ ~~5.12~~ Acquisition of land in the middle Kettle Moraine.

~~****NOTE: Is this reference precise enough?~~

4 ~~7~~ ~~12.14~~ Acquisition of land in the Baraboo Hills for conservation purposes.

~~****NOTE: I limited this to conservation purposes. OK?~~

5 (d) ~~☐~~ Except as provided in sub. (5), the department may not obligate under the
6 subprogram for land acquisition more than \$31,000,000 in each fiscal year.

7 (e) ~~☐~~ For purposes of this subsection, the department by rule shall define "wild
8 lake" ~~and "wilderness lake"~~.

~~****NOTE: There is a difference between "wild lakes" and "wilderness lakes" under
DNR rules. See NR 44.06. I assumed the intent was to include both.~~

9 (4) PROPERTY DEVELOPMENT AND LOCAL ~~ASSISTANCE~~ ^{ASSISTANCE} SUBPROGRAM. (a) Beginning with
10 fiscal year 2000–01 and ending with fiscal year 2009–10, the department may
11 obligate moneys under the subprogram for property development and local
12 assistance. Moneys obligated under this subprogram may be only used for
13 nature-based outdoor recreation.

14 (b) The purposes for which moneys may be obligated under the subprogram for
15 property development and local assistance are the following:

- 16 1. Grants for urban green space under ss. 23.09 (19) and 23.096.
- 17 2. Grants for local parks under ss. 23.09 (20) and 23.096.
- 18 3. Grants for acquisition of property development rights under ss. 23.09 (20m)
19 and 23.096.
- 20 4. Grants for urban rivers under ss. 23.096 and 30.277.

1 (c) The purposes for which moneys may be obligated for property development
2 under the subprogram for property development and local assistance are the
3 following:

- 4 1. Development of department lands.
- 5 2. Development on conservation easements adjacent to department lands.
- 6 3. Grants under s. 23.098.

7 (d) In obligating moneys under the subprogram for property development and
8 local assistance, all of the following shall apply:

- 9 1. The department may obligate not more than \$9,400,000 in each fiscal year
10 under the subprogram except as provided in sub. (5).
- 11 2. The department may obligate not more than \$8,000,000 in each fiscal year
12 for local assistance.
- 13 3. The department shall obligate at least \$1,400,000 in each fiscal year for
14 property development.

15 *****NOTE: Note that the \$8,000,000 ceiling and \$1,400,000 floor are not adjustable
16 under s. 23.091(5).**

17 (e) Under the subprogram for property development and local assistance, the
18 department shall give priority to funding for the establishment and development of
19 a state park which provides access to Lake Michigan in the city of Milwaukee.

20 (f) For purposes of this subsection, the department by rule shall define
21 “nature-based outdoor recreation”.

22 (5) ADJUSTMENTS FOR SUBSEQUENT FISCAL YEARS. (a) If for a given fiscal year the
23 department obligates an amount from the moneys appropriated under s. 20.866 (2)
(ta) for a subprogram under sub. (3) or (4) that is less than the annual bonding
authority for that subprogram for that given fiscal year, the department shall adjust

1 the annual bonding authority for that subprogram by raising the annual bonding
2 authority, as it may have been previously adjusted under this paragraph and par. (b),
3 for the next fiscal year by the amount that equals the difference between the amount
4 authorized for that subprogram and the obligated amount for that subprogram in
5 that given fiscal year.

6 (b) If for a given fiscal year the department obligates an amount from the
7 moneys appropriated under s. 20.866 (2) (ta) for a subprogram under sub. (3) or (4)
8 that is more than the annual bonding authority for that subprogram for that given
9 fiscal year, the department shall adjust the annual bonding authority for that
10 subprogram by lowering the annual bonding authority, as it may have been
11 previously adjusted under this paragraph and par. (a), for the next fiscal year by an
12 amount equal to the remainder calculated by subtracting the amount authorized for
13 that subprogram from the obligated amount, as it may be affected under par. (c) or
14 (d), for that subprogram in that given fiscal year.

15 (c) The department may not obligate for a fiscal year an amount from the
16 moneys appropriated under s. 20.866 (2) (ta) for a subprogram under sub. (3) or (4)
17 that exceeds the amount equal to the annual bonding authority for that subprogram
18 as it may have been previously adjusted under pars. (a) and (b), except as provided
19 in par. (d).

20 (d) For a given fiscal year, in addition to obligating the amount of the annual
21 bonding authority for a subprogram under sub. (3) or (4), or the amount equal to the
22 annual bonding authority for that subprogram, as adjusted under pars. (a) and (b),
23 whichever amount is applicable, the department may also obligate for that
24 subprogram up to 100% of the annual bonding authority for that subprogram for that

1 given fiscal year for a project or activity if the natural resources board determines
2 that all of the following conditions apply:

3 1. That moneys appropriated for that subprogram to the department under s.
4 20.370 and the moneys appropriated for that subprogram under s. 20.866 (2) (ta), (tp)
5 to (tw), (ty) and (tz) do not provide sufficient funding for the project or activity.

6 2. That the land involved in the project or activity covers a large area or the land
7 is uniquely valuable in conserving the natural resources of the state.

8 3. That delaying or deferring all or part of the cost to a subsequent fiscal year
9 is not reasonably possible.

10 (6) REVIEW BY JOINT COMMITTEE ON FINANCE. The department may not obligate
11 from the appropriation under s. 20.866 (2) (ta) for a given project or activity more
12 than \$250,000 unless it first notifies the joint committee on finance in writing of the
13 proposal. If the cochairpersons of the committee do not notify the department within
14 14 working days after the date of the department's notification that the committee
15 has scheduled a meeting to review the proposal, the department may obligate the
16 moneys. If, within 14 working days after the date of the notification by the
17 department, the cochairpersons of the committee notify the department that the
18 committee has scheduled a meeting to review the proposal, the department may
19 obligate the moneys only upon approval of the committee.

20 (7) CALCULATION OF GRANT AMOUNTS. (a) Except as provided in pars. (b) and (c),
21 for purposes of calculating the ^{acquisition costs} ~~50% matching requirement~~ for acquisition of land
22 under ss. 23.09 (19), (20) and (20m), 23.092 (4), 23.094 (3g), 23.096, 30.24 (4) and
23 30.277, ^{acquisition costs} the ~~matching requirement~~ shall equal ^{50%} ~~50%~~ of the sum of the land's current
24 ^{market} appraised value and ^{other acquisition costs} ~~the~~ costs incurred in transferring the land ^{as determined} by rule by ^{the department}

***NOTE: This subsection will apply to both stewardship programs. OK?

from the appropriations under s. 20.866 (2) (ta) or (tz)

SECTION 37

1 *acquisition costs of the land shall*
 (b) For land that has been owned by the current owner for less than one year,
 2 the calculation of the ~~50%~~ shall equal ~~50%~~ of the land's ~~appraised value~~ *price* at the time
 3 it was transferred to the current owner. *the amount that amount paid for the land*

4 (c) For land that has been owned by the current owner for one year or more but
 5 for less than 3 years, the calculation of the ~~matching requirement~~ *acquisition costs of the land* shall equal ~~50%~~
 6 *current owner's acquisition price* of the sum of the land's appraised value at the time it was transferred to the current
 7 owner and the annual adjustment increase.

8 (d) For purposes of par. (c), the annual adjustment increase shall be calculated
 9 by multiplying the ~~appraised value at the time the land was transferred~~ *owner's acquisition price* by 7.5% and
 10 by then multiplying that product by one of the following numbers:

- 11 1. By one if the land has been owned by the current owner for one year or more
- 12 but for less than 2 years.
- 13 2. By 2 if the land has been owned by the current owner for 2 years or more but
- 14 for less than 3 years.

***NOTE: The acquisition costs are not included in here. OK?..

15 (e) For purposes of this subsection, the department shall, by rule, specify what
 16 are *costs incurred in acquiring the land*.

17 (8) PROHIBITIONS AND LIMITATIONS. (a) The department may not obligate moneys
 18 from the appropriation under s. 20.866 (2) (ta) for the acquisition of land for golf
 19 courses or for the development of golf courses.

20 (b) The department may not obligate moneys from the appropriation under s.
 21 20.866 (2) (ta) for the acquisition or development of land by a county or other local
 22 governmental unit or political subdivision if the county, local governmental unit or
 23 political subdivision acquires the land involved by condemnation.

1 (c) The department may not obligate moneys from the appropriation under s.
2 20.866 (2) (ta) for the acquisition by a city, village or town of land that is outside the
3 boundaries of the city, village or town unless the city, village or town acquiring the
4 land and the city, village or town in which the land is located approve the acquisition.

5 **(9) RULES ON LAND USE.** The department shall promulgate rules to provide
6 incentives under the Warren Knowles–Gaylord Nelson stewardship 2000 program
7 to local units of government that submit applications for funding from the
8 appropriation under s. 20.866 (2) (ta) for projects or activities that are consistent
9 with local or regional land use plans and with local zoning ordinances.

10 **(10) REPORT ON LAND PRICES.** Before January 1, 2005, the department shall
11 submit a report to the joint committee on finance and the governor that includes all
12 of the following:

13 (a) Information on how changes in the prices for land, between July 1, 2000,
14 and the date that the report is submitted, have affected the department’s ability to
15 protect land for conservation purposes.

16 (b) A range of options to maintain or restore the financial ability to purchase
17 land under the Warren Knowles–Gaylord Nelson stewardship 2000 program.

18 **(11) REQUIREMENTS FOR SIGNS.** For any land which is acquired in whole or in part
19 with moneys obligated from the appropriations under s. 20.866 (2) (ta) or (tz) or both,
20 the department shall provide signs on the land stating that the land has been
21 acquired with stewardship funds. The signs shall be clearly visible to the public at
22 access points to the land or along highways or other transportation routes that
23 provide access to the land. If the land is open to the public, the sign shall so state and
24 shall state the purposes for which the land may be used by the public.

Page 485, line 14: substitute "23.0918" for "23.0917" SECTION 37
 # Page 485, line 15: substitute "23.0918" for "23.0917" SECTION 37

(12) EXPENDITURES AFTER JUNE 30, 2010. If the remaining bonding authority for a subprogram under sub. (3) or (4) on June 30, 2010, is an amount greater than zero, the department may expend any portion of this remaining bonding authority for that subprogram in one or more subsequent fiscal years."

Page 485, line 23: after that line insert:
 SECTION 37. 23.092 (4) of the statutes is amended to read:

23.092 (4) The department may share the costs of implementing land management practices with landowners, or with nonprofit organizations that are qualified to enhance wildlife-based recreation if these organizations have the landowner's permission to implement the practices. The department may share the costs of acquiring easements for habitat areas with landowners or with these nonprofit organizations. ~~This subsection does not apply before July 1, 1990~~ If the funding for cost-sharing under this subsection will be expended from the appropriation under s. 20.866 (2)(ta), the amount expended for the cost-sharing may not exceed 50% of the cost of the management practices or of the acquisition costs for the easements.

SECTION 39. 23.092 (5) (a) of the statutes is amended to read:

23.092 (5) (a) The department shall determine the value of land or an easement donated to the department that is within a habitat area and is dedicated for purposes of habitat protection, enhancement or restoration. For an easement, the valuation shall be based on the extent to which the fair market value of the land is diminished by the transfer. ~~Beginning on July 1, 1990, and except~~ Except as provided in par. (b), an amount of money equal to the value of the donation shall be released from the appropriation under s. 20.866 (2) (ta) or (tz) or both to be used for habitat protection, enhancement or restoration activities for the same habitat area in which any donation was made on or after August 9, 1989. The department shall determine how the moneys being released are to be allocated from these appropriations.

1 ^{665F (B)}
SECTION 40. 23.092 (5) (b) of the statutes is renumbered 23.092 (5) (b) 1.
2 amended to read:

3 23.092 (5) (b) 1. If the moneys ~~to be released~~ allocated under par. (a) for release
4 from the appropriation under s. 20.866 (2) (tz) to match a donation under par. (a) will
5 exceed the expenditure limit under sub. (6) for a given fiscal year, as adjusted under
6 s. 23.0915 (2), the department shall release from the moneys appropriated under s.
7 20.866 (2) (tz) the remaining amount available under the expenditure limit under
8 sub. (6), as adjusted under s. 23.0915 (2), for the given fiscal year and shall release
9 in each following fiscal year from the moneys appropriated under s. 20.866 (2) (tz)
10 an amount equal to the expenditure limit under sub. (6), as adjusted under s. 23.0915
11 (2), or equal to the amount still needed to match the donation, whichever is less, until
12 the entire amount necessary to match the donation is released. This subdivision does
13 not apply after June 30, 2000.

14 ^{665H (B)}
SECTION 41. 23.092 (5) (b) 2. of the statutes is created to read:

15 23.092 (5) (b) 2. If the moneys allocated under par. (a) for release from the
16 appropriation under s. 20.866 (2) (ta) to match a donation under par. (a) will exceed
17 the annual bonding authority for the subprogram under s. 23.0917 (3) for a given
18 fiscal year, as adjusted under s. 23.0917 (5), the department shall release from the
19 moneys appropriated under s. 20.866 (2) (ta) the remaining amount available under
20 that annual bonding authority, as adjusted under s. 23.0917 (5), for the given fiscal
21 year and shall release in each following fiscal year from the moneys appropriated
22 under s. 20.866 (2) (ta) an amount equal to that annual bonding authority, as
23 adjusted under s. 23.0917 (5), or equal to the amount still needed to match the
24 donation, whichever is less, until the entire amount necessary to match the donation
25 is released.

664 i (B)

1 SECTION 42. 23.092 (6) of the statutes is amended to read:

2 23.092 (6) Except as provided in s. 23.0915 (2), the department may not expend
3 from the appropriation under s. 20.866 (2) (tz) more than \$1,500,000 under this
4 section for fisheries, for habitat areas and for grants for this purpose under s. 23.096
5 in each fiscal year. Of this amount the department may not expend more than
6 \$75,000 for fisheries in each fiscal year.

664 j (B)

7 SECTION 43. 23.092 (6) of the statutes, as affected by 1999 Wisconsin Act ...
8 (this act), is repealed and recreated to read:

9 23.092 (6) Except as provided in s. 23.0915 (2), the department may not expend
10 from the appropriation under s. 20.866 (2) (tz) more than \$1,500,000 under this
11 section for fisheries, for habitat areas and for grants for this purpose under s. 23.096
12 in each fiscal year.

from the appropriation under s. 20.866 (2)(tz)

13 SECTION 44. 23.094 (3g) of the statutes is amended to read:

Acquisition by political subdivisions (CS)

14 23.094 (3g) A political subdivision may acquire by gift, devise or purchase land
15 adjacent to a stream identified as a priority stream under sub. (2) or acquire by gift,
16 devise or purchase a permanent stream bank easement from the owner of the land.
17 The department may make grants to political subdivisions to unders. 23.096 for the
18 purchase of these lands and easements. Whenever possible, the land or easement
19 shall include the land within at least 66 feet from either side of the stream.

PLAIN

665 m B

INSERT 22-99

20 SECTION 45. 23.094 (4) (a) of the statutes is amended to read:

21 23.094 (4) (a) The department shall determine the value of land or an easement
22 donated to the department for purposes of this section and for stream bank
23 protection under s. 23.096. For an easement, the valuation shall be based on the
24 extent to which the fair market value of the land is diminished by the transfer.
25 Beginning July 1, 1990, and except Except as provided in par. (b), an amount of

The department may make grants under s. 23.096 from the appropriation under s. 20.866 (2)(ta) or (tz) or both.

Page 485, line 24: after that line insert:

1 money equal to the value of the donation shall be released from the appropriation
2 under s. 20.866 (2) (ta) or (tz) or both to be used to acquire easements and land under
3 this section and s. 23.096 for the same stream for which any donation was made on
4 or after August 9, 1989. The department shall determine how the moneys being
5 released are to be allocated from these appropriations.

6 ^{(L507) (2)}
SECTION ~~46~~ 23.094 (4) (b) of the statutes is renumbered 23.094 (4) (b) 1. and
7 amended to read:

8 23.094 (4) (b) 1. If the moneys ~~to be released~~ allocated under par. (a) for release
9 from the appropriation under s. 20.866 (2) (tz) ^{to} match a donation under par. (a) will
10 exceed the expenditure limit under sub. (8) for a given fiscal year, as adjusted under
11 s. 23.0915 (2), the department shall release from the moneys appropriated under s.
12 20.866 (2) (tz) the remaining amount available under the expenditure limit under
13 sub. (8), as adjusted under s. 23.0915 (2), for the given fiscal year and shall release
14 in each following fiscal year from the moneys appropriated under s. 20.866 (2) (tz)
15 an amount equal to the expenditure limit under sub. (8), as adjusted under s. 23.0915
16 (2), or equal to the amount still needed to match the donation, whichever is less, until
17 the entire amount necessary to match the donation is ^{plain space} released. This subdivision does
18 not apply after June 30, 2000.

19 ^{(L500) (3)}
SECTION ~~47~~ 23.094 (4) (b) 2. of the statutes is created to read:

20 23.094 (4) (b) 2. If the moneys allocated under par. (a) for release from the
21 appropriation under s. 20.866 (2) (ta) to match a donation under par. (a) will exceed
22 the annual bonding authority for the subprogram under s. 23.0917 (3) for a given
23 fiscal year, as adjusted under s. 23.0917 (5), the department shall release from the
24 moneys appropriated under s. 20.866 (2) (ta) the remaining amount available under
25 that annual bonding authority, as adjusted under s. 23.0917 (5), for the given fiscal

1 year and shall release in each following fiscal year from the moneys appropriated
2 under s. 20.866 (2) (ta) an amount equal to that annual bonding authority, as
3 adjusted under s. 23.0917 (5), or equal to the amount still needed to match the
4 donation, whichever is less, until the entire amount necessary to match the donation
5 is released.

6 **SECTION 48.** ^{665 P (B)} 23.094 (8) of the statutes is amended to read:

7 23.094 (8) APPROPRIATION. ~~The costs of acquiring easements and land under~~
8 ~~this section or s. 23.096 shall be paid from the appropriation under s. 20.866 (2) (tz).~~
9 Except as provided in s. 23.0915 (2), the department may not expend from the
10 appropriation under s. 20.866 (2) (tz) more than \$1,000,000 for fisheries, for the
11 acquisition of land and easements by the department under this section, for grants
12 under sub. (3g) and for grants for this purpose under s. 23.096 in each fiscal year.
13 Of this amount, the department may not expend more than \$300,000 in each fiscal
14 year for grants under sub. (3g) to cities, villages, towns and counties.

15 **SECTION 49.** ^{665 r (B)} 23.094 (8) of the statutes, as affected by 1999 Wisconsin Act
16 (this act), is repealed and recreated to read:

17 23.094 (8) APPROPRIATION. Except as provided in s. 23.0915 (2), the department
18 may not expend from the appropriation under s. 20.866 (2) (tz) more than \$1,000,000
19 for fisheries, for the acquisition of land and easements by the department under this
20 section, for grants under sub. (3g) and for grants for this purpose under s. 23.096 in
21 each fiscal year.

22 **SECTION 50.** ^{665 r (B)} 23.0955 (1) of the statutes is amended to read:

23 23.0955 (1) In this section ~~and s. 23.096~~, "nonprofit conservation organization"
24 means a nonprofit corporation, a charitable trust or other nonprofit association
25 whose purposes include the acquisition of property for conservation purposes and

1 that is described in section 501 (c) (3) of the internal revenue code and is exempt from
2 federal income tax under section 501 (a) of the internal revenue code.

3 SECTION ~~51~~^{665 S (B)} 23.096 (1) of the statutes is renumbered 23.096 (1) (intro.) and
4 amended to read:

5 23.096 (1) (intro.) In this section, "property":

6 (b) "Property" means land or an interest in land.

7 SECTION ~~52~~^{665 S (B)} 23.096 (1) (ag) of the statutes is created to read:

8 23.096 (1) (ag) "Nonprofit conservation organization" has the meaning given
9 in s. 23.0955 (1).

10 SECTION ~~53~~^{665 W (B)} 23.096 (2) of the statutes is renumbered 23.096 (2) (a) and
11 amended to read:

12 23.096 (2) (a) The department may award grants from the appropriation under
13 s. 20.866 (2) (ta) or (tz) to nonprofit conservation organizations to acquire property
14 all of following for the purposes described in ss. ~~23.09~~^{23.09 (2) (d) 1, 7, 9, 11, 12, and 15.} (19) and (20), 23.092, 23.094, 23.17, 23.175,
15 23.27, 23.29, 23.293, 30.24 and 30.277 (2) (a).

16 SECTION ~~54~~^{665 W (B)} 23.096 (2) (b) of the statutes is created to read:

17 23.096 (2) (b) ~~a grant under this section will be awarded from the~~^{awarded}
18 ~~appropriation under s. 20.866 (2) (ta), the grant may not exceed 50% of the ~~cost of the~~~~
19 ~~acquisition of the property.~~^{of acquisition costs of}

20 SECTION ~~55~~^{665 W (B)} 23.098 (1) (c) of the statutes is created to read:

21 23.098 (1) (c) "Nonprofit conservation organization" has the meaning given in
22 s. 23.0955 (1).

23 SECTION ~~56~~^{665 X (B)} 23.098 (2) of the statutes is amended to read:

24 23.098 (2) The department shall establish a program to ~~expend~~ make grants
25 from the appropriation appropriations under s. 20.866 (2) (ta) and (tz) moneys for

*** NOTE: I have added Section 20.866 (2) (tz) grants are
now included
CS

1 grants to friends groups and nonprofit conservation organizations for projects for
2 property development activities on department properties. The department may not
3 encumber more than ~~\$200,000~~ \$250,000 in each fiscal year for these grants.

4 ^{(665 y) (8)}
SECTION ~~57~~ 23.098 (4) (am) of the statutes is created to read:

5 23.098 (4) (am) In awarding grants under this section for eligible projects, the
6 department shall establish a system under which the grants are offered to eligible
7 friends groups before being offered to eligible nonprofit conservation organizations.

8 ^{(665 z) (8)}
SECTION ~~58~~ 23.098 (5) of the statutes is amended to read:

9 23.098 (5) Each friends group and nonprofit conservation organization
10 receiving a grant under this section shall provide matching funds that are equal to

^{a maximum of}

11 ^λ 50% of the estimated cost of the project for which a grant is being provided. ^{*)}

12 ^{# Page 487, line 22: after that line insert:}

13 "SECTION ~~59~~ 23.175 (3) (b) (intro.) of the statutes is amended to read:

14 23.175 (3) (b) (intro.) ^{(671 b) (8)} Beginning July 1, 1990, expend Expend an amount from
15 the appropriation under s. 20.866 (2) (ta) or (tz) or both that equals any of the
16 following:

17 ^(671 d)
SECTION ~~60~~ 23.175 (3m) of the statutes is created to read:

18 23.175 (3m) ALLOCATION BETWEEN APPROPRIATIONS. For purposes of sub. (3) (b),
19 the department shall determine how the moneys being expended are to be allocated
20 from the appropriations under s. 20.866 (2) (ta) and (tz). The department may not
21 allocate or expend any moneys from the appropriation under s. 20.866 (2) (ta) before
22 July 1, 2000.

23 ^(671 e)
SECTION ~~61~~ 23.175 (4) of the statutes is amended to read:

24 23.175 (4) LIMITS ON SPENDING. Except as provided in s. 23.0915 (2), the
25 department may not expend from the appropriation under s. 20.866 (2) (tz) more
than \$1,000,000 under this section for trails and for grants for this purpose under

1 s. 23.096 in each fiscal year. Of this amount, the department may not expend from
2 the appropriation under s. 20.866 (2) (tz) more than \$500,000 under sub. (3) (b) in
3 each fiscal year.

4 ~~SECTION 62.~~ ^{671g (B)} 23.175 (4) of the statutes, as affected by 1999 Wisconsin Act
5 (this act), is repealed and recreated to read:

6 23.175 (4) LIMIT ON SPENDING. Except as provided in s. 23.0915 (2), the
7 department may not expend ^{from the appropriation under s. 20.866 (2) (tz)} more than \$1,000,000 under this section for trails and
8 for grants for this purpose under s. 23.096 in each fiscal year.

9 ~~SECTION 63.~~ ^{671m (B)} 23.197 of the statutes is created to read:

10 **23.197 Warren Knowles-Gaylord Nelson stewardship programs;**
11 **specific projects or activities. (1) ROOT RIVER; MULTIPURPOSE PATHWAY.** (a) From
12 the appropriation under s. 20.866 (2) (ta) or (tz) or both, the department shall provide
13 funding to the city of Racine for a multipurpose pathway along the Root River. The
14 amount provided by the department may not exceed the amount that equals the
15 matching contribution for the pathway made by the city of Racine or \$500,000,
16 whichever is less.

17 (b) The department shall determine how the moneys being provided under par.
18 (a) will be allocated between the appropriations under s. 20.866 (2) (ta) and (tz). For
19 purposes of s. 23.0915 (1), moneys provided from the appropriation under s. 20.866
20 (2) (tz) shall be treated as moneys expended for any of the purposes specified under
21 s. 23.0915 (1) (a) to (k) or any combination of those purposes. For purposes of s.
22 23.0917, moneys provided from the appropriation under s. 20.866 (2) (ta) shall be
23 treated as moneys obligated from either or both of the subprograms under s. 23.0917
24 (3) and (4).

1 (c) Section 23.0917 (6) does not apply to moneys provided under this subsection
2 from the appropriation under s. 20.866 (2) (ta).

3 (2) ROCK RIVER; RIVER WALL. (a) From the appropriation under s. 20.866 (2) (ta)
4 or (tz) or both, the department shall provide funding to the city of Fort Atkinson for
5 the restoration of a river wall along the Rock River. The amount provided by the
6 department may not exceed the amount that equals the matching contribution made
7 for the river wall by the city of Fort Atkinson or \$96,500, whichever is less. The
8 requirements for matching contributions under s. 30.277 (5) shall apply.

9 (b) The department shall determine how the moneys being provided under par.
10 (a) will be allocated between the appropriations under s. 20.866 (2) (ta) and (tz). For
11 purposes of s. 23.0915 (1), moneys provided from the appropriation under s. 20.866
12 (2) (tz) shall be treated as moneys expended for urban river grants. For purposes of
13 s. 23.0917, moneys provided from the appropriation under s. 20.866 (2) (ta) shall be
14 treated as moneys obligated under the subprogram for property development and
15 local assistance.

~~****NOTE: This provision in s. 23.197 should be conceptually reconciled with the
change in s. 30.277 regarding the purposes for which the grants may be used.~~

16 (3) KEYES LAKE; RECREATIONAL AREA. (a) From the appropriation under s. 20.866
17 (2) (ta) or (tz) or both, the department shall provide the amount necessary for the
18 development of a recreational area on Keyes Lake in Florence County, but the
19 amount may not exceed \$100,000.

~~****NOTE: Is this a state recreational area? Has it been formerly named? Let me
know if you want any changes.~~

20 (b) The department shall determine how the moneys being provided under par.
21 (a) will be allocated between the appropriations under s. 20.866 (2) (ta) and (tz). For
22 purposes of s. 23.0915 (1), moneys provided from the appropriation under s. 20.866

1 (2) (tz) shall be treated as moneys expended for any of the purposes specified under
2 s 23.0915 (1) (a) to (k) or any combination of those purposes. For purposes of s.
3 23.0917, moneys provided from the appropriation under s. 20.866 (2) (ta) shall be
4 treated as moneys obligated from either or both of the subprograms under s. 23.0917
5 (3) and (4).

6 (4) GRANT FOR LAND ACQUISITION AND HABITAT RESTORATION. (a) In this
7 subsection:

8 1. “Nonprofit organization” means a nonprofit corporation, a charitable trust
9 or other nonprofit association that is described in section 501 (c) (3) of the Internal
10 Revenue Code and is exempt from federal income tax under section 501 (a) of the
11 Internal Revenue Code.

~~***NOTE: This is not a nonprofit conservation organization. OK?***~~

12 2. “Land” has the meaning given in s. 23.0917 (1) (d).

13 (b) From the appropriation under s. 20.866 (2) (ta), the department may award
14 a single grant of \$20,000 to an organization that is not a nonprofit organization but
15 that has entered into an agreement with a nonprofit organization in order to apply
16 for the grant. The grant may be used for land acquisition for conservation or
17 recreation purposes or for habitat restoration or both. For purposes of s. 23.0917,
18 moneys obligated for this grant shall be treated as moneys obligated under the
19 subprogram for land acquisition.

20 (c) In order to receive the grant under this section, the nonprofit organization
21 and the other organization who are parties to the agreement specified under par. (b)
22 shall enter into a contract with the department that contains conditions imposed by
23 the department on the use of the grant, on any land acquired with moneys from the
24 grant and on any transfer to a 3rd party of any such acquired land.

SECTION 63

1 (d) Title to the land acquired with moneys from the grant under this section
2 shall vest in the nonprofit organization. If the nonprofit organization or the other
3 organization violates any essential provision of the contract entered into under par.
4 (c), title to the land shall vest in the state.

5 SECTION 64. 23.27 (4) of the statutes is amended to read:

6 23.27 (4) NATURAL AREAS LAND ACQUISITION; CONTINUING COMMITMENT. It is the
7 intent of the legislature to continue natural areas land acquisition activities from
8 moneys available from the ~~appropriation~~ appropriations under ss. 20.370 (7) (fa) and
9 20.866 (2) (ta), (ts) and (tz). This commitment is separate from and in addition to the
10 commitment to acquire natural areas under the Wisconsin natural areas heritage
11 program. Except as provided in s. 23.0915 (2), the department may not expend from
12 the appropriation under s. 20.866 (2) (tz) more than \$1,500,000 in each fiscal year
13 for natural areas land acquisition activities under this subsection and for grants for
14 this purpose under s. 23.096.¹⁾

Page 483, line 23: delete the material beginning with that line and ending with page 488, line 14, and substitute:

15 SECTION 65. 23.27 (5) of the statutes is amended to read:

16 23.27 (5) NATURAL AREAS LAND ACQUISITION; COMMITMENT UNDER THE WISCONSIN
17 NATURAL AREAS HERITAGE PROGRAM. It is the intent of the legislature to initiate
18 additional natural areas land acquisition activities with moneys available from the
19 appropriations under ss. 20.370 (1) (mg) and 20.866 (2) (ta), (tt) and (tz) under the
20 Wisconsin natural areas heritage program. This commitment is separate from and
21 in addition to the continuing commitment under sub. (4). ~~Moneys available from the~~
22 ~~appropriations under ss. 20.370 (1) (mg) and 20.866 (2) (ta), (tt) and (tz) under the~~
23 ~~Wisconsin natural areas heritage program may not be used to acquire land through~~
24 ~~condemnation.~~ The department may not acquire land under this subsection unless
25 the land is suitable for dedication under the Wisconsin natural areas heritage

1 program and upon purchase or as soon after purchase as practicable the department
2 shall take all necessary action to dedicate the land under the Wisconsin natural
3 areas heritage program. Except as provided in s. 23.0915 (2), the department may
4 not expend from the appropriation under s. 20.866 (2) (tz) more than \$500,000 in
5 each fiscal year for natural areas land acquisition activities under this subsection
6 and for grants for this purpose under s. 23.096.

7 **SECTION 66.** ^{(672) (B)} 23.29 (2) of the statutes is amended to read:

8 23.29 (2) CONTRIBUTIONS; STATE MATCH. The department may accept
9 contributions and gifts for the Wisconsin natural areas heritage program. The
10 department shall convert donations of land which it determines, with the advice of
11 the council, are not appropriate for the Wisconsin natural areas heritage program
12 into cash. The department shall convert other noncash contributions into cash.
13 These moneys shall be deposited in the general fund and credited to the
14 appropriation under s. 20.370 (1) (mg). These moneys shall be matched by an equal
15 amount released from the appropriation under s. 20.866 (2) (ta), (tt) or (tz) or both
16 from any combination of these appropriations to be used for natural areas land
17 acquisition activities under s. 23.27 (5). The department shall determine how the
18 moneys being released are to be allocated from these appropriations. ~~No moneys may~~
19 ~~be released under s. 20.866 (2) (tz) before July 1, 1990.~~

20 **SECTION 67.** ^{(672) (B)} 23.29 (3) of the statutes is amended to read:

21 23.29 (3) LAND DEDICATIONS; VALUATION; STATE MATCH. The department shall
22 determine the value of land accepted for dedication under the Wisconsin natural
23 areas heritage program. If the land dedication involves the transfer of the title in
24 fee simple absolute or other arrangement for the transfer of all interest in the land
25 to the state, the valuation shall be based on the fair market value of the land prior

1 to the transfer. If the land dedication involves the transfer of a partial interest in
2 land to the state, the valuation shall be based on the extent to which the fair market
3 value of the land is diminished by that transfer and the associated articles of
4 dedication. If the land dedication involves a sale of land to the department at less
5 than the fair market value, the valuation of the dedication shall be based on the
6 difference between the purchase price and the fair market value. An amount equal
7 to the value of land accepted for dedication under the Wisconsin natural areas
8 heritage program shall be released from the appropriation under s. 20.866 (2) (ta),
9 (tt) or (tz) or both from any combination of these appropriations to be used for natural
10 areas land acquisition activities under s. 23.27 (5). This subsection does not apply
11 to dedications of land under the ownership of the state. The department shall
12 determine how the moneys being released are to be allocated from these
13 appropriations. ~~No moneys may be released under s. 20.866 (2) (tz) before July 1,~~
14 ~~1990.~~

15 SECTION ^{672j} ~~68~~ 23.293 (4) of the statutes is amended to read:

16 23.293 (4) CONTRIBUTIONS AND GIFTS; STATE MATCH. The department may accept
17 contributions and gifts for the ice age trail program. The department may convert
18 gifts of land which it determines are not appropriate for the ice age trail program into
19 cash. The department may convert other noncash contributions and gifts into cash.
20 These moneys shall be deposited in the general fund and credited to the
21 appropriation under s. 20.370 (7) (gg). An amount equal to the value of all
22 contributions and gifts shall be released from the appropriation under s. 20.866 (2)
23 (ta), (tw) or (tz) or both from any combination of these appropriations to be used for
24 land acquisition and development activities under s. 23.17. The department shall
25 determine how the moneys being released are to be allocated from these

1 appropriations. ~~No moneys may be released under s. 20.866 (2) (tz) before July 1,~~
2 ~~1990.~~

3 **SECTION 69.** 23.293 (5) of the statutes is amended to read:

4 23.293 (5) LAND DEDICATIONS; VALUATION; STATE MATCH. The department shall
5 determine the value of land accepted for dedication under the ice age trail program.
6 If the land dedication involves the transfer of the title in fee simple absolute or other
7 arrangement for the transfer of all interest in the land to the state, the valuation of
8 the land shall be based on the fair market value of the land before the transfer. If
9 the land dedication involves the transfer of a partial interest in land to the state, the
10 valuation of the land shall be based on the extent to which the fair market value of
11 the land is diminished by that transfer and the associated articles of dedication. If
12 the land dedication involves a sale of land to the department at less than the fair
13 market value, the valuation of the land shall be based on the difference between the
14 purchase price and the fair market value. An amount equal to the valuation of the
15 land accepted for dedication under the ice age trail program shall be released from
16 the appropriation under s. 20.866 (2) (ta), (tw) or (tz) or both from any combination
17 of these appropriations to be used for ice age trail acquisition activities under s.
18 23.17. The department shall determine how the moneys being released are to be
19 allocated from these appropriations. ~~No moneys may be released under s. 20.866 (2)~~
20 ~~(tz) before July 1, 1990.~~ This subsection does not apply to dedications of land under
21 the ownership of the state. ”

Page 532, Line 22: after that line insert:

22 **SECTION 79.** 30.24 of the statutes is created to read:

23 **30.24 Bluff protection.** (1) DEFINITIONS. In this section:

24 (a) “Obligate” has the meaning given in s. 23.0917 (1) (e).

25 (b) “Protect” includes to restore.

1 (2) AUTHORIZATION. For the purposes of protecting bluff land, the department
2 may expend money from the appropriation under s. 20.866 (2) (ta) for a program
3 under which the department may do all of the following:

4 (a) Acquire bluff land or interests in bluff land.

5 (b) Award grants to ~~municipalities~~ *nonprofit conservation organizations* to acquire these lands or interests.

6 (3) BAN ON LOCATION RESTRICTIONS. In exercising its authority under sub. (2) (a),
7 the department may not limit acquisitions of bluff lands to bluff lands that are within
8 the boundaries of projects established by the department.

9 (4) LIMIT ON GRANTS. A grant awarded under this section or under s. 23.096 to
10 protect bluffs may not exceed 50% of the *acquisition costs* ~~cost of the acquisition~~.

11 (5) RULES. The department shall promulgate rules to administer and
12 implement this section, including standards for awarding grants to protect bluffs
13 under this section and under s. 23.096 grants. The department by rule shall define
14 "bluff land" for purposes of this section.

15 SECTION ~~71~~ *847m* ^(B) 30.277 (1) of the statutes is renumbered 30.277 (1m) (a) and
16 amended to read:

17 30.277 (1m) (a) Beginning in fiscal year 1992-93 and ending in fiscal year
18 1999-2000, from the appropriation under s. 20.866 (2) (tz), the department shall
19 award grants to ~~municipalities~~ governmental units to assist ~~municipalities~~ them in
20 projects on or adjacent to rivers that flow through urban areas. The department may
21 award these grants from the appropriation under s. 20.866 (2) (ta) beginning on July
22 1, 2000.

23 (b) For each fiscal year, except as provided in s. 23.0915 (1r) (c), from the
24 appropriation under s. 20.866 (2) (tz), the department shall designate for
25 expenditure \$1,900,000 for grants under this section and for grants under s. 23.096

to acquire these lands or interests

nonprofit conservation organizations

under 5.23.096

11

1 for the purposes under sub. (2) (a). This paragraph does not apply after June 30,
2 2000.

3 SECTION ^{847n (B)} 72. 30.277 (1b) of the statutes is created to read:

4 30.277 (1b) DEFINITION. In this section, "governmental unit" means a city,
5 village, town, county or the Kickapoo reserve management board.

6 SECTION ^{847g (B)} 73. 30.277 (3) (e) of the statutes is amended to read:

7 30.277 (3) (e) Whether significant planning has occurred in the municipality
8 area subject to the jurisdiction of the governmental unit prior to its request for a
9 grant under this section.

10 SECTION ^{847r (B)} 74. 30.277 (3) (f) of the statutes is amended to read:

11 30.277 (3) (f) The level of support for the project demonstrated by the
12 municipality governmental unit, including financial support.

13 SECTION ^{847s (B)} 75. 30.277 (3) (g) of the statutes is amended to read:

14 30.277 (3) (g) Whether the project involves a joint effort by 2 or more
15 municipalities governmental units.

16 SECTION ^{847t (B)} 76. 30.277 (3) (h) of the statutes is amended to read:

17 30.277 (3) (h) The potential benefits of the project to the overall economy of the
18 municipality area subject to the jurisdiction of the governmental unit.

19 SECTION ^{847u (B)} 77. 30.277 (4) of the statutes is amended to read:

20 30.277 (4) CAP ON GRANTS. No municipality governmental unit may receive in
21 any fiscal year more than 20% of the funds that are available for grants under this
22 section.

23 SECTION ^{847w (B)} 78. 30.277 (5) of the statutes is amended to read:

24 30.277 (5) CONTRIBUTION BY MUNICIPALITY GOVERNMENTAL UNIT. To be eligible for
25 a grant under this section, at least 50% of the ~~cost of the project~~ shall be funded by

Strike

acquisition costs for land or
the project costs

← INSERT 35-6

← INSERT 35-22

1 private, local or federal funding, by in-kind contributions or by state funding. For
2 purposes of this subsection, state funding may not include grants under this section,
3 moneys appropriated to the department under s. 20.370 or money appropriated
4 under s. 20.866 (2) (ta), (tp) to (tw), (ty) or (tz).

Page 1414, line 24: after that line insert:

← INSERT
36-4A
36-4B

~~SECTION 9136. Nonstatutory provisions; natural resources.~~

nonstatute

" (1) 10g ← letter 'g'"

6 STEWARDSHIP PROGRAMS. The department of natural resources may
7 promulgate emergency rules under section 227.24 of the statutes implementing
8 sections 23.09 (20m) and 30.24 of the statutes, as created by this act. The department
9 may also promulgate emergency rules under section 227.24 of the statutes
10 implementing any provisions of section 23.0915 or 23.0917 of the statutes, as affected
11 by this act, if the rules are necessary for the department to act as authorized or
12 required under section 23.0915 or 23.0917 of the statutes, as affected by this act.
13 Notwithstanding section 227.24 (1) (c) and (2) of the statutes, the emergency rules
14 promulgated under this subsection may remain in effect until June 30, 2001, or until
15 the date on which the permanent rules take effect, whichever is sooner.
16 Notwithstanding section 227.24 (1) (a) and (3) of the statutes, the department is not
17 required to provide evidence that promulgating a rule under this subsection as an
18 emergency rule is necessary for the preservation of public peace, health, safety or
19 welfare and is not required to provide a finding of emergency for a rule promulgated
20 under this subsection.

Page 1475, line 16: after that line insert:

~~SECTION 9436. Effective dates; natural resources.~~

Effective Date

" (1) 10g ← letter 'g'"

22 STEWARDSHIP PROGRAMS. The treatment of sections 23.094 (3g) and 23.098
23 (4) (am) of the statutes and the repeal and recreation of sections 23.092 (6), 23.094
24 (8) and 23.175 (4) of the statutes take effect on July 1, 2000. "

1 age trail development under s. 20.866 (2) (tw) and in funding the stewardship
2 program under s. 20.866 (2) (tz), but not including payments made under sub. (7)
3 pars. (ac) and (au).

4 **SECTION 333g.** 20.370 (7) (aa) of the statutes, as affected by 1997 Wisconsin Act
5 27, section 412, and 1999 Wisconsin Act (this act), is repealed and recreated to
6 read:

7 20.370 (7) (aa) *Resource acquisition and development — principal repayment*
8 *and interest.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of
9 principal and interest costs incurred in financing the placement of structures and fill
10 under s. 30.203, in financing the acquisition, construction, development,
11 enlargement or improvement of state recreation facilities under s. 20.866 (2) (tp) and
12 (tr), in financing state aids for land acquisition and development of local parks under
13 s. 20.866 (2) (tq), in financing land acquisition activities under s. 20.866 (2) (ts) and
14 (tt), in financing the aid program for dams under s. 20.866 (2) (tx), in financing ice
15 age trail development under s. 20.866 (2) (tw) and in funding the stewardship
16 program under s. 20.866 (2) (tz), but not including payments made under par. (ac).

17 **SECTION 333h.** 20.370 (7) (au) of the statutes is created to read:

18 20.370 (7) (au) *State forest acquisition and development — principal repayment*
19 *and interest.* From the conservation fund, the amounts in the schedule to reimburse
20 s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing
21 land acquisition and development for state forests from the appropriation under s.
22 20.866 (2) (tz). .

INSERT
2-8

23 **SECTION 333q.** 20.370 (7) (au) of the statutes, as created by 1999 Wisconsin Act
24 (this act), is repealed."

(END OF INSERT)

Insert 2-9

. Page 474, line 6: after "at)", " insert "(au)", " (11)

↑
scored

(END OF INSERT)

1999-2000 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3195/P2ins
MGG.....

1 ⁻²⁴
2 **Insert 2-1** # Page 481, Line 8: after that line insert:
3 **SECTION 20.924 (3)** of the statutes is created to read:
4 **20.924 (3)** Subsection (1) does not apply to the establishment or development
5 of a state park and development of a state park as specified under s. 23.0917 (4) (e).

6 **Insert 3-2** # Page 484, Line 4: after that line insert:
7 **SECTION 23.09 (2) (d) 14.** of the statutes is amended to read:
8 **23.09 (2) (d) 14.** For habitat areas and fisheries.

History: 1971 c. 40 s. 93; 1971 c. 125 s. 522 (1); 1971 c. 215, 277, 326; 1973 c. 251, 298, 333; 1975 c. 39 ss. 249, 249a, 250m, 734; 1975 c. 91, 200, 224, 365; 1977 c. 29, 402, 406; 1979 c. 34 ss. 699m to 701g, 2102 (39) (a); 1979 c. 89; 1981 c. 20 ss. 598 to 599s, 2202 (38) (c); 1981 c. 295; 1981 c. 390 s. 252; 1983 a. 27, 243; 1985 a. 29, 65, 322; 1985 a. 332 ss. 34, 251 (1); 1987 a. 27, 98, 295, 403; 1989 a. 31, 336, 359; 1991 a. 39, 269, 309; 1993 a. 16, 343, 436, 490; 1995 a. 27, 218, 257, 349, 417; 1997 a. 27, 35, 248, 313.

9 **Insert 5-15**
10 **SECTION 23.09 (19) (f) 2.** of the statutes is created to read:
11 **23.09 (19) (f) 2.** Land or rights in land acquired under this subsection by the
12 Kickapoo reserve management board shall vest in the state.

13 **Insert 6-4**
14 **SECTION 23.09 (19) (L)** of the statutes is created to read:
15 **23.09 (19) (L)** The department may not award a grant from the appropriation
16 under s. 20.866 (2) (tz) to the Kickapoo reserve management board.

17 **Insert 7-7**
18 **SECTION 23.09 (20) (e)** of the statutes is created to read:
19 **23.09 (20) (e)** The department may not award state aid under this subsection from
20 the appropriation under s. 20.866 (2) (tz) to the Kickapoo reserve management board.

21 **Insert 10-23**
22 **SECTION 23.0915 (2m) (title)** of the statutes is amended to read:
23.0915 (2m) (title) MONEYS FOR HENRY HANK AARON STATE PARK STATE TRAIL.

History: 1989 a. 31; 1991 a. 39, 269, 309; 1993 a. 16, 213, 343; 1995 a. 27; 1997 a. 27.



6631 B

1 SECTION 7. 23.0915 (2m) (a) of the statutes is amended to read:

2 23.0915 (2m) (a) From the moneys appropriated under s. 20.866 (2) (tz), the
3 department shall set aside for the period of time specified in sub. (1) (L) \$400,000 to
4 be used only for the development of a state park to be located in the Menomonee
5 valley in the city of Milwaukee and to be designated as the Henry Hank Aaron State
6 Park Trail.

6630 B

History: 1989 a. 31; 1991 a. 39, 269, 309; 1993 a. 16, 213, 343; 1995 a. 27; 1997 a. 27.

7 SECTION 8. 23.0915 (2m) (b) of the statutes is repealed.

6632 B

8 SECTION 9. 23.0915 (2m) (c) of the statutes is renumbered 23.0915 (2m) (g)
9 and amended to read:

10 23.0915 (2m) (g) None of the moneys set aside under par. (a) this subsection
11 may be expended for stadium parking or for any other purpose not directly related
12 to the development of the state park trail.

6639 B

History: 1989 a. 31; 1991 a. 39, 269, 309; 1993 a. 16, 213, 343; 1995 a. 27; 1997 a. 27.

13 SECTION 10. 23.0915 (2m) (e) of the statutes is amended to read:

14 23.0915 (2m) (e) From the moneys appropriated under s. 20.866 (2) (tz), the
15 department shall set aside for the period of time specified in sub. (1) (Lg) \$290,000
16 for the Henry Hank Aaron State Park Trail in the Henry Aaron State Park.

History: 1989 a. 31; 1991 a. 39, 269, 309; 1993 a. 16, 213, 343; 1995 a. 27; 1997 a. 27.

17 SECTION 11. 23.0915 (2m) (f) of the statutes is created to read:

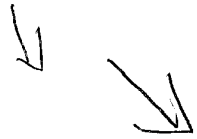
6637 B

18 23.0915 (2m) (f) From the moneys appropriated under s. 20.866 (2) (tz), the
19 department shall set aside \$670,000 for the Hank Aaron State Trail. For purposes
20 of sub. (1) and moneys expended under this paragraph shall be treated as follows:

21 1. Four hundred thousand dollars shall be treated as moneys expended for
22 urban rivers. \$400,000

23 2. Two hundred thousand dollars shall be treated as moneys expended for
24 stream bank protection. \$200,000

\$200,000



1 donation, whichever is less, until the entire amount necessary to match the donation
2 is released.

3 ✓ SECTION 34. 23.092 (6) of the statutes is amended to read:

4 23.092 (6) (a) Except as provided in s. 23.0915 (2), the department may not
5 expend from the appropriation under s. 20.866 (2) (tz) more than \$1,500,000 under
6 this section for fisheries, for habitat areas and for grants for this purpose under s.
7 23.096 in each fiscal year. Of this amount the department may not expend more than
8 \$75,000 for fisheries in each fiscal year.

9 ✓ SECTION 35. 23.092 (6) of the statutes, as affected by 1999 Wisconsin Act
10 (this act), is repealed and recreated to read:

11 23.092 (6) Except as provided in s. 23.0915 (2), the department may not expend
12 from the appropriation under s. 20.866 (2) (tz) more than \$1,500,000 under this
13 section for fisheries, for habitat areas and for grants for this purpose under s. 23.096
14 in each fiscal year.

15 ✓ SECTION 36. 23.094 (3g) of the statutes is renumbered 23.094 (3g) (a).

16 ✓ SECTION 37. 23.094 (3g) (a) of the statutes is created to read:

17 23.094 (3g) (a) A grant under par. (a) will be awarded from the appropriation
18 under s. 20.866 (2) (tz) therefor may not exceed 50% of the acquisition cost of the land or the
19 easement. (END OF INSERT)

20 ✓ SECTION 38. 23.094 (4) (a) of the statutes is amended to read:

21 23.094 (4) (a) The department shall determine the value of land or an easement
22 donated to the department for purposes of this section and for stream bank
23 protection under s. 23.096. For an easement, the valuation shall be based on the
24 extent to which the fair market value of the land is diminished by the transfer.
25 Beginning July 1, 1990, and except Except as provided in par. (b), an amount of

says
(3m)

(3m)

CS
Limits

30719
22-19

for

1999-2000 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3195/P2ins
RNK.....

INSERT 35-6

History: 1991 a. 269; 1993 a. 16, 343; 1997 a. 27.

847P B
SECTION 1. 30.277 (2) (b) of the statutes is amended to read:

30.277 (2) (b) A grant awarded to a ~~municipality~~ governmental unit under this section may be used to acquire land and may be used for a shoreline enhancement project. For purposes of this paragraph, "land" includes rights in land.

History: 1991 a. 269; 1993 a. 16, 343; 1997 a. 27.

847X
SECTION 2. 30.277 (6) of the statutes is amended to read:

INSERT 36-4A

30.277 (6) RULES. The department shall promulgate rules for the administration of this section, including rules that specify the weight to be assigned to each criterion under sub. (3) and the minimum number of criteria under sub. (3) in which an applicant must perform satisfactorily in order to be awarded a grant. In specifying the weight to be assigned to the criteria under sub. (3), the department shall assign the greatest weight to the criterion under sub. (3) (k). The department shall promulgate a rule specifying the type^s of project^s that qualif^y as a shoreline enhancement project under this section.¹⁰

History: 1991 a. 269; 1993 a. 16, 343; 1997 a. 27.

1
2

3. Seventy thousand dollars shall be treated as ^{As} moneys expended for urban green space. \$ 70,000

3
4

~~Insert 13-21~~ (END OF INSERT)

5
6

Insert 35-22 ^(b) ^(CS)
^(847V)
SECTION ~~12~~ 30.277 (4m) of the statutes is created to read:
^{GRANTS FOR KICKAPOO.}

7
8

30.277 (4m) ^{may} (The department ~~not~~ award a grant under this ~~section~~ section from the appropriation under s. 20.866 (2) (tz) to the Kickapoo reserve management board.

9
10

Insert 36-4B
page 561, line 20: after that line insert:
SECTION ~~12~~ 41.41 (7) (cm) of the statutes is created to read:

11
12
13

41.41 (7) (cm) Acquire development rights in land any portion of which is approved by the department for inclusion in the Kickapoo valley reserve. Purchases under this part ^{a graph} are subject to the approval of the governor under s. 20.914 (1). ²⁷

(END OF INSERT)