



State of Wisconsin
1999 - 2000 LEGISLATURE

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MGG:cmh:jf

LFB:.....Kava - Stewardship 2000

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

LFB AMENDMENT

TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45

1 At the locations indicated, amend the bill as follows:

2 1. Page 402, line 13: substitute "23.0918" for "23.0917".

3 2. Page 407, line 18: after that line insert:

4 "SECTION 333p. 20.370 (7) (aa) of the statutes, as affected by 1997 Wisconsin
5 Act 27, section 412, 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,
10 enlargement or improvement of state recreation facilities under s. 20.866 (2) (tp) and
11 (tr), in financing state aids for land acquisition and development of local parks under

1 s. 20.866 (2) (tq), in financing land acquisition activities under s. 20.866 (2) (ts) and
2 (tt), in financing the aid program for dams under s. 20.866 (2) (tx), in financing ice
3 age trail development under s. 20.866 (2) (tw) ~~and, in funding financing the Warren~~
4 ~~Knowles–Gaylord Nelson~~ stewardship program under s. 20.866 (2) (tz) and in
5 financing the Warren Knowles–Gaylord Nelson stewardship 2000 program under s.
6 20.866 (2) (ta), but not including payments made under sub. (7) pars. (ac) and (au).

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

8 20.370 (7) (au) *State forest acquisition and development — principal repayment*
9 *and interest.* From the conservation fund, the amounts in the schedule to reimburse
10 s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing
11 land acquisition and development for state forests from the appropriation under s.
12 20.866 (2) (ta) and (tz).”.

13 **3.** Page 474, line 6: after “(at),” insert “(au).”

14 **4.** Page 474, line 19: after that line insert:

15 **“SECTION 629m.** 20.866 (2) (ta) of the statutes is created to read:

16 20.866 (2) (ta) *Natural resources; Warren Knowles–Gaylord Nelson*
17 *stewardship 2000 program.* From the capital improvement fund a sum sufficient for
18 the Warren Knowles–Gaylord Nelson stewardship 2000 program under s. 23.0917.
19 The state may contract public debt in an amount not to exceed \$404,000,000 for this
20 program. Except as provided in s. 23.0917 (5), the amounts obligated, as defined in
21 s. 23.0917 (1) (e), under this paragraph may not exceed \$40,400,000 in each fiscal
22 year.”.

23 **5.** Page 476, line 8: after that line insert:

24 **“SECTION 634m.** 20.866 (2) (tz) of the statutes is amended to read:

1 20.866 (2) (tz) *Natural resources; Warren Knowles-Gaylord Nelson*
2 *stewardship program.* From the capital improvement fund a sum sufficient for the
3 purposes specified in s. 23.0915 (1). The state may contract public debt in an amount
4 not to exceed \$231,000,000 for this purpose. ~~Except as provided in s. 23.0915 (2), the~~
5 ~~amounts expended under this paragraph and the amounts received and expended~~
6 ~~by the state for land acquisition under 16 USC 669-669i, 777-777i and~~
7 ~~460L-460L-22 may not exceed \$25,000,000 in each fiscal year.”.~~

8 **6.** Page 481, line 8: after that line insert:

9 “**SECTION 649m.** 20.924 (3) of the statutes is created to read:

10 20.924 (3) Subsection (1) does not apply to the establishment and development
11 of a state park as specified under s. 23.0917 (4) (e).”.

12 **7.** Page 483, line 25: after that line insert:

13 “**SECTION 658m.** 23.09 (2) (d) 6. of the statutes is amended to read:

14 23.09 (2) (d) 6. For preservation of any endangered species ~~defined in or~~
15 threatened species under s. 29.604 (2).”.

16 **8.** Page 484, line 4: after that line insert:

17 “**SECTION 659m.** 23.09 (2) (d) 14. of the statutes is amended to read:

18 23.09 (2) (d) 14. For habitat areas and fisheries.

19 **SECTION 659p.** 23.09 (2) (d) 16. of the statutes is created to read:

20 23.09 (2) (d) 16. For bluff protection under s. 30.24.

21 **SECTION 659t.** 23.09 (2dm) (b) of the statutes is amended to read:

22 23.09 (2dm) (b) The department shall allocate at least \$1,720,000 of the
23 moneys appropriated under s. 20.866 (2) (tz) in each fiscal year for the acquisition

1 of lands within the boundaries of projects established after January 1, 1988. This
2 paragraph does not apply after June 30, 2000."

3 **9.** Page 484, line 16: after that line insert:

4 "**SECTION 661b.** 23.09 (2p) (b) of the statutes is amended to read:

5 23.09 (2p) (b) ~~Beginning July 1, 1990, and except~~ Except as provided in par.
6 (c), an amount of money equal to the value of the donation under par. (a) shall be
7 released from the appropriation under s. 20.866 (2) (ta) or (tz) or both to be used for
8 land acquisition activities for the same project for which any donation was made on
9 or after August 9, 1989. The department shall determine how the moneys being
10 released are to be allocated from these appropriations. This paragraph does not
11 apply to transfers of land from agencies other than the department.

12 **SECTION 661c.** 23.09 (2p) (c) of the statutes is renumbered 23.09 (2p) (c) 1. and
13 amended to read:

14 23.09 (2p) (c) 1. If the moneys ~~to be released~~ allocated under par. (b) for release
15 from the appropriation under s. 20.866 (2) (tz) to match a donation under par. (b) will
16 exceed the expenditure limit under sub. (2r) for a given fiscal year, as adjusted under
17 s. 23.0915 (2), the department shall release from the moneys appropriated under s.
18 20.866 (2) (tz) the remaining amount available under the expenditure limit under
19 sub. (2r), as adjusted under s. 23.0915 (2) and after deducting the allocation under
20 sub. (2dm) (b), for the given fiscal year and shall release in each following fiscal year
21 from the moneys appropriated under s. 20.866 (2) (tz) an amount equal to the
22 expenditure limit under sub. (2r), as adjusted under s. 23.0915 (2) and after
23 deducting the allocation under sub. (2dm) (b), or equal to the amount still needed to

1 match the donation, whichever is less, until the entire amount necessary to match
2 the donation is released. This subdivision does not apply after June 30, 2000.

3 **SECTION 661d.** 23.09 (2p) (c) 2. of the statutes is created to read:

4 23.09 (2p) (c) 2. If the moneys allocated under par. (b) for release from the
5 appropriation under s. 20.866 (2) (ta) to match a donation under par. (b) will exceed
6 the annual bonding authority for the subprogram under s. 23.0917 (3) for a given
7 fiscal year, as adjusted under s. 23.0917 (5), the department shall release from the
8 moneys appropriated under s. 20.866 (2) (ta) the remaining amount available under
9 that annual bonding authority, as adjusted under s. 23.0917 (5), for the given fiscal
10 year and shall release in each following fiscal year from the moneys appropriated
11 under s. 20.866 (2) (ta) an amount equal to that annual bonding authority, as
12 adjusted under s. 23.0917 (5), or equal to the amount still needed to match the
13 donation, whichever is less, until the entire amount necessary to match the donation
14 is released.

15 **SECTION 661e.** 23.09 (19) (a) 2. of the statutes is amended to read:

16 23.09 (19) (a) 2. "~~Local governmental~~ Governmental unit" means a city, village,
17 town, county, lake sanitary district, as defined in s. 30.50 (4q), or public inland lake
18 protection and rehabilitation district or the Kickapoo reserve management board.

19 **SECTION 661f.** 23.09 (19) (a) 3. of the statutes is created to read:

20 23.09 (19) (a) 3. "Nature-based outdoor recreation" has the meaning given by
21 the department by rule under s. 23.0917 (4) (f).

22 **SECTION 661g.** 23.09 (19) (b) of the statutes is amended to read:

23 23.09 (19) (b) Any local governmental unit may apply for state aid for the
24 acquisition of lands and rights in lands for urban green space. Each application shall
25 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 661h.** 23.09 (19) (c) (intro.) of the statutes is amended to read:

4 23.09 (19) (c) (intro.) The department may approve award grants from the
5 appropriation under s. 20.866 (2) (tz) for the acquisition of land or rights in land for
6 urban green space under this subsection for the following purposes:

7 **SECTION 661i.** 23.09 (19) (cg) of the statutes is created to read:

8 23.09 (19) (cg) The department may award grants from the appropriation
9 under s. 20.866 (2) (ta) for the acquisition of land or rights in land for urban green
10 space under this subsection only for the purposes of nature-based outdoor
11 recreation.

12 **SECTION 661j.** 23.09 (19) (d) of the statutes is amended to read:

13 23.09 (19) (d) Grants under this subsection shall be for up to 50% of the ~~cost~~
14 ~~of acquiring~~ acquisition costs of the land or the rights in land for the urban green
15 space. The ~~local~~ governmental unit is responsible for the remainder of the
16 acquisition ~~cost~~ costs.

17 **SECTION 661k.** 23.09 (19) (e) of the statutes is amended to read:

18 23.09 (19) (e) As part of its approval of a grant, the department shall specify
19 for which of the purposes listed in par. (c) the ~~local~~ governmental unit may use the
20 land or the rights in the land acquired with the grant. The ~~local~~ governmental unit
21 may not convert the land or the rights in the land acquired under this subsection to
22 a use that is inconsistent with the uses as approved by the department.

23 **SECTION 661L.** 23.09 (19) (f) of the statutes is renumbered 23.09 (19) (f) 1. and
24 amended to read:

1 23.09 (19) (f) 1. Title Except as provided in subd. 2., title to land or to rights in
2 land acquired under this subsection shall vest in the local governmental unit.

3 **SECTION 661m.** 23.09 (19) (f) 2. of the statutes is created to read:

4 23.09 (19) (f) 2. Land or rights in land acquired under this subsection by the
5 Kickapoo reserve management board shall vest in the state.

6 **SECTION 661n.** 23.09 (19) (h) of the statutes is amended to read:

7 23.09 (19) (h) The department may not approve a grant under this subsection
8 unless the urban green space is identified in any master plan that the local
9 governmental unit may have.

10 **SECTION 661o.** 23.09 (19) (j) of the statutes is amended to read:

11 23.09 (19) (j) Any local governmental unit that acquires an area for gardening
12 with a grant under this subsection may charge fees for use of the garden that are
13 sufficient to recover the costs of maintaining the area. The local governmental unit
14 may reduce or waive any fee charged based on the user's inability to pay.

15 **SECTION 661p.** 23.09 (19) (k) of the statutes is amended to read:

16 23.09 (19) (k) Except as provided in s. 23.0915 (2), the department may not
17 expend from the appropriation under s. 20.866 (2) (tz) more than \$750,000 in each
18 fiscal year for urban green space under this subsection and for grants for urban green
19 space under s. 23.096.

20 **SECTION 661q.** 23.09 (19) (L) of the statutes is created to read:

21 23.09 (19) (L) The department may not award a grant from the appropriation
22 under s. 20.866 (2) (tz) to the Kickapoo reserve management board.

23 **SECTION 661u.** 23.09 (20) (a) of the statutes is renumbered 23.09 (20) (am) and
24 amended to read:

1 23.09 (20) (am) Any ~~city, village, town or county~~ governmental unit may apply
2 for state aids for the acquisition and development of recreational lands and rights in
3 lands. State aids under this subsection that are expended from the appropriation
4 under s. 20.866 (2) (ta) may only be used for nature-based outdoor recreation. State
5 aids received by a municipality shall be used for the development of its park system
6 in accordance with priorities based on comprehensive plans submitted with the
7 application and consistent with the outdoor recreation program under s. 23.30. ~~The~~
8 An application under this subsection shall be made in the manner the department
9 prescribes.

10 **SECTION 661v.** 23.09 (20) (ab) of the statutes is created to read:

11 23.09 (20) (ab) In this subsection:

12 1. “Governmental unit” means a municipality or the Kickapoo reserve
13 management board.

14 2. “Municipality” means a city, village, town or county.

15 3. “Nature-based outdoor recreation” has the meaning given by the
16 department by rule under s. 23.0917 (4) (f).

17 **SECTION 661w.** 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~~ acquisition costs and ~~developing~~ the development costs of
20 recreation lands and other outdoor recreation facilities. Costs associated with
21 operation and maintenance of parks and other outdoor recreational facilities
22 established under this subsection are not eligible for state aid. Administrative costs
23 of acquiring lands or land rights are not included in the “~~cost of land~~” acquisition
24 costs eligible for state aid under this subsection. Title to lands or rights in lands
25 acquired by a municipality under this subsection shall vest in the local unit of

1 ~~government municipality~~, but such land shall not be converted to uses inconsistent
2 with this subsection without prior approval of the state and proceeds from the sale
3 or other disposal of such lands shall be used to promote the objectives of this
4 subsection.

5 **SECTION 661x.** 23.09 (20) (d) of the statutes is amended to read:

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

10 **SECTION 661y.** 23.09 (20) (e) of the statutes is created to read:

11 23.09 (20) (e) The department may not award state aid under this subsection
12 from the appropriation under s. 20.866 (2) (tz) to the Kickapoo reserve management
13 board.

14 **SECTION 661z.** 23.09 (20m) of the statutes is created to read:

15 23.09 (20m) GRANTS FOR ACQUISITION OF DEVELOPMENT RIGHTS. (a) In this
16 subsection:

17 1. “Governmental unit” means a city, village, town, county or the Kickapoo
18 reserve management board.

19 2. “Nature-based outdoor recreation” has the meaning given by the
20 department by rule under s. 23.0917 (4) (f).

21 3. “Nonprofit conservation organization” has the meaning given in s. 23.0955
22 (1).

23 (b) The department shall establish a program to award grants from the
24 appropriation under s. 20.866 (2) (ta) to governmental units and nonprofit
25 conservation organizations to acquire development rights in land for nature-based

1 outdoor recreation. The grants shall be limited to no more than 50% of the
2 acquisition costs of the development rights.”

3 **10.** Page 485, line 3: delete lines 3 to 13 and substitute:

4 “**SECTION 663b.** 23.0915 (1) (intro.) of the statutes is amended to read:

5 23.0915 (1) DESIGNATED AMOUNTS. (intro.) The legislature intends that the
6 department will expend the following designated amounts under the Warren
7 Knowles-Gaylord Nelson stewardship program from the appropriation under s.
8 20.866 (2) (tz) for the following purposes in each fiscal year, the expenditures
9 beginning with fiscal year 1990–91 and ending in fiscal year 1999–2000, except as
10 provided in pars. ~~(L), (Lg), (Lr), (m) and (n) sub. (2c):~~

11 **SECTION 663c.** 23.0915 (1) (L) of the statutes is repealed.

12 **SECTION 663d.** 23.0915 (1) (Lg) of the statutes is amended to read:

13 23.0915 (1) (Lg) Henry Hank Aaron State Park Trail, a total of \$290,000, to be
14 ~~expended beginning in fiscal year 1997–98 and ending in fiscal year 1999–2000~~
15 \$1,360,000.

16 **SECTION 663e.** 23.0915 (1) (Lr) of the statutes is amended to read:

17 23.0915 (1) (Lr) Flambeau Mine Trail, a total of \$100,000, to be expended
18 beginning in fiscal year 1997–98 and ending in fiscal year 1999–2000.

19 **SECTION 663f.** 23.0915 (1) (m) of the statutes is amended to read:

20 23.0915 (1) (m) Horicon marsh Marsh interpretative center, a total of \$250,000,
21 to be expended beginning in fiscal year 1991–92 and ending in fiscal year 1999–2000.

22 **SECTION 663g.** 23.0915 (1) (n) of the statutes is amended to read:

1 23.0915 (1) (n) Crex Meadows Wildlife Area education center, a total of
2 \$250,000, to be expended beginning in fiscal year 1997–98 and ending in fiscal year
3 1999–2000.

4 **SECTION 663n.** 23.0915 (2) (a) of the statutes is amended to read:

5 23.0915 (2) (a) Beginning with fiscal year 1990–91, if the department expends
6 in a given fiscal year an amount from the moneys appropriated under s. 20.866 (2)
7 (tz) for a purpose under sub. (1) (a) or (c) to (k) that is less than the amount designated
8 for that purpose for that given fiscal year under sub. (1) (a) or (c) to (k), the
9 department may adjust the expenditure limit under the Warren Knowles–Gaylord
10 Nelson stewardship program for that purpose by raising the expenditure limit, as it
11 may have been previously adjusted under this paragraph and par. (b), for the next
12 fiscal year by the amount that equals the difference between the amount designated
13 for that purpose and the amount expended for that purpose in that given fiscal year.

14 **SECTION 663i.** 23.0915 (2) (b) of the statutes is amended to read:

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

25 **SECTION 663j.** 23.0915 (2) (e) of the statutes is created to read:

1 23.0915 (2) (e) Paragraphs (a) to (d) do not apply after June 30, 2000.

2 **SECTION 663k.** 23.0915 (2c) of the statutes is created to read:

3 23.0915 (2c) EXPENDITURES AFTER JULY 1, 1999. (a) In this subsection:

4 1. "Commit for expenditure" means to encumber, set aside or otherwise commit
5 or to expend without having previously encumbered or otherwise committed.

6 2. "Moneys available for expenditure" means moneys that have not been
7 committed for expenditure.

8 (b) If the amount of moneys available for expenditure for a purpose under sub.
9 (1) (a) to (n) on July 1, 2000, is greater than zero, the department may expend for that
10 purpose any portion of or all of the moneys available for expenditure in one or more
11 subsequent fiscal years.

12 (c) If the amount of moneys available for expenditure for a purpose under sub.
13 (1) (a) to (k) is not sufficient for a given project or activity and if the project or activity
14 is uniquely valuable in conserving the natural resources of the state, the department
15 may expend for that project or activity moneys that are designated for any of the
16 purposes under sub. (1) (a) to (k) in one or more subsequent years.

17 **SECTION 663L.** 23.0915 (2j) (a) of the statutes is amended to read:

18 23.0915 (2j) (a) From the moneys appropriated under s. 20.866 (2) (tz), before
19 June 30, 2000, the department shall expend \$100,000 for the Flambeau Mine Trail
20 and Rusk County visitor center.

21 **SECTION 663m.** 23.0915 (2m) (title) of the statutes is amended to read:

22 23.0915 (2m) (title) MONEYS FOR HENRY HANK AARON STATE PARK STATE TRAIL.

23 **SECTION 663n.** 23.0915 (2m) (a) of the statutes is amended to read:

24 23.0915 (2m) (a) From the moneys appropriated under s. 20.866 (2) (tz), the
25 department shall set aside for the period of time specified in sub. (1) (L) \$400,000 to

1 be used only for the development of a ~~state park to be located in the Menomonee~~
2 ~~valley in the city of Milwaukee and to be designated as the Henry Hank Aaron State~~
3 ~~Park Trail.~~

4 **SECTION 663o.** 23.0915 (2m) (b) of the statutes is repealed.

5 **SECTION 663p.** 23.0915 (2m) (c) of the statutes is renumbered 23.0915 (2m) (g)
6 and amended to read:

7 23.0915 (2m) (g) None of the moneys set aside under ~~par. (a)~~ this subsection
8 may be expended for stadium parking or for any other purpose not directly related
9 to the development of the state ~~park trail~~.

10 **SECTION 663q.** 23.0915 (2m) (e) of the statutes is amended to read:

11 23.0915 (2m) (e) From the moneys appropriated under s. 20.866 (2) (tz), the
12 department shall set aside ~~for the period of time specified in sub. (1) (Lg)~~ \$290,000
13 for the Henry Hank Aaron State Park Trail ~~in the Henry Aaron State Park.~~

14 **SECTION 663r.** 23.0915 (2m) (f) of the statutes is created to read:

15 23.0915 (2m) (f) From the moneys appropriated under s. 20.866 (2) (tz), the
16 department shall set aside \$670,000 for the Hank Aaron State Trail. For purposes
17 of sub. (1) moneys expended under this paragraph shall be treated as follows:

- 18 1. As moneys expended for urban rivers, \$400,000.
- 19 2. As moneys expended for stream bank protection, \$200,000.
- 20 3. As moneys expended for urban green space, \$70,000.

21 **SECTION 663s.** 23.0915 (3) (a) of the statutes is amended to read:

22 23.0915 (3) (a) From the moneys appropriated under s. 20.866 (2) (tz), the
23 department shall set aside during fiscal year 1991–92 ~~for the period of time specified~~
24 ~~in sub. (1) (m)~~ \$250,000 for a project to develop a vacant building to be used as an
25 interpretative and administrative center for the Horicon ~~marsh~~ Marsh area.

1 Expenditures under this paragraph shall be made in a manner that, for every \$3
2 received by the department from private grants, gifts or bequests for the project, \$1
3 will be expended from the moneys under this paragraph.

4 **SECTION 663t.** 23.0915 (3m) (a) of the statutes is amended to read:

5 23.0915 (3m) (a) From the moneys appropriated under s. 20.866 (2) (tz), the
6 department shall set aside during fiscal year 1997–98 ~~for the period of time specified~~
7 ~~in sub. (1)(n)~~ \$250,000 for a project to construct and equip a wildlife education center
8 for Crex Meadows Wildlife Area. Expenditures under this paragraph shall be made
9 in a manner that, for every \$3 received by the department from private grants, gifts
10 or bequests for the project, \$1 will be expended from the moneys under this
11 paragraph.

12 **SECTION 663u.** 23.0917 of the statutes is created to read:

13 **23.0917 Warren Knowles–Gaylord Nelson stewardship 2000 program.**

14 (1) DEFINITIONS. In this section:

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

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

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

22 (d) “Land” means land in fee simple, conservation easements, other easements
23 in land and development rights in land.

24 (e) “Obligate” means to encumber or otherwise commit or to expend without
25 having previously encumbered or otherwise committed.

1 (f) “Owner’s acquisition price” means the amount equal to the price the owner
2 paid for the land or if the owner acquired the land as a gift or devise, the amount equal
3 to the appraised value of the land at the time it was transferred to the owner.

4 (g) “Remaining bonding authority” means the amount of moneys that has not
5 been obligated.

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

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

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

13 (3) LAND ACQUISITION SUBPROGRAM. (a) Beginning with fiscal year 2000–01 and
14 ending with fiscal year 2009–10, the department may obligate moneys under the
15 subprogram for land acquisition to acquire land for the purposes specified in s. 23.09
16 (2) (d) and grants for these purposes under s. 23.096.

17 (b) 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 state trails and the ice age trail and for grants for the state trails and the ice age
20 trails under s. 23.096. The period of time during which the moneys shall be set aside
21 in each fiscal year shall begin on the July 1 of the fiscal year and end on the June 30
22 of the same fiscal year.

23 (c) In obligating moneys under the subprogram for land acquisition, the
24 department shall give priority to all of the following purposes and to awarding grants
25 under s. 23.096 for all the following purposes:

1 1. Acquisition of land that preserves or enhances the state's water resources,
2 including land in and for the Lower Wisconsin State Riverway; land abutting wild
3 rivers designated under s. 30.26, wild lakes and land along the shores of the Great
4 Lakes.

5 2. Acquisition of land for the stream bank protection program under s. 23.094.

6 3. Acquisition of land for habitat areas and fisheries under s. 23.092.

7 4. Acquisition of land for natural areas under ss. 23.27 and 23.29.

8 5. Acquisition of land for bluff protection under s. 30.24.

9 6. Acquisition of land in the middle Kettle Moraine.

10 7. Acquisition of land in the Baraboo Hills for conservation purposes.

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

13 (e) For purposes of this subsection, the department by rule shall define "wild
14 lake".

15 (4) PROPERTY DEVELOPMENT AND LOCAL ASSISTANCE SUBPROGRAM. (a) Beginning
16 with fiscal year 2000–01 and ending with fiscal year 2009–10, the department may
17 obligate moneys under the subprogram for property development and local
18 assistance. Moneys obligated under this subprogram may be only used for
19 nature-based outdoor recreation.

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

22 1. Grants for urban green space under ss. 23.09 (19) and 23.096.

23 2. Grants for local parks under ss. 23.09 (20) and 23.096.

24 3. Grants for acquisition of property development rights under ss. 23.09 (20m)
25 and 23.096.

1 4. Grants for urban rivers under ss. 23.096 and 30.277.

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

5 1. Property development of department lands.

6 2. Property development on conservation easements adjacent to department
7 lands.

8 3. Grants under s. 23.098.

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

11 1. The department may obligate not more than \$9,400,000 in each fiscal year
12 under the subprogram except as provided in sub. (5).

13 2. The department may obligate not more than \$8,000,000 in each fiscal year
14 for local assistance.

15 3. The department shall obligate at least \$1,400,000 in each fiscal year for
16 property development.

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)
24 (ta) for a subprogram under sub. (3) or (4) that is less than the annual bonding
25 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 any land involved in the project or activity covers a large area or the
7 land 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; APPRAISALS. (a) Except as provided in pars.
21 (b) and (c), for purposes of calculating the acquisition costs 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 from the appropriation under s. 20.866 (2) (ta), the acquisition costs shall
24 equal the sum of the land's current fair market value and other acquisition costs, as
25 determined by rule by the department.

1 (b) For land that has been owned by the current owner for less than one year,
2 the acquisition costs of the land shall equal the owner's acquisition price.

3 (c) For land that has been owned by the current owner for one year or more but
4 for less than 3 years, the acquisition costs of the land shall equal the sum of the
5 current owner's acquisition price and the annual adjustment increase.

6 (d) For purposes of par. (c), the annual adjustment increase shall be calculated
7 by multiplying the owner's acquisition price by 7.5% and by then multiplying that
8 product by one of the following numbers:

9 1. By one if the land has been owned by the current owner for one year or more
10 but for less than 2 years.

11 2. By 2 if the land has been owned by the current owner for 2 years or more but
12 for less than 3 years.

13 (e) For any land for which moneys are proposed to be obligated from the
14 appropriation under s. 20.866 (2) (ta) in order to provide a grant or state aid to a
15 governmental unit under s. 23.09 (19), (20) or (20m) or 30.277 or to a nonprofit
16 conservation organization under s. 23.096, the governmental unit or nonprofit
17 conservation organization shall submit to the department two appraisals if the
18 department estimates that the fair market value of the land exceeds \$200,000.

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

22 (b) The department may not obligate moneys from the appropriation under s.
23 20.866 (2) (ta) for the acquisition or development of land by a county or other local
24 governmental unit or political subdivision if the county, local governmental unit or
25 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.

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

5 **11.** Page 485, line 14: substitute “23.0918” for “23.0917”.

6 **12.** Page 485, line 15: substitute “**23.0918**” for “**23.0917**”.

7 **13.** Page 485, line 23: after that line insert:

8 “**SECTION 664b.** 23.092 (4) of the statutes is amended to read:

9 23.092 (4) The department may share the costs of implementing land
10 management practices with landowners, or with nonprofit organizations that are
11 qualified to enhance wildlife-based recreation if these organizations have the
12 landowner’s permission to implement the practices. The department may share the
13 costs of acquiring easements for habitat areas with landowners or with these
14 nonprofit organizations. ~~This subsection does not apply before July 1, 1990~~ If the
15 funding for cost-sharing under this subsection will be expended from the
16 appropriation under s. 20.866 (2)(ta), the amount expended for the cost-sharing may
17 not exceed 50% of the cost of the management practices or of the acquisition costs for
18 the easement.

19 **SECTION 664d.** 23.092 (5) (a) of the statutes is amended to read:

20 23.092 (5) (a) The department shall determine the value of land or an easement
21 donated to the department that is within a habitat area and is dedicated for purposes
22 of habitat protection, enhancement or restoration. For an easement, the valuation
23 shall be based on the extent to which the fair market value of the land is diminished
24 by the transfer. ~~Beginning on July 1, 1990, and except~~ Except as provided in par. (b),

1 an amount of money equal to the value of the donation shall be released from the
2 appropriation under s. 20.866 (2) (ta) or (tz) or both to be used for habitat protection,
3 enhancement or restoration activities for the same habitat area in which any
4 donation was made on or after August 9, 1989. The department shall determine how
5 the moneys being released are to be allocated from these appropriations.

6 **SECTION 664f.** 23.092 (5) (b) of the statutes is renumbered 23.092 (5) (b) 1.
7 amended to read:

8 23.092 (5) (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. (6) 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. (6), 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. (6), 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 released. This subdivision does
18 not apply after June 30, 2000.

19 **SECTION 664h.** 23.092 (5) (b) 2. of the statutes is created to read:

20 23.092 (5) (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 664i.** 23.092 (6) of the statutes is amended to read:

7 23.092 (6) Except as provided in s. 23.0915 (2), the department may not expend
8 from the appropriation under s. 20.866 (2) (tz) more than \$1,500,000 under this
9 section for fisheries, for habitat areas and for grants for this purpose under s. 23.096
10 in each fiscal year. Of this amount the department may not expend more than
11 \$75,000 for fisheries in each fiscal year.

12 **SECTION 664j.** 23.092 (6) of the statutes, as affected by 1999 Wisconsin Act
13 (this act), is repealed and recreated to read:

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

18 **14.** Page 485, line 24: after that line insert:

19 **“SECTION 665k.** 23.094 (3g) of the statutes is amended to read:

20 23.094 (3g) ACQUISITION BY POLITICAL SUBDIVISION. A political subdivision may
21 acquire by gift, devise or purchase land adjacent to a stream identified as a priority
22 stream under sub. (2) or acquire by gift, devise or purchase a permanent stream bank
23 easement from the owner of the land. The department may make grants from the
24 appropriation under s. 20.866 (2) (tz) to political subdivisions to purchase these lands

1 and easements. The department may make grants under s. 23.096 from the
2 appropriation under s. 20.866 (2) (ta) or (tz) or both. Whenever possible, the land or
3 easement shall include the land within at least 66 feet from either side of the stream.

4 **SECTION 665L.** 23.094 (3m) of the statutes is created to read:

5 23.094 (3m) LIMITS. A grant under sub (3g) may not exceed 50% of the
6 acquisition costs for the land or the easement.

7 **SECTION 665m.** 23.094 (4) (a) of the statutes is amended to read:

8 23.094 (4) (a) The department shall determine the value of land or an easement
9 donated to the department for purposes of this section and for stream bank
10 protection under s. 23.096. For an easement, the valuation shall be based on the
11 extent to which the fair market value of the land is diminished by the transfer.
12 ~~Beginning July 1, 1990, and except~~ Except as provided in par. (b), an amount of
13 money equal to the value of the donation shall be released from the appropriation
14 under s. 20.866 (2) (ta) or (tz) or both to be used to acquire easements and land under
15 this section and s. 23.096 for the same stream for which any donation was made on
16 or after August 9, 1989. The department shall determine how the moneys being
17 released are to be allocated from these appropriations.

18 **SECTION 665n.** 23.094 (4) (b) of the statutes is renumbered 23.094 (4) (b) 1. and
19 amended to read:

20 23.094 (4) (b) 1. If the moneys ~~to be released~~ allocated under par. (a) for release
21 from the appropriation under s. 20.866 (2) (tz) to match a donation under par. (a) will
22 exceed the expenditure limit under sub. (8) for a given fiscal year, as adjusted under
23 s. 23.0915 (2), the department shall release from the moneys appropriated under s.
24 20.866 (2) (tz) the remaining amount available under the expenditure limit under
25 sub. (8), as adjusted under s. 23.0915 (2), for the given fiscal year and shall release

1 in each following fiscal year from the moneys appropriated under s. 20.866 (2) (tz)
2 an amount equal to the expenditure limit under sub. (8), as adjusted under s. 23.0915
3 (2), or equal to the amount still needed to match the donation, whichever is less, until
4 the entire amount necessary to match the donation is released. This subdivision does
5 not apply after June 30, 2000.

6 **SECTION 665o.** 23.094 (4) (b) 2. of the statutes is created to read:

7 23.094 (4) (b) 2. If the moneys allocated under par. (a) for release from the
8 appropriation under s. 20.866 (2) (ta) to match a donation under par. (a) will exceed
9 the annual bonding authority for the subprogram under s. 23.0917 (3) for a given
10 fiscal year, as adjusted under s. 23.0917 (5), the department shall release from the
11 moneys appropriated under s. 20.866 (2) (ta) the remaining amount available under
12 that annual bonding authority, as adjusted under s. 23.0917 (5), for the given fiscal
13 year and shall release in each following fiscal year from the moneys appropriated
14 under s. 20.866 (2) (ta) an amount equal to that annual bonding authority, as
15 adjusted under s. 23.0917 (5), or equal to the amount still needed to match the
16 donation, whichever is less, until the entire amount necessary to match the donation
17 is released.

18 **SECTION 665p.** 23.094 (8) of the statutes is amended to read:

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

1 Of this amount, the department may not expend more than \$300,000 in each fiscal
2 year for grants under sub. (3g) to cities, villages, towns and counties.

3 **SECTION 665q.** 23.094 (8) of the statutes, as affected by 1999 Wisconsin Act
4 (this act), is repealed and recreated to read:

5 23.094 (8) APPROPRIATION. Except as provided in s. 23.0915 (2), the department
6 may not expend from the appropriation under s. 20.866 (2) (tz) more than \$1,000,000
7 for fisheries, for the acquisition of land and easements by the department under this
8 section, for grants under sub. (3g) and for grants for this purpose under s. 23.096 in
9 each fiscal year.

10 **SECTION 665r.** 23.0955 (1) of the statutes is amended to read:

11 23.0955 (1) In this section ~~and s. 23.096~~, “nonprofit conservation organization”
12 means a nonprofit corporation, a charitable trust or other nonprofit association
13 whose purposes include the acquisition of property for conservation purposes and
14 that is described in section 501 (c) (3) of the internal revenue code and is exempt from
15 federal income tax under section 501 (a) of the internal revenue code.

16 **SECTION 665s.** 23.096 (1) of the statutes is renumbered 23.096 (1) (intro.) and
17 amended to read:

18 23.096 (1) (intro.) In this section, “property”:

19 (b) “Property” means land or an interest in land.

20 **SECTION 665t.** 23.096 (1) (ag) of the statutes is created to read:

21 23.096 (1) (ag) “Nonprofit conservation organization” has the meaning given
22 in s. 23.0955 (1).

23 **SECTION 665u.** 23.096 (2) of the statutes is renumbered 23.096 (2) (a) and
24 amended to read:

1 23.096 (2) (a) The department may award grants from the appropriation under
2 s. 20.866 (2) (ta) or (tz) to nonprofit conservation organizations to acquire property
3 for all of the purposes described in ss. 23.09 (2) (d) 1. to 7., 9., 11., 12. and 15., (19)
4 and, (20) and (20m), 23.092, 23.094, 23.17, 23.175, 23.27, 23.29, 23.293, 30.24 and
5 30.277 (2)-(a).

6 **SECTION 665v.** 23.096 (2) (b) of the statutes is created to read:

7 23.096 (2) (b) A grant awarded under this section may not exceed 50% of the
8 acquisition costs of the property.

9 **SECTION 665w.** 23.098 (1) (c) of the statutes is created to read:

10 23.098 (1) (c) “Nonprofit conservation organization” has the meaning given in
11 s. 23.0955 (1).

12 **SECTION 665x.** 23.098 (2) of the statutes is amended to read:

13 23.098 (2) The department shall establish a program to ~~expend~~ make grants
14 from the appropriation appropriations under s. 20.866 (2) (ta) and (tz) ~~moneys for~~
15 grants to friends groups and nonprofit conservation organizations for projects for
16 property development activities on department properties. The department may not
17 encumber more than \$200,000 \$250,000 in each fiscal year for these grants.

18 **SECTION 665y.** 23.098 (4) (am) of the statutes is created to read:

19 23.098 (4) (am) In awarding grants under this section for eligible projects, the
20 department shall establish a system under which the grants are offered to eligible
21 friends groups before being offered to eligible nonprofit conservation organizations.

22 **SECTION 665z.** 23.098 (5) of the statutes is amended to read:

23 23.098 (5) Each friends group and nonprofit conservation organization
24 receiving a grant under this section shall provide matching funds that are equal to
25 at least 50% of the estimated cost of the project for which a grant is being provided.”.

1 **15.** Page 487, line 22: after that line insert:

2 “**SECTION 671b.** 23.175 (3) (b) (intro.) of the statutes is amended to read:

3 23.175 (3) (b) (intro.) ~~Beginning July 1, 1990, expend~~ Expend an amount from
4 the appropriation under s. 20.866 (2) (ta) or (tz) or both that equals any of the
5 following:

6 **SECTION 671d.** 23.175 (3m) of the statutes is created to read:

7 23.175 (3m) ALLOCATION BETWEEN APPROPRIATIONS. For purposes of sub. (3) (b),
8 the department shall determine how the moneys being expended are to be allocated
9 from the appropriations under s. 20.866 (2) (ta) and (tz). The department may not
10 allocate or expend any moneys from the appropriation under s. 20.866 (2) (ta) before
11 July 1, 2000.

12 **SECTION 671e.** 23.175 (4) of the statutes is amended to read:

13 23.175 (4) LIMITS ON SPENDING. Except as provided in s. 23.0915 (2), the
14 department may not expend from the appropriation under s. 20.866 (2) (tz) more
15 than \$1,000,000 under this section for trails and for grants for this purpose under
16 s. 23.096 in each fiscal year. Of this amount, the department may not expend from
17 the appropriation under s. 20.866 (2) (tz) more than \$500,000 under sub. (3) (b) in
18 each fiscal year.

19 **SECTION 671g.** 23.175 (4) of the statutes, as affected by 1999 Wisconsin Act
20 (this act), is repealed and recreated to read:

21 23.175 (4) LIMIT ON SPENDING. Except as provided in s. 23.0915 (2), the
22 department may not expend from the appropriation under s. 20.866 (2) (tz) more
23 than \$1,000,000 under this section for trails and for grants for this purpose under
24 s. 23.096 in each fiscal year.

1 **SECTION 671m.** 23.197 of the statutes is created to read:

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

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 any of the purposes specified under
13 s. 23.0915 (1) (a) to (k) or any combination of those purposes. For purposes of s.
14 23.0917, moneys provided from the appropriation under s. 20.866 (2) (ta) shall be
15 treated as moneys obligated from either or both of the subprograms under s. 23.0917
16 (3) and (4).

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

23 (b) The department shall determine how the moneys being provided under par.
24 (a) will be allocated between the appropriations under s. 20.866 (2) (ta) and (tz). For
25 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 urban river grants. For purposes of
2 s. 23.0917, moneys provided from the appropriation under s. 20.866 (2) (ta) shall be
3 treated as moneys obligated under the subprogram for property development and
4 local assistance.

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

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 any of the purposes specified under
13 s. 23.0915 (1) (a) to (k) or any combination of those purposes. For purposes of s.
14 23.0917, moneys provided from the appropriation under s. 20.866 (2) (ta) shall be
15 treated as moneys obligated from either or both of the subprograms under s. 23.0917
16 (3) and (4).

17 (4) **GRANT FOR LAND ACQUISITION AND HABITAT RESTORATION.** (a) In this
18 subsection:

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

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

24 (b) From the appropriation under s. 20.866 (2) (ta), the department may award
25 a single grant of \$20,000 to an organization that is not a nonprofit organization but

1 that has entered into an agreement with a nonprofit organization in order to apply
2 for the grant. The grant may be used for land acquisition for conservation or
3 recreation purposes or for habitat restoration or both. For purposes of s. 23.0917,
4 moneys obligated for this grant shall be treated as moneys obligated under the
5 subprogram for land acquisition.

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

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

15 **SECTION 671p.** 23.27 (4) of the statutes is amended to read:

16 23.27 (4) NATURAL AREAS LAND ACQUISITION; CONTINUING COMMITMENT. It is the
17 intent of the legislature to continue natural areas land acquisition activities from
18 moneys available from the ~~appropriation~~ appropriations under ss. 20.370 (7) (fa) and
19 20.866 (2) (~~ta~~), (ts) and (tz). This commitment is separate from and in addition to the
20 commitment to acquire natural areas under the Wisconsin natural areas heritage
21 program. Except as provided in s. 23.0915 (2), the department may not expend from
22 the appropriation under s. 20.866 (2) (tz) more than \$1,500,000 in each fiscal year
23 for natural areas land acquisition activities under this subsection and for grants for
24 this purpose under s. 23.096.”.

1 **16.** Page 487, line 23: delete the material beginning with that line and ending
2 with page 488, line 14, and substitute:

3 “**SECTION 672d.** 23.27 (5) of the statutes is amended to read:

4 **23.27 (5) NATURAL AREAS LAND ACQUISITION; COMMITMENT UNDER THE WISCONSIN**
5 **NATURAL AREAS HERITAGE PROGRAM.** It is the intent of the legislature to initiate
6 additional natural areas land acquisition activities with moneys available from the
7 appropriations under ss. 20.370 (1) (mg) and 20.866 (2) ~~(ta)~~, (tt) and (tz) under the
8 Wisconsin natural areas heritage program. This commitment is separate from and
9 in addition to the continuing commitment under sub. (4). ~~Moneys available from the~~
10 ~~appropriations under ss. 20.370 (1) (mg) and 20.866 (2) (tt) and (tz) under the~~
11 ~~Wisconsin natural areas heritage program may not be used to acquire land through~~
12 ~~condemnation.~~ The department may not acquire land under this subsection unless
13 the land is suitable for dedication under the Wisconsin natural areas heritage
14 program and upon purchase or as soon after purchase as practicable the department
15 shall take all necessary action to dedicate the land under the Wisconsin natural
16 areas heritage program. Except as provided in s. 23.0915 (2), the department may
17 not expend from the appropriation under s. 20.866 (2) (tz) more than \$500,000 in
18 each fiscal year for natural areas land acquisition activities under this subsection
19 and for grants for this purpose under s. 23.096.

20 **SECTION 672f.** 23.29 (2) of the statutes is amended to read:

21 **23.29 (2) CONTRIBUTIONS; STATE MATCH.** The department may accept
22 contributions and gifts for the Wisconsin natural areas heritage program. The
23 department shall convert donations of land which it determines, with the advice of
24 the council, are not appropriate for the Wisconsin natural areas heritage program

1 into cash. The department shall convert other noncash contributions into cash.
2 These moneys shall be deposited in the general fund and credited to the
3 appropriation under s. 20.370 (1) (mg). These moneys shall be matched by an equal
4 amount released from the appropriation under s. 20.866 (2) (ta), (tt) or (tz) or ~~both~~
5 from any combination of these appropriations to be used for natural areas land
6 acquisition activities under s. 23.27 (5). The department shall determine how the
7 moneys being released are to be allocated from these appropriations. ~~No moneys may~~
8 ~~be released under s. 20.866 (2) (tz) before July 1, 1990.~~

9 **SECTION 672g.** 23.29 (3) of the statutes is amended to read:

10 23.29 (3) LAND DEDICATIONS; VALUATION; STATE MATCH. The department shall
11 determine the value of land accepted for dedication under the Wisconsin natural
12 areas heritage program. If the land dedication involves the transfer of the title in
13 fee simple absolute or other arrangement for the transfer of all interest in the land
14 to the state, the valuation shall be based on the fair market value of the land prior
15 to the transfer. If the land dedication involves the transfer of a partial interest in
16 land to the state, the valuation shall be based on the extent to which the fair market
17 value of the land is diminished by that transfer and the associated articles of
18 dedication. If the land dedication involves a sale of land to the department at less
19 than the fair market value, the valuation of the dedication shall be based on the
20 difference between the purchase price and the fair market value. An amount equal
21 to the value of land accepted for dedication under the Wisconsin natural areas
22 heritage program shall be released from the appropriation under s. 20.866 (2) (ta),
23 (tt) or (tz) or both from any combination of these appropriations to be used for natural
24 areas land acquisition activities under s. 23.27 (5). This subsection does not apply
25 to dedications of land under the ownership of the state. The department shall

1 determine how the moneys being released are to be allocated from these
2 appropriations. ~~No moneys may be released under s. 20.866 (2) (tz) before July 1,~~
3 ~~1990.~~

4 **SECTION 672j.** 23.293 (4) of the statutes is amended to read:

5 23.293 (4) CONTRIBUTIONS AND GIFTS; STATE MATCH. The department may accept
6 contributions and gifts for the ice age trail program. The department may convert
7 gifts of land which it determines are not appropriate for the ice age trail program into
8 cash. The department may convert other noncash contributions and gifts into cash.
9 These moneys shall be deposited in the general fund and credited to the
10 appropriation under s. 20.370 (7) (gg). An amount equal to the value of all
11 contributions and gifts shall be released from the appropriation under s. 20.866 (2)
12 (ta), (tw) or (tz) or both from any combination of these appropriations to be used for
13 land acquisition and development activities under s. 23.17. The department shall
14 determine how the moneys being released are to be allocated from these
15 appropriations. ~~No moneys may be released under s. 20.866 (2) (tz) before July 1,~~
16 ~~1990.~~

17 **SECTION 672k.** 23.293 (5) of the statutes is amended to read:

18 23.293 (5) LAND DEDICATIONS; VALUATION; STATE MATCH. The department shall
19 determine the value of land accepted for dedication under the ice age trail program.
20 If the land dedication involves the transfer of the title in fee simple absolute or other
21 arrangement for the transfer of all interest in the land to the state, the valuation of
22 the land shall be based on the fair market value of the land before the transfer. If
23 the land dedication involves the transfer of a partial interest in land to the state, the
24 valuation of the land shall be based on the extent to which the fair market value of
25 the land is diminished by that transfer and the associated articles of dedication. If

1 the land dedication involves a sale of land to the department at less than the fair
2 market value, the valuation of the land shall be based on the difference between the
3 purchase price and the fair market value. An amount equal to the valuation of the
4 land accepted for dedication under the ice age trail program shall be released from
5 the appropriation under s. 20.866 (2) ~~(ta), (tw) or (tz) or both~~ from any combination
6 of these appropriations to be used for ice age trail acquisition activities under s.
7 23.17. The department shall determine how the moneys being released are to be
8 allocated from these appropriations. ~~No moneys may be released under s. 20.866 (2)~~
9 ~~(tz) before July 1, 1990.~~ This subsection does not apply to dedications of land under
10 the ownership of the state.”.

11 **17.** Page 532, line 22: after that line insert:

12 “**SECTION 847g.** 30.24 of the statutes is created to read:

13 **30.24 Bluff protection. (1) DEFINITIONS.** In this section:

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

15 (b) “Protect” includes to restore.

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

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

20 (b) Award grants to nonprofit conservation organizations to acquire these lands
21 or interests under s. 23.096.

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

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

3 (5) RULES. The department shall promulgate rules to administer and
4 implement this section, including standards for awarding grants to protect bluffs
5 under this section and under s. 23.096 grants. The department by rule shall define
6 “bluff land” for purposes of this section.

7 **SECTION 847L.** 30.277 (1) of the statutes is renumbered 30.277 (1m) (a) and
8 amended to read:

9 30.277 (1m) (a) Beginning in fiscal year 1992–93 and ending in fiscal year
10 1999–2000, from the appropriation under s. 20.866 (2) (tz), the department shall
11 award grants to municipalities governmental units to assist municipalities them in
12 projects on or adjacent to rivers that flow through urban areas. The department may
13 award these grants from the appropriation under s. 20.866 (2) (ta) beginning on July
14 1, 2000.

15 (b) For each fiscal year, except as provided in s. 23.0915 (1r) (c), from the
16 appropriation under s. 20.866 (2) (tz), the department shall designate for
17 expenditure \$1,900,000 for grants under this section and for grants under s. 23.096
18 for the purposes under sub. (2) (a). This paragraph does not apply after June 30,
19 2000.

20 **SECTION 847m.** 30.277 (1b) of the statutes is created to read:

21 30.277 (1b) DEFINITION. In this section:

22 (a) “Governmental unit” means a city, village, town, county or the Kickapoo
23 reserve management board.

24 (b) “Nature-based outdoor recreation” has the meaning given by the
25 department by rule under s. 23.0917 (4) (f).

1 **SECTION 847n.** 30.277 (2) (a) of the statutes is amended to read:

2 30.277 (2) (a) Grants awarded under this section from the appropriation under
3 s. 20.866 (2) (tz) shall be used for projects that emphasize the preservation or
4 restoration of urban rivers or riverfronts for the purposes of economic revitalization
5 and encouraging outdoor recreation activities that involve the enjoyment of the
6 state's natural resources. These outdoor recreation activities include, but are not
7 limited to fishing, wildlife observation, enjoyment of scenic beauty, canoeing,
8 boating, hiking and bicycling.

9 **SECTION 847o.** 30.277 (2) (b) of the statutes is amended to read:

10 30.277 (2) (b) A grant awarded to a municipality governmental unit under this
11 section may be used to acquire land and may be used for a shoreline enhancement
12 project. For purposes of this paragraph, "land" includes rights in land.

13 **SECTION 847p.** 30.277 (2) (c) of the statutes is created to read:

14 30.277 (2) (c) Grants awarded under this section from the appropriation under
15 s. 20.866 (2) (ta) shall only be used for nature-based outdoor recreation.

16 **SECTION 847q.** 30.277 (3) (e) of the statutes is amended to read:

17 30.277 (3) (e) Whether significant planning has occurred in the municipality
18 area subject to the jurisdiction of the governmental unit prior to its request for a
19 grant under this section.

20 **SECTION 847r.** 30.277 (3) (f) of the statutes is amended to read:

21 30.277 (3) (f) The level of support for the project demonstrated by the
22 municipality governmental unit, including financial support.

23 **SECTION 847s.** 30.277 (3) (g) of the statutes is amended to read:

24 30.277 (3) (g) Whether the project involves a joint effort by 2 or more
25 municipalities governmental units.

1 **SECTION 847t.** 30.277 (3) (h) of the statutes is amended to read:

2 30.277 (3) (h) The potential benefits of the project to the overall economy of the
3 municipality area subject to the jurisdiction of the governmental unit.

4 **SECTION 847u.** 30.277 (4) of the statutes is amended to read:

5 30.277 (4) CAP ON GRANTS. No municipality governmental unit may receive in
6 any fiscal year more than 20% of the funds that are available for grants under this
7 section.

8 **SECTION 847v.** 30.277 (4m) of the statutes is created to read:

9 30.277 (4m) GRANTS FOR KICKAPOO. The department may not award a grant
10 under this section from the appropriation under s. 20.866 (2) (tz) to the Kickapoo
11 reserve management board.

12 **SECTION 847w.** 30.277 (5) of the statutes is amended to read:

13 30.277 (5) CONTRIBUTION BY MUNICIPALITY GOVERNMENTAL UNIT. To be eligible for
14 a grant under this section, at least 50% of the ~~cost of the project~~ acquisition costs for
15 land or of the project costs shall be funded by private, local or federal funding, by
16 in-kind contributions or by state funding. For purposes of this subsection, state
17 funding may not include grants under this section, moneys appropriated to the
18 department under s. 20.370 or money appropriated under s. 20.866 (2) (ta), (tp) to
19 (tw), (ty) or (tz).

20 **SECTION 847x.** 30.277 (6) of the statutes is amended to read:

21 30.277 (6) RULES. The department shall promulgate rules for the
22 administration of this section, including rules that specify the weight to be assigned
23 to each criterion under sub. (3) and the minimum number of criteria under sub. (3)
24 in which an applicant must perform satisfactorily in order to be awarded a grant.
25 In specifying the weight to be assigned to the criteria under sub. (3), the department

1 shall assign the greatest weight to the criterion under sub. (3) (k). The department
2 shall promulgate a rule specifying the types of projects that qualify as a shoreline
3 enhancement project under this section.”

4 **18.** Page 561, line 20: after that line insert:

5 “**SECTION 945m.** 41.41 (7) (cm) of the statutes is created to read:

6 41.41 (7) (cm) Acquire development rights in land any portion of which is
7 approved by the department for inclusion in the Kickapoo valley reserve. Purchases
8 under this paragraph are subject to the approval of the governor under s. 20.914 (1).”

9 **19.** Page 1414, line 24: after that line insert:

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

