

Natural Resources

Stewardship

(LFB Budget Summary Document: Page 472-1)

LFB Summary Items for Which Issue Papers Have Been Prepared

<u>Item #</u>	<u>Title</u>
-	Stewardship -- Introduction to Issues (Paper #260)
1	Annual Overall Bonding Authority (Paper #261)
2	Subprograms (Paper #262)
5	Local Assistance Subprogram (Paper #263)
6	Bluff Protection Subprogram (Paper #264)
7	Baraboo Hills Subprogram (Paper #265)
8	State Conservation Reserve Enhancement Subprogram (Paper #266)
9	Use of Assessment Data (Paper #267)
13	Review by the Joint Committee on Finance (Paper #268)
14	Milwaukee Lakeshore State Park (Paper #269)

NATURAL RESOURCES -- STEWARDSHIP

Hank Aaron State Trail

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.

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#			
	BURKE	Y	N A
	DECKER	Y	N A
	JAUCH	Y	N A
	MOORE	Y	N A
	SHIBILSKI	Y	N A
	PLACHE	Y	N A
	COWLES	Y	N A
	PANZER	Y	N A
2	GARD	Y	N A
	PORTER	Y	N A
	KAUFERT	Y	N A
	ALBERS	Y	N A
	DUFF	Y	N A
	WARD	Y	N A
	HUBER	Y	N A
	RILEY	Y	N A

(Base) Agency: DNR - Stewardship

Recommendations:

Paper No. Hank Aaron State Trail Motion:

Comments: Here it is. Quite possibly the last-ever Hank Aaron State Trail Motion.

Earlier in the committee process, your colleagues graciously helped earmark some annual operating costs of the Trail out of the state parks account (about \$80,000 a year I believe) (also included in those funds was \$110,000 to help pay for a state match of a grant the City got to do trail work in the Valley).

Today's motion is part two of the Hank Aaron Trail saga. It earmarks \$670,000 in the last year of the current Stewardship Program to help pay for easements, purchases and other work on the trail. You are trying to respect Senator Shibilski's request that earmarks be kept to a minimum in the new Shibilski Stewardship 2000 program (I think that's what he's naming it - ha).

DNR has indicated that they could effectively use \$945,000 from July 1999 to June 2001 (see attached memo from DNR detailing work to be done on trail). In subsequent talks with the new Trail Manager (Melissa Cook), I believe we can do things like utilize Wisconsin Conservation Corps crews and Milwaukee Community Service crews to do some of the trail and streambank restoration work and save some money. Milwaukee is a conservative, penny-pinching community, so I am asking DNR to make this project work with less money (\$275,000 less).

From time-to-time, I hear talk (some of it grumbling) that Milwaukee gets all the state money. Well, in addition to disagreeing with that general premise, I can say that those comments are absolutely off the mark when it comes to Stewardship and Parks Account spending. If memory serves me correctly, all the municipalities in Milwaukee County (which account for 1/5 to 1/4 of the state's population) have received a grand total of \$1.1 million in Stewardship funding during the last 10 years (none of it from the general land acquisition category). That's \$1.1 million out of \$231 million spent statewide. As far as Parks Account funding goes, I doubt we get any. There is a definite bias (both practical and otherwise) against Milwaukee when it comes to Stewardship funding. That's why this earmark is needed.

General Talking Points on Stewardship:

- Commend Senator Shibilski for "bird-dogging" this proposal through the Task Force and into Committee. He's done a lot of work on the initiative and deserves a lot of credit for his efforts.
- The Stewardship Program offers tangible and visible proof that Wisconsin cares about its citizens and its natural resources.
- People like to talk about preserving things for future generations. Well, Stewardship takes this a step further and makes sure we are setting aside and preserving valuable natural areas for wildlife, for water quality and for future generations.
- In addition to the increased Stewardship funding I think we will approve today, Senator Shibilski and the Task Force have made some important programmatic improvements as well that should make the Stewardship program more flexible and better able to serve the needs of the entire state.
- Wisconsin has a long and proud history when it comes to conservation and environmental leaders. **Aldo Leopold, Sigurd Olson and John Muir have all called Wisconsin home at one time or another.** We are recognized nationally for our progressive bent on environmental issues. And, more recently, the hunting and fishing organizations have been working closely with the environmental groups to accomplish mutually desired goals. Stewardship helps bring all this together in a very satisfying manner.
- (**one caveat:** As I mentioned earlier in the Hank Aaron Trail discussion, Milwaukee County - and southern Wisconsin in general - has not always gotten its fair share of Stewardship funding. Land is cheaper up north, but no more valuable from a natural resources standpoint, and certainly not as accessible, as land in the southern half of the state. I truly hope the added "flexibility" for Stewardship isn't read by some as an opportunity to buy huge tracts of land for hunting up north and stick-it to the rest of the state.)

(Base) Agency: DNR - Stewardship (new authorization)

Recommendations:

Paper No. Local Option Sales Tax for Conservation Motion:

Comments: This is your motion for Dane County, and it applies to the rest of the state as well.

The motion allows counties to charge a sales tax of up to 1/10 of one-percent to be used exclusively for the purchase of parks and open spaces in that county.

(Important point to make) - However, the motion does not let any county go off willy-nilly and pass a sales tax. Before they can implement this option, the county would have to do the following:

- develop a comprehensive outdoor recreation plan
- determine exactly how much money needs to be raised to accomplish specific goals, and sunset the sales tax once the goals are met
- hold an advisory referendum on the issue of using a sales tax for conservation purposes
- require the county board to pass a resolution approving the use of a local sales tax for conservation - and the county executive would have to approve the resolution

This motion guarantees that local support is present before any sales tax can be imposed. It's very thoughtfully crafted and could be effectively utilized.

As most people know, the county most immediately interested in this sales tax option is Dane County. County Executive Kathleen Falk and her colleagues on the County Board have worked hard and achieved consensus with numerous public and private groups regarding local parks and conservation efforts. In addition, Dane County voters in April approved a referendum - by a 75% to 80% margin - authorizing the expenditure of up to \$30 million more dollars for parks and recreation areas. The sales tax option was on the table.

Let's give Dane County, and other counties in this state the ability to purchase parkland and open spaces for their communities to enjoy. If they can't use the sales tax option, this will just be another property tax burden. There's lots of talk about local taxing options from Republicans this session. Let's have them put their money where their mouths are.

(note: possible opposition includes argument that sales tax is regressive, and Gard may say this helps urban counties more than rural counties. What it does, however, is help equalize the ability of counties in rapidly growing areas to purchase very expensive land. A rural county may not be able to raise as much sales tax revenue as a developing county, but they can probably purchase more land with that money than the urban county can.)

Lakeshore State Park - Talking Points:

- *Senator Shibilski included Lakeshore State Park in his Stewardship motion as a funding priority, but did not earmark the \$1 million the governor requested. These are just general comments that you need to make (and hopefully get in the paper) to help set the stage for Grobschmidt and Richards in Caucus. I think it's important that you be very clear and adamant in your criticism of the governor on this issue.*
- On October 7th last year, with much pomp and circumstance (and Jim Klauser), the governor announced that he was "solving" the age-old problem of public lake access near the Summerfest grounds by promising to create Lakeshore State Park.
- Well, let me be absolutely clear, the governor has failed to live up to his promise.
- He's good at getting big headlines, but not so good with the follow-through.
- He's raised a lot of expectations in Milwaukee (not to mention Harley Davidson, who is now counting on this park being completed before their 100 year anniversary in 2003 or 2004), and there are going to be a lot of very disappointed people when they see what the governor has actually delivered.
- In addition to throwing himself into the middle of a somewhat contentious local situation (i.e. City v. Summerfest), the governor announced plans for \$14 million to \$24 million state park last October, yet he is only proposing to provide \$3 million this biennium.
- Three million dollars won't build a state park in Milwaukee. It isn't a good faith effort by the governor to get this project off the ground.
- Let me emphasize that this is a "state" park. Not a city or county or harbor commission park. This was the governor's idea and he should make good on his promise.

- Public access to Lake Michigan is very important, and constitutionally required (Public Trust Doctrine). All the governor has done with his half-hearted budget proposal is make things worse. He's raised expectations in a lot of ways, and he's going to let everyone down in a big way.
- Lots of people have been working with the governor and his office since his budget proposal came out in February, and he has not budged. In fact, I now here he has a "new" Lakeshore Park proposal that will cost much less than his plan announced in October. Well, I've seen the "new" plan and it is horrible. It would essentially close off a section of Lake Michigan to boaters, create a stagnant (cesspool) lagoon right next to Summerfest and be an eyesore downtown. Plus, their "new" cost estimates are way off base.
- Again, let me reiterate how disappointed I am in the governor. If we can't do this park right, we shouldn't do it at all. I guess it's up to the legislature to "make good" on the governor's promise.

(Base) Agency: DNR - Stewardship (new authorization)

Recommendations:

Paper No. Flood Control & Riparian Restoration Motion

(note: not your motion - just FYI):

Comments: Broydrick is supposed to be getting someone (not you) to offer a motion that would earmark \$2.5 million a year in the new Stewardship 2000 program (from the general land acquisition category), and provide financial assistance to municipalities around the state to purchase title or conservation easements on riparian land in cases where preventing development on that land would help prevent flooding and stormwater damage downstream.

The nonpoint pollution abatement program motion that passed earlier had \$5 million in it for this same purpose, but as anyone who lives in a community that floods often knows - that's not nearly enough. Plus, it's my understanding the governor keeps threatening to veto that provision.

This motion accomplishes 2 related goals. It preserves open space and natural habitat as Stewardship requires, and we get the added bonus of encouraging communities upstream and downstream from each other to cooperate and find common ground when it comes to flood prevention.

(note: Broydrick is supposed to be getting Panzer or Duff to offer the motion)

Prepared by: Barry

PAGE

~~(Gov)~~ Agency: DNR - Stewardship
Introduction to Issues

Recommendations:

Paper No. 260: No Action Needed

Comments: This is just an informational paper. No action is needed.

prepared by: Barry

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.)

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

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.

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.

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.

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]

	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
MO#	BURKE	DECKER	JAUCH	MOORE	SHIBILSKI	PLACHE	COWLES	PANZER	GARD	PORTER	KAUFERT	ALBERS	DUFF	WARD	HUBER	RILEY

2

AYE 12 NO 4 ABS

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 A
	DECKER	Y	N A
	JAUCH	Y	N A
	MOORE	Y	N A
	SHIBILSKI	Y	N A
	PLACHE	Y	N A
	COWLES	Y	N A
	PANZER	Y	N A
2	GARD	Y	N A
	PORTER	Y	N A
	KAUFERT	Y	N A
1	ALBERS	Y	N A
	DUFF	Y	N A
	WARD	Y	N A
	HUBER	Y	N A
	RILEY	Y	N A

AYE 15 NO 0 ABS

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	N	A
DECKER	Y	N	A
JAUCH	Y	N	A
MOORE	Y	N	A
SHIBILSKI	Y	N	A
PLACHE	Y	N	A
COWLES	Y	N	A
PANZER	Y	N	A
WARD	Y	N	A
PORTER	Y	N	A
KAUFERT	Y	N	A
ALBERS	Y	N	A
DUFF	Y	N	A
WARD	Y	N	A
HUBER	Y	N	A
RILEY	Y	N	A

AYE 12 NO 4 ABS _____

NATURAL RESOURCES -- STEWARDSHIP

Funding for Shoreline Enhancements

Motion:

Move to specify that funding.

ty for urban rivers grant

*amended -
check w/
LFB*

Note:

Currently, urban river administrative rule, develop 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.

acquisition of land. Under re not eligible for grant Department would be able

MO# as amended

BURKE	<input checked="" type="checkbox"/>	N	A
DECKER	<input checked="" type="checkbox"/>	N	A
JAUCH	<input checked="" type="checkbox"/>	N	A
MOORE	<input checked="" type="checkbox"/>	N	A
SHIBILSKI	<input checked="" type="checkbox"/>	N	A
PLACHE	<input checked="" type="checkbox"/>	N	A
COWLES	<input checked="" type="checkbox"/>	N	A
PANZER	<input checked="" type="checkbox"/>	N	A
2 GARD	<input checked="" type="checkbox"/>	N	A
PORTER	<input checked="" type="checkbox"/>	N	A
KAUFERT	<input checked="" type="checkbox"/>	N	A
ALBERS	<input checked="" type="checkbox"/>	N	A
DUFF	<input checked="" type="checkbox"/>	N	A
1 WARD	<input checked="" type="checkbox"/>	N	A
HUBER	<input checked="" type="checkbox"/>	N	A
RILEY	<input checked="" type="checkbox"/>	N	A

AYE 14 NO 2 ABS

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.

MO#			
2	BURKE	Y	N A
	DECKER	Y	N A
	JAUCH	Y	N A
	MOORE	Y	N A
	SHIBILSKI	Y	N A
	PLACHE	Y	N A
	COWLES	Y	N A
	PANZER	Y	N A
	GARD	Y	N A
	PORTER	Y	N A
	KAUFERT	Y	N A
	ALBERS	Y	N A
	DUFF	Y	N A
	WARD	Y	N A
	HUBER	Y	N A
	RILEY	Y	N A

AYE 14 NO 2 ABS

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.

MO#				
2	BURKE	Y	N	A
	DECKER	Y	N	A
	JAUCH	Y	N	A
	MOORE	Y	N	A
	SHIBILSKI	Y	N	A
	PLACHE	Y	N	A
	COWLES	Y	N	A
	PANZER	Y	N	A
1	GARD	Y	N	A
	PORTER	Y	N	A
	KAUFERT	Y	N	A
	ALBERS	Y	N	A
	DUFF	X	N	A
	WARD	Y	N	A
	HUBER	Y	N	A
	RILEY	Y	N	A

AYE 15 NO 1 ABS

NATURAL RESOURCES -- STEWARDSHIP

Stewardship Land Acquisition

Motion:

Move to specify that, in any county in which 30% or more of the property is publicly owned, no land acquisitions may be made with funding from stewardship without prior approval from the county board.

MO#			
BURKE	Y	N	A
DECKER	Y	N	A
JAUCH	Y	N	A
MOORE	Y	N	A
SHIBILSKI	Y	N	A
PLACHE	Y	N	A
COWLES	Y	N	A
PANZER	Y	N	A
1 2 GARD	Y	N	A
PORTER	Y	N	A
KAUFERT	Y	N	A
ALBERS	Y	N	A
DUFF	Y	N	A
WARD	Y	N	A
HUBER	Y	N	A
RILEY	Y	N	A

AYE 7 NO 9 ABS _____

NATURAL RESOURCES -- STEWARDSHIP

County Option Sales Tax

Motion:

Move to modify current provisions regarding county and special district sales and use taxes to authorize counties to impose an additional county option sales tax at a rate of 0.1%. Require the proceeds from the tax to be used exclusively for the purchase of parks and open space in the county. Limit the tax to counties that meet the following conditions:

1. The county has developed a comprehensive outdoor recreation plan for parks and open space under the outdoor recreation program (s. 23.30);
2. The county has conducted an advisory referendum that approved the creation of a conservation fund for the acquisition of parks and open space within three years of the date on which the tax would first be imposed; and
3. The county board has adopted the tax by ordinance, which limits the use of the tax to the purchase of parks and open space and which establishes a sunset date for the tax.

Extend current county sales tax provisions with regard to adoption; imposition; situs; jurisdiction; reports; administration; transitional provisions; registration of motor vehicles, boats, snowmobiles, mobile homes, trailers, semitrailers, all-terrain vehicles and aircraft to counties adopting the tax. Require DOR to administer the county option sales tax. Modify the appropriation funding DOR's administrative costs related to the county sales tax to include costs related to the county option sales tax.

Note:

Current law authorizes counties to impose a sales and use tax at a rate of 0.5%. The county tax is "piggy-backed" on the state tax and administered by DOR. The Department remits collections to counties each month, after deducting 1.5% of collections to cover state administrative costs (1.75% under the bill). In 1997, \$160.7 million in collections was distributed to 49 counties. State law requires the proceeds to be used for property tax relief.

The motion would allow counties to impose an additional sales tax at a rate of 0.1%, if they meet certain requirements. Proceeds from the tax would be used to acquire parks and open space. DOR would administer the tax with the current county option sales tax.

MO# _____

BURKE	Y	N	A
DECKER	Y	N	A
JAUCH	Y	N	A
MOORE	Y	N	A
SHIBILSKI	Y	N	A
PLACHE	Y	N	A
COWLES	Y	N	A
PANZER	Y	N	A
GARD	Y	N	A
PORTER	Y	N	A
KAUFERT	Y	N	A
ALBERS	Y	N	A
DUFF	Y	N	A
WARD	Y	N	A
HUBER	X	N	A
RILEY	Y	N	A

AYE 5 NO 11 ABS _____

NATURAL RESOURCES -- STEWARDSHIP

Stewardship Land Acquisition

Motion:

Move to specify that, if 22.5% or more property in the state is in public ownership, no land acquisitions may be made with funding from stewardship.

MO#			
	BURKE	Y	N A
	DECKER	Y	N A
	JAUCH	Y	N A
	MOORE	Y	N A
	SHIBILSKI	Y	N A
	PLACHE	Y	N A
	COWLES	Y	N A
	PANZER	Y	N A
1	GARD	Y	N A
2	PORTER	Y	N A
	KAUFERT	Y	N A
	ALBERS	Y	N A
	DUFF	Y	N A
	WARD	Y	N A
	HUBER	Y	N A
	RILEY	Y	N A
	AYE	6	NO 10 ABS

NATURAL RESOURCES -- STEWARDSHIP

Public Access to Information on the Use of Public Dollars
for the Purchase of Intangible Land Rights

Motion:

1. Move to Develop a system whereby intangible land rights sales utilizing state or local government funds get recorded with the Land Council.
2. Develop the system utilizing the following guidelines:
 - a. Direct the Land Council to develop, print and distribute to county register of deeds a form containing the following information:
 1. Names and addresses of parties involved in the transaction.
 2. Date of transaction.
 3. Approximate acreage or footage of the real property from which the intangible right derives.
 4. Approximate acreage or footage (if applicable) of the intangible right (e.g. easement, wetlands reserve program placement).
 5. Category of right (if applicable) – should mirror the assessment category.
 6. Amount paid by the purchasing party for the intangible land right.
 7. Source of funds (state, local, federal, or combination of some or all).
 - b. Create the form in a 3-copy fashion – the Land Council will keep the original, then send 2 copies to the individual submitting the form (1 for the county register of deeds when filing the transaction records for recording, and 1 for the individual's records).
 - c. Allow either the purchaser or the purchaser's agent, or the seller or seller's agent to prepare and sign the form.
 - d. Direct registers of deeds to make the form available to parties desiring to record a transaction.
 - e. Direct the DNR and Department of Revenue to make the forms available to parties desiring the form.

3. Modify the statutes related to confidentiality of price, broadening the statutory exemption to confidentiality which currently applies only to government to now include non-profits that utilize or rely upon government funds to acquire land.

4. Require that all intangible land transactions utilizing government funds have a copy of the form verifying submittal to the Land Council prior to recording the transaction with a county.

5. Direct the Land Council to put the forms on the internet when such a statewide computerized land information system becomes available.

MO#			
	BURKE	<input checked="" type="radio"/>	N A
	DECKER	<input checked="" type="radio"/>	N A
	JAUCH	<input checked="" type="radio"/>	N A
	MOORE	<input checked="" type="radio"/>	N A
2	SHIBILSKI	<input checked="" type="radio"/>	N A
	PLACHE	<input checked="" type="radio"/>	N A
	COWLES	<input checked="" type="radio"/>	N A
	PANZER	<input checked="" type="radio"/>	N A
	GARD	<input checked="" type="radio"/>	N A
	PORTER	<input checked="" type="radio"/>	N A
	KAUFERT	<input checked="" type="radio"/>	N A
1	ALBERS	<input checked="" type="radio"/>	N A
	DUFF	<input checked="" type="radio"/>	N A
	WARD	<input checked="" type="radio"/>	N A
	HUBER	<input checked="" type="radio"/>	N A
	RILEY	<input checked="" type="radio"/>	N A

AYE 16 NO _____ ABS _____

NATURAL RESOURCES -- STEWARDSHIP

DNR Support to NCOs and the Aldo Leopold Refuge

Motion:

Move to prohibit DNR from providing financial assistance or other support to nonprofit conservation organizations (NCOs) or to a federal agency for the purchase or acquisition of interests in land unless one of the following occurs: (a) the majority of an elected body of a local unit of government where the project will take place approves DNR involvement; or (b) the Governor approves a DNR request for involvement. Require DNR to maintain a list of all gubernatorial requests submitted by DNR and whether the requests were approved or denied.

Further, direct DNR to notify the U.S. Fish and Wildlife Service of the state's opposition to the creation of the Aldo Leopold Refuge in Fairfield Township in Sauk ~~City~~ ^{County} within ten days of the effective date of the bill.

MO#			
	BURKE	Y	(N) A
	DECKER	Y	(N) A
	JAUCH	Y	(N) A
	MOORE	Y	(N) A
	SHIBILSKI	Y	(N) A
	PLACHE	Y	(N) A
	COWLES	Y	(N) A
	PANZER	Y	(N) A
2	GARD	(Y)	N A
	PORTER	(Y)	N A
	KAUFERT	(Y)	N A
	ALBERS	(Y)	N A
	DUFF	(Y)	N A
	WARD	(Y)	N A
	HUBER	Y	(N) A
	RILEY	Y	(N) A

AYE 6 NO 10 ABS _____

NATURAL RESOURCES -- STEWARDSHIP

Review by the Joint Committee on Finance
[LFB Paper #268]

Motion:

Move to prohibit DNR from obligating funding from stewardship for a given project or activity unless it receives approval from Joint Finance under a 14-day passive review process.

MO#			
BURKE	Y	N	A
DECKER	Y	N	A
JAUCH	Y	N	A
MOORE	Y	N	A
SHIBILSKI	Y	N	A
PLACHE	Y	N	A
COWLES	Y	N	A
PANZER	Y	N	A
GARD	Y	N	A
PORTER	Y	N	A
KAUFERT	Y	N	A
ALBERS	Y	N	A
DUFF	Y	N	A
WARD	Y	N	A
HUBER	Y	N	A
RILEY	Y	N	A

AYE 8 NO 8 ABS _____

NATURAL RESOURCES -- STEWARDSHIP

Motion:

Move to allow the Department, with the approval of the Joint Committee on Finance under s. 13.10, to allocate bonding authority from future years of the Warren Knowles-Gaylord Nelson Stewardship 2000 program to earlier years for advanced funding of land purchases. Reallocation of bonding authority under this provision must be for land that will be re-sold and the proceeds of the re-sale are used to redeem or defease bonds sold to fund the original land purchase. Upon receipt of proceeds from a land re-sale, proceeds will be used to effect a redemption or defeasance of bonds sold to fund the original land purchase. Further, upon receipt of these funds, bond issuance authority used to make the original purchase shall be restored in the amount of funds received. Any unredeemed bonds after three years from the original sale shall be deducted from the amounts available from land acquisition for the following fiscal year and any subsequent fiscal year until the total unredeemed bonding authority is achieved. DOA shall monitor all transactions for ongoing compliance with federal tax law.

MO#			
BURKE	Y	(N)	A
DECKER	Y	(N)	A
JAUCH	Y	(N)	A
MOORE	Y	(N)	A
SHIBILSKI	Y	(N)	A
PLACHE	Y	(N)	A
COWLES	(Y)	N	A
PANZER	(Y)	N	A
GARD	(Y)	N	A
PORTER	(Y)	N	A
KAUFERT	(Y)	N	A
ALBERS	(Y)	N	A
DUFF	(Y)	N	A
WARD	(Y)	N	A
HUBER	Y	(N)	A
RILEY	Y	(N)	A

2

AYE 8 NO 8 ABS _____



Legislative Fiscal Bureau

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June 7, 1999

Joint Committee on Finance

Paper #260

Stewardship -- Introduction to Issues (DNR -- Stewardship)

This paper provides background about the Warren Knowles-Gaylord Nelson stewardship program, the recommendations of the Governor's Blue Ribbon Task Force on the Stewardship Program and the recommendations in the Building Commission's amendment (LRBb0044/1), which contains the proposed Stewardship 2000 program. Separate budget papers describe specific stewardship program issues and include alternatives for consideration by the Joint Committee on Finance.

CURRENT LAW

The Warren Knowles-Gaylord Nelson stewardship program was created in 1989 Act 31 for the purposes of acquiring land to expand recreational opportunities and protect environmentally sensitive areas. A total of \$231 million of general obligation bonding (\$23.1 million annually) was authorized for these purposes over a ten-year period ending in fiscal year 1999-00. The funding is allocated among twelve categories of state and local land acquisition and development programs.

GOVERNOR'S BLUE RIBBON TASK FORCE ON THE STEWARDSHIP PROGRAM

In 1998, the Governor appointed a Blue Ribbon Task Force on the Stewardship Program to evaluate the current program and propose alternatives for the future of the program. Among the issues the task force was required to address under the Governor's executive order were: (a) the effectiveness of the current stewardship program in preserving, protecting and providing opportunities for enjoyment of the state's natural resources; (b) identification of long-term natural resource needs; and (c) funding alternatives for any reauthorization of the stewardship program. The Task Force was composed of legislators, current and former state and local government officials, and representatives from the University of Wisconsin, business, outdoor recreational and environmental groups. The Task Force released its report in February.

STEWARDSHIP 2000

The findings of the Task Force were released on February 12, 1999, and provided a basis for the recommendations made by the Governor and the Building Commission for the proposed Stewardship 2000 program. The Building Commission amendment to the 1999-01 budget was submitted to the Co-Chairpersons of the Joint Committee on Finance on April 6, 1999.

The following table provides a summary of the overall bonding authority recommended by the Building Commission for Stewardship 2000, the annual bonding allocation for each fiscal year and the breakdown of the annual allocation between the various subprograms in each fiscal year. Under the Building Commission amendment, DNR and DATCP are required to adhere as closely as is reasonably possible to the overall totals for each of the subprograms when obligating money under Stewardship 2000.

Proposed Stewardship 2000 Program

Fiscal Year	Base Annual Overall Bonding Authority	Subprogram Base Amounts					
		Land Acquisition	Property Development	Local Assistance	Bluff Protection	Baraboo Hills	CREP
2000-01	\$25,000,000	\$5,575,000	\$2,225,000	\$2,300,000	\$1,900,000	\$5,000,000	8,000,000
2001-02	25,000,000	6,875,000	3,125,000	2,500,000	500,000		12,000,000
2002-03	27,000,000	9,075,000	4,125,000	3,300,000	500,000		10,000,000
2003-04	30,000,000	10,725,000	4,875,000	3,900,000	500,000		10,000,000
2004-05	33,000,000	18,150,000	8,250,000	6,600,000			
2005-06	36,000,000	19,800,000	9,000,000	7,200,000			
2006-07	39,000,000	21,450,000	9,750,000	7,800,000			
2007-08	42,000,000	23,100,000	10,500,000	8,400,000			
2008-09	45,000,000	24,750,000	11,250,000	9,000,000			
2009-10	48,000,000	26,400,000	12,000,000	9,600,000			
Total	\$350,000,000	\$165,900,000	\$75,100,000	\$60,600,000	\$3,400,000	\$5,000,000	\$40,000,000
Percent	100.0%	47.4%	21.5%	17.3%	1.0%	1.4%	11.4%

The attachment provides a comparison of the major provisions of the Warren Knowles-Gaylord Nelson stewardship program, the recommendations of the Governor's Blue Ribbon Task Force on the Stewardship Program and the proposed Stewardship 2000 program contained in the Building Commission's amendment.

Prepared by: Russ Kava
Attachment

ATTACHMENT

Stewardship Program -- Comparison of the Current Warren-Knowles-Gaylord Nelson Stewardship Program, the Recommendations of the Governor's Blue Ribbon Task Force on the Stewardship Program and the Building Commission's Stewardship 2000 Recommendations (LRBb0044/1).

["LFB p. __, # __ " Refers to the Legislative Fiscal Bureau Summary of the Building Commission's 1999-01 Budget Recommendations]

Warren Knowles-Gaylord Nelson Stewardship Program	Governor's Blue Ribbon Task Force on the Stewardship Program	Building Commission's Stewardship 2000 Program
<p>1. State Funding. General obligation bonding of \$231 million over ten years, ending on June 30, 2000.</p>	<p>1. State Funding. The Governor and Legislature should determine the funding level for a new stewardship program in light of the economic conditions of the state and other budgetary needs. General obligation bonding should be used. At a minimum, the program should be restored to its original 1990 purchasing power (\$404 million over ten years).</p>	<p>1. State Funding. [LFB p. 472-1, #1] General obligation bonding of \$350 million over ten years, beginning July 1, 2000.</p>
<p>2. Annual Allocation. \$23.1 million each year.</p>	<p>2. Annual Allocation. The annual allocation should increase at least once during the program to reflect changing costs. The Task Force suggested an option of \$40.4 million annually in the first 5 years and \$46.4 million for the last 5 years (\$434 million over ten years).</p>	<p>2. Annual Allocation. [LFB p. 472-1, #1] \$25 million annually in 2000-01 and 2001-02, \$27 million in 2002-03, and an additional \$3 million annually each fiscal year through the end of the program (\$48 million in 2009-10)</p>
<p>3. Federal Funding. A total of \$19 million in federal funding anticipated over ten years.</p>	<p>3. Federal Funding. Create a Natural Resources Federal Opportunity Fund separate from the stewardship program that would be budgeted biennially to leverage federal funding as it becomes available.</p>	<p>3. Federal Funding. [LFB p. 472-6, #8] A total of \$200 million in federal funding anticipated by 2003-04 through the Conservation Reserve Enhancement Program (CREP). \$40 million would be made available to DATCP to provide the state match for CREP.</p>
<p>4. Program Allocations. 12 components:</p> <ul style="list-style-type: none"> • general land acquisition (\$70.8 million); • general property development (\$35 million); • local park aids (\$22.5 million); • Lower Wisconsin State Riverway (\$20 million); • urban rivers (\$15.2 million); 	<p>4. Program Allocations. 2 components:</p> <ul style="list-style-type: none"> • land heritage fund (at least 75% of program funding); • recreational development and habitat restoration fund (25% of program funding); • DNR Board would establish priorities and 	<p>4. Program Allocations. [LFB p. 472-1, #2 thru #8] 6 subprograms:</p> <ul style="list-style-type: none"> • land acquisition (\$165.9 million); • property development (\$75.1 million); • local assistance (\$60.6 million); • state CREP (\$40.0 million, administered by DATCP);

<p>Warren Knowles-Gaylord Nelson Stewardship Program</p> <ul style="list-style-type: none"> • habitat areas (\$15 million); • natural areas acquisition (\$15 million); • stream bank protection (\$10 million); • trails (\$10 million); • urban green space (\$7.5 million); • natural areas heritage (\$5 million); • Ice Age trail (\$5 million) 	<p>Governor's Blue Ribbon Task Force on the Stewardship Program</p> <p>funding allocations within the components;</p> <ul style="list-style-type: none"> • Local governments and nonprofit conservation organizations (NCOs) would be eligible for grants from either component; • Place a premium on preservation of natural communities adjacent to Great Lakes shorelines, wild lakes and river and stream corridors 	<p>Building Commission's Stewardship 2000 Program</p> <ul style="list-style-type: none"> • Baraboo Hills (\$5.0 million); • bluff protection (\$3.4 million)
<p>5. Transfer of Funding between Components. No provision.</p>	<p>5. Transfer of Funding between Components. Provide enough flexibility in the 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.</p>	<p>5. Transfer of Funding between Components. [LFB p. 472-8, #11] Specify that if the available bonding under the land acquisition, property development, local assistance or bluff protection subprograms exceeds the base bonding authority for those subprograms, DNR may transfer any portion of the difference to one or more of those subprograms if the DNR Board determines that all of the following apply: (a) that moneys appropriated for the subprogram do not provide sufficient funding for the activity; (b) that the land involved in the project or activity covers a large area or the land is uniquely valuable in conserving the natural resources of the state; and (c) that delaying or deferring all or part of the cost to a subsequent fiscal year is not reasonably possible. Similar provisions would allow the DATCP Board to transfer funding from the CREP subprogram to any of those components as well.</p>
<p>6. Transfer of Unobligated Funding between Fiscal Years. Unspent bonding authority not used in one fiscal year is available for the same purpose in the next fiscal year.</p>	<p>6. Transfer of Unobligated Funding between Fiscal Years. Continue current law.</p>	<p>6. Transfer of Unobligated Funding between Fiscal Years. [LFB p. 472-7, #10] Same as current law.</p>
<p>7. Transfer of Future Funding into Current Fiscal Year. DNR may use up to 50% of bonding authority from the next fiscal year in the current fiscal year in order to allow for large or unique purchases, where funds would otherwise be insufficient, and where delaying or deferring part of the cost into the future is not reasonably possible.</p>	<p>7. Transfer of Future Funding into Current Fiscal Year. DNR should have the authority to utilize funding from the succeeding fiscal year with the approval of the Natural Resources Board.</p>	<p>7. Transfer of Future Funding into Current Fiscal Year. [LFB p. 472-7, #10] Allow DNR to obligate up to an additional 50% of the bonding authority for a subprogram for a given fiscal year (to be taken from the subsequent fiscal year's allocation) for a project or activity if the DNR Board determines that all of the following apply:</p>

Warren Knowles-Gaylord Nelson Stewardship Program	Governor's Blue Ribbon Task Force on the Stewardship Program	Building Commission's Stewardship 2000 Program
<p>8. Calculation of Grant Amounts. Grants to local units of government and nonprofit conservation organizations equal 50% of the appraised value of the property, plus certain land acquisition and relocation costs.</p>	<p>8. Calculation of Grant Amounts.</p> <p>(a) Grants to local units of government for land not zoned agricultural would be based on the lesser of (1) the property's appraised value, (2) the property's purchase price, or (3) 1½ times the average of the sum of the lesser of (1) or (2) plus the equalized assessed values of the property for the two most recent years.</p> <p>(b) Grants to local units of government for land zoned agricultural would be based on the lesser of (1) the property's appraised value or (2) the property's purchase price.</p> <p>(c) Grants to nonprofit conservation organizations would be based on the property's appraised value.</p>	<p>(a) that moneys appropriated for the subprogram to DNR do not provide sufficient funding for the activity; (b) that the land involved in the project or activity covers a large area or the land is uniquely valuable in conserving the natural resources of the state; and (c) that delaying or deferring all or part of the cost to a subsequent fiscal year is not reasonably possible.</p> <p>Similar provision would apply to DATCP, under the state CREP subprogram, provided the DATCP Board determines that conditions (a) and (c) above apply.</p>
<p>9. Prohibitions on Use of Funding. DNR may not obligate money for:</p> <p>(a) the acquisition of land for golf courses or for the development of golf courses;</p> <p>(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; or</p> <p>(c) the acquisition by a municipality of land that is outside the boundaries of the municipality unless the municipality acquiring the land and</p>	<p>9. Prohibitions on Use of Funding. No recommendations.</p>	<p>8. Calculation of Grant Amounts. [LFB p. 472-7, #9] Grants to local units of government and nonprofit conservation organizations would equal 50% of the average of the assessed value of land for the three most recent taxable years.</p> <p>9. Prohibitions on Use of Funding. [LFB p. 472-9, #12] Same as current law.</p>

Warren Knowles-Gaylord Nelson Stewardship Program	Governor's Blue Ribbon Task Force on the Stewardship Program	Building Commission's Stewardship 2000 Program
<p>the municipality in which the land is located approve the acquisition.</p> <p>10. Review by the Joint Committee on Finance. DNR may not obligate funding for a given project or activity of more than \$250,000 unless submitted and approved by Joint Finance under a 14-day passive review process.</p>	<p>10. Review by the Joint Committee on Finance. No recommendation.</p>	<p>10. Review by the Joint Committee on Finance. [LFB p. 472-9, #13] Same as current law, except the threshold for passive review would be \$500,000.</p>
<p>11. Earmarks. Over the history of the program, funding was designated for:</p> <p>(a) Frank Lloyd Wright Monona Terrace (\$3,000,000);</p> <p>(b) Grandfather Falls Recreation Area (\$2,138,000);</p> <p>(c) Henry Aaron State Park and Trail (\$690,000);</p> <p>(d) Horicon Marsh Interpretive Center (\$250,000);</p> <p>(e) Crex Meadows Wildlife Area (\$250,000); and</p> <p>(f) Flambeau Mine Trail (\$100,000)</p>	<p>11. Earmarks. No recommendations.</p>	<p>11. Earmarks. [LFB p. 472-9, #14] Allow DNR to expend up to \$1,000,000 in the 1999-01 biennium from either the Warren Knowles-Gaylord Nelson stewardship program or the Stewardship 2000 program for the Milwaukee Lakeshore State Park.</p>
<p>12. Capacity-Building Grants. DNR may provide an annual grant of \$75,000 from the water resources account of the conservation fund, to a Wisconsin-based nonprofit corporation that meets all of the following requirements: (a) have an exemption from the federal income tax; (b) provide support to NCOs; (c) have a board of directors that has a majority of members who are representatives of NCOs; and (d) provide \$25,000 to be used with the grant.</p>	<p>12. Capacity-Building Grants. A reauthorized program should contain a capacity-building grant component, funded with a source other than bonding, to strengthen the long-term ability of small organizations to participate in land and water protection activities.</p>	<p>12. Capacity-Building Grants. Same as current law.</p>
<p>13. Small Group Participation. No provision.</p>	<p>13. Small Group Participation. An option should be provided to 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.</p>	<p>13. Small Group Participation. No provision.</p>
<p>14. Land Acquisition Study. No provision.</p>	<p>14. Land Acquisition Study. DNR should complete a study by July 1, 2001, to develop recommendations that would guide long-term DNR</p>	<p>14. Land Acquisition Study. No provision.</p>

Warren Knowles-Gaylord Nelson Stewardship Program	Governor's Blue Ribbon Task Force on the Stewardship Program acquisition of land and land rights. The study would identify lands that should potentially be in public ownership based on resource protection and recreational needs.	Building Commission's Stewardship 2000 Program
15. State Public Trust Lands. The Board of Commissioners of Public Lands oversees and manages the state's public trust lands.	15. State Public Trust Lands. DNR should be designated as the agency responsible for managing State Public Trust Lands.	15. State Public Trust Lands. Same as current law.
16. Permanent Farmland Preservation. No provision.	16. Permanent Farmland Preservation. A separate state initiative should be created to permanently preserve farmland through easements.	16. Permanent Farmland Preservation. No provision.
17. Local Land Use Planning and Zoning. No provision.	17. Local Land Use Planning and Zoning. DNR should have the authority to develop administrative rules that provide incentives to local units of government that submit projects that are consistent with a local or regional land use plan and zoning.	17. Local Land Use Planning and Zoning. No provision.
18. Maximize User Fees. No provision.	18. Maximize User Fees. User fees should be employed to the maximum extent practicable to equitably recapture operating costs from all users of public lands.	18. Maximize User Fees. No provision.