

1           (3) The board may, upon petition of an executive branch agency, review any  
2 decision of the chief information officer under this chapter affecting that agency.  
3 Upon review, the board may affirm, modify, or set aside the decision. If the board  
4 modifies or sets aside the decision of the chief information officer, the decision of the  
5 board stands as the decision of the chief information officer and the decision is not  
6 subject to further review or appeal.

7           (4) The board may monitor progress in attaining goals for information  
8 technology and telecommunications development set by the chief information officer  
9 or executive branch agencies, other than the board of regents of the University of  
10 Wisconsin System, and may make recommendations to the officer or agencies  
11 concerning appropriate means of attaining those goals.

12           **SECTION 1034fb.** 23.09 (2) (d) 1. of the statutes is repealed.

13           **SECTION 1034fd.** 23.09 (2) (d) 5. of the statutes is repealed.

14           **SECTION 1034fg.** 23.09 (2p) (a) of the statutes is amended to read:

15           23.09 (2p) (a) The department of natural resources shall determine the value  
16 of land donated to the ~~department~~ state that is within the project boundaries of a  
17 state park, a southern state forest, or a state recreation area. The department of  
18 forestry shall determine the value of land donated to the state that is within the  
19 project boundaries of other state forests. If the donation involves the transfer of the  
20 title in fee simple absolute or other arrangement for the transfer of all interest in the  
21 land to the state, the valuation shall be based on the fair market value of the land  
22 before the transfer. If the donation is a dedication transferring a partial interest in  
23 land to the state, the valuation shall be based on the extent to which the fair market  
24 value of the land is diminished by that transfer and the associated articles of  
25 dedication. If the donation involves a sale of land to the ~~department~~ at less than the

1 fair market value, the valuation of the donation shall be based on the difference  
2 between the purchase price and the fair market value.

3 **SECTION 1034fh.** 23.09 (2p) (b) of the statutes is amended to read:

4 23.09 (2p) (b) Except as provided in par. (c), an amount of money equal to the  
5 value of the donation under par. (a) shall be released from the appropriation under  
6 s. 20.866 (2) (ta) or (tz) or both to be used for land acquisition activities for the same  
7 project for which any donation was made on or after August 9, 1989. ~~The~~ From the  
8 moneys made available to the department under the agreement under s. 23.0917  
9 (4r), the department shall determine how the moneys being released are to be  
10 allocated from these appropriations. This paragraph does not apply to transfers of  
11 land from agencies other than the department of forestry.

12 **SECTION 1034fj.** 23.09 (3) (a) of the statutes is amended to read:

13 23.09 (3) (a) The department of natural resources shall cooperate with the  
14 ~~several state~~ department of forestry and other departments and officials in the  
15 conduct of matters in which the interests of the respective departments or officials  
16 overlap. The cooperating agencies may provide by agreement for the manner of  
17 sharing expenses and responsibilities under this paragraph.

18 **SECTION 1034fk.** 23.09 (11) (a) of the statutes is renumbered 23.09 (11) (ar).

19 **SECTION 1034fl.** 23.09 (11) (ag) of the statutes is created to read:

20 23.09 (11) (ag) In this subsection, “department” means the department of  
21 forestry.

22 **SECTION 1034fn.** 23.09 (17m) (a) of the statutes is renumbered 23.09 (17m)  
23 (am) and amended to read:

24 23.09 (17m) (am) The county board of any county, which by resolution indicates  
25 its desire to improve the natural environment for wildlife on county lands entered

1 under s. 28.11, may make application to the department for the allocation of funds  
2 appropriated for such purposes by s. ~~20.370 (5) (as)~~ 20.375 (2) (sL).

3 **SECTION 1034fp.** 23.09 (17m) (ac) of the statutes is created to read:

4 23.09 (17m) (ac) In this subsection, “department” means the department of  
5 forestry.

6 **SECTION 1034fq.** 23.09 (17m) (b) of the statutes is amended to read:

7 23.09 (17m) (b) The annual allocation for each county shall not exceed 10 cents  
8 for each acre entered under s. 28.11, but any funds remaining from the appropriation  
9 made by s. ~~20.370 (5) (as)~~ 20.375 (2) (sL) and unallocated to the counties on March  
10 31 of each year may be allotted to any county in an amount not to exceed an additional  
11 10 cents per acre under the procedure established in this subsection. These aids shall  
12 be used to undertake wildlife management activities provided in the comprehensive  
13 county forest land use plan and included in the annual work plan and budget.

14 **SECTION 1034fr.** 23.09 (18) (a) of the statutes is amended to read:

15 23.09 (18) (a) In each fiscal year, the department of forestry shall make  
16 payments to each county that has more than 40,000 acres within its boundaries that  
17 are entered on the tax roll under s. 77.04 (1) or 77.84 (1) on July 1 of that fiscal year.

18 **SECTION 1034fs.** 23.09 (18) (b) of the statutes is amended to read:

19 23.09 (18) (b) The amount of the payment made in a fiscal year to an eligible  
20 county shall equal the county’s proportionate share of the moneys appropriated  
21 under s. ~~20.370 (5) (br)~~ 20.375 (2) (tm) for the fiscal year. An eligible county’s  
22 proportionate share shall equal the number of acres within its boundaries that are  
23 entered on the tax roll under s. 77.04 (1) or 77.84 (1) on July 1 of the fiscal year divided  
24 by the total number of acres that are entered on the tax roll under s. 77.04 (1) or 77.84  
25 (1) on that same date and that are within the boundaries of counties that are eligible

1 for payments under this section, multiplied by the amount appropriated under s.  
2 ~~20.370 (5) (br)~~ 20.375 (2) (tm) for the fiscal year.

3 **SECTION 1034ft.** 23.09 (18) (c) of the statutes is amended to read:

4 23.09 (18) (c) The department of forestry shall calculate and issue the payment  
5 for each eligible county by October 1 following each fiscal year.

6 **SECTION 1034fu.** 23.09 (20) (ar) of the statutes is created to read:

7 23.09 (20) (ar) For each fiscal year, the department of natural resources and  
8 the department of forestry shall enter into an agreement to determine which projects  
9 are eligible for assistance under this subsection and to authorize the expenditures  
10 for those projects. The secretary of administration shall resolve any disputes  
11 between the departments concerning the agreement entered into under this  
12 paragraph.

13 **SECTION 1034fv.** 23.09 (21m) of the statutes is amended to read:

14 23.09 (21m) ENVIRONMENTAL CLEANUP. The department of natural resources  
15 may engage in environmental clean-up activities on the lands under ~~its~~ the  
16 ownership, management, supervision, or control of the department of natural  
17 resources or the department of forestry.

18 **SECTION 1034fw.** 23.09 (26) (a) of the statutes is amended to read:

19 23.09 (26) (a) The procedures in sub. (11) ~~(a)~~ (ar), (d), (e) and (f) shall apply to  
20 this subsection except that the department shall consult with the snowmobile  
21 recreational council before adopting snowmobile trail construction standards, the  
22 restriction in sub. (11) ~~(a)~~ (ar) as to county lands is not applicable, the restriction in  
23 sub. (11) (d) as to encumbrance of funds is not applicable and the restriction in sub.  
24 (11) (e) as to requests for state aids exceeding available funds is not applicable.

25 **SECTION 1034fx.** 23.09 (26) (am) 2. of the statutes is amended to read:

1           23.09 (26) (am) 2. Enter into agreements with the department of natural  
2 resources or the department of forestry to use for snowmobile trails, facilities, or  
3 areas lands owned or leased by the department of natural resources or the  
4 department of forestry. No lands of the department of natural resources or the  
5 department of forestry that are to be used for snowmobiling purposes within the  
6 meaning of this subsection may be obtained through condemnation.

7           **SECTION 1034fyr.** 23.0917 (1) (c) of the statutes is amended to read:

8           23.0917 (1) (c) "Department land" means an area of land that is owned by the  
9 state, that is under the jurisdiction of the department and that is used for one of the  
10 purposes specified in s. 23.09 (2) (d) or that is under the jurisdiction of the  
11 department of forestry and is in state forest lands.

12           **SECTION 1034h.** 23.0917 (3) (a) of the statutes is amended to read:

13           23.0917 (3) (a) Beginning with fiscal year 2000-01 and ending with fiscal year  
14 2009-10, the department may obligate moneys under the subprogram for land  
15 acquisition to acquire land for the purposes specified in s. 23.09 (2) (d) and grants for  
16 these purposes under s. 23.096, except as provided under ss. 23.197 (2m), (3m) (b),  
17 (7), (7m), and (8) and 23.198 (1) (a).

18           **SECTION 1034hm.** 23.0917 (3) (a) of the statutes, as affected by 2001 Wisconsin  
19 Act .... (this act), is amended to read:

20           23.0917 (3) (a) Beginning with fiscal year 2000-01 and ending with fiscal year  
21 2009-10, the department may obligate moneys under the subprogram for land  
22 acquisition to acquire land for the purposes specified in s. 23.09 (2) (d) and for the  
23 state forests, and for grants for these purposes under s. 23.096, except as provided  
24 under ss. 23.197 (3m) (b), (7), (7m), and (8) and 23.198 (1) (a).

25           **SECTION 1034k.** 23.0917 (3) (bm) of the statutes is created to read:

(2m), plain ✓

1           23.0917 (3) (bm) During the period beginning with fiscal year 2001–02 and  
2 ending with fiscal year 2009–10, in obligating money under the subprogram for land  
3 acquisition, the department shall set aside not less than a total of \$12,000,000 that  
4 may be obligated only to provide matching funds for grants awarded to the  
5 department for the purchase of land or easements under 16 USC 2103c.

6           **SECTION 1034L.** 23.0917 (3) (dm) 1m. of the statutes is created to read:

7           23.0917 (3) (dm) 1m. For fiscal year 2001–02, \$34,500,000.

8           **SECTION 1034m.** 23.0917 (3) (dm) 2. of the statutes is amended to read:

9           23.0917 (3) (dm) 2. For each fiscal year beginning with 2001–02 2002–03 and  
10 ending with fiscal year 2009–10, ~~\$34,500,000~~ \$45,000,000.

11           **SECTION 1034p.** 23.0917 (4) (a) of the statutes is amended to read:

12           23.0917 (4) (a) Beginning with fiscal year 2000–01 and ending with fiscal year  
13 2009–10, the department may obligate moneys under the subprogram for property  
14 development and local assistance. Moneys obligated under this subprogram may be  
15 only used for nature–based outdoor recreation, except as provided under par. (cm).

16           **SECTION 1034pm.** 23.0917 (4) (cm) of the statutes is created to read:

17           23.0917 (4) (cm) Notwithstanding the purposes for which the department is  
18 authorized to obligate moneys under pars. (a), (b), and (c), the department may  
19 obligate <sup>e remove xtra space</sup> moneys under the subprogram for property development and local  
20 assistance for any of the following purposes:

21           1. Construction of the Wisconsin agricultural stewardship initiative facility  
22 under s. 23.197 (7m).

23           1m. Construction of a visitor center and administration building at the  
24 Kickapoo valley reserve under s. 23.197 (2m).

25           2. Projects approved by the state fair park board under s. 23.197 (8).

1           3. Reconstruction of the chalet at Rib Mountain State Park under s. 23.197 (3m)  
2 (b).

3           5. Development of a conservation law enforcement museum under s. 23.197  
4 (8m).

5           6. Restoration of an area on the exposed bed of the former flowage on the Prairie  
6 River.

7           **SECTION 1034r.** 23.0917 (4) (d) 1. of the statutes is amended to read:

8           23.0917 (4) (d) 1. The department may obligate not more than \$11,500,000 in  
9 each fiscal year 2000–01 and not more than \$11,500,000 in fiscal year 2001–02 under  
10 the subprogram except as provided in sub. (5). For each fiscal year beginning with  
11 2002–03 and ending with fiscal year 2009–10, the department may obligate not more  
12 than \$15,000,000 under the subprogram except as provided in sub. (5).

13           **SECTION 1034qm.** 23.0917 (4r) of the statutes is created to read:

14           23.0917 (4r) AGREEMENT BETWEEN DEPARTMENTS. (a) For each fiscal year, the  
15 department of natural resources and the department of forestry shall enter into an  
16 agreement establishing all of the following:

17           1. The amount of funding from the appropriation under s. 20.866 (2) (ta) that  
18 will be obligated for the land acquisition subprogram under sub. (3) and the amount  
19 of funding from the appropriation under s. 20.866 (2) (ta) that will be obligated for  
20 the property development and local assistance subprogram under sub. (4).


21           2. For the land acquisition subprogram, the amount of funding from the  
22 appropriation under s. 20.866 (2) (ta) that will be obligated for the acquisition of state  
23 forest land, for each of the purposes specified in s. 23.09 (2) (d), and for the grants for  
24 each of these purposes under s. 23.096, other than for the projects or activities  
25 specified under s. 23.197.

1           3. For the property development and local assistance subprogram, the amount  
2 of funding from the appropriation under s. 20.866 (2) (ta) that will be obligated for  
3 each of the purposes listed under sub. (4) (b) and (c), other than for the projects or  
4 activities specified under ss. 23.197 and 23.198.

5           4. The priorities under sub. (3) (c).

6           (b) The secretary of administration shall resolve any disputes between the  
7 departments concerning the agreement under par. (a).

8           **SECTION 1035g.** 23.0917 (7) (e) of the statutes is amended to read:

9           23.0917 (7) (e) For any land for which moneys are proposed to be obligated from  
10 the appropriation under s. 20.866 (2) (ta) in order to provide a grant or state aid to  
11 a governmental unit under s. 23.09 (19), (20), or (20m) or 30.277 or to a nonprofit  
12 conservation organization under s. 23.096, and if the department estimates that the  
13 fair market value of the land exceeds \$200,000, the governmental unit or nonprofit  
14 conservation organization shall submit to the department ~~two appraisals if the~~  
15 ~~department estimates that the fair market value of the land exceeds \$200,000 at~~  
16 least one appraisal and the department shall obtain its own independent appraisal 

17           **SECTION 1035m.** 23.0917 (7) (f) of the statutes is created to read:

18           23.0917 (7) (f) 1. In this paragraph, “taxation district” has the meaning given  
19 in s. 70.114 (1) (e).

20           2. For any acquisition of any land that is funded with moneys obligated from  
21 the appropriation under s. 20.866 (2) (ta), the department, within 30 days after the  
22 moneys are obligated, shall submit to the clerk and the assessor of each taxation  
23 district in which the land is located a copy of every appraisal in the department’s  
24 possession that was prepared in order to determine the fair market value of the land

*plain period*



1 involved. An assessor who receives a copy of an appraisal under this subdivision  
2 shall consider the appraisal in valuing the land as provided under s. 70.32 (1).

3 **SECTION 1036.** 23.0917 (8) (b) of the statutes is created to read:

4 23.0917 (8) (b) The department may not obligate moneys from the  
5 appropriation under s. 20.866 (2) (ta) for the acquisition or development of land by  
6 a county or other local governmental unit or political subdivision if the county, local  
7 governmental unit, or political subdivision acquires the land involved by  
8 condemnation.

9 **SECTION 1036b.** 23.0957 (title) of the statutes is amended to read:

10 **23.0957 (title) Annual grants to a nonstock, nonprofit corporation;**  
11 **urban land conservation projects.**

12 **SECTION 1036c.** 23.0957 (1) (title) of the statutes is created to read:

14 23.0957 (1) (title) DEFINITIONS.

15 **SECTION 1036d.** 23.0957 (1) (b) of the statutes is amended to read:

16 23.0957 (1) (b) “Interested group” means a community group, nonprofit  
17 organization, or local governmental unit that is interested in environmental quality  
18 issues and in acquiring urban, developing, maintaining, or restoring land for one or  
19 more urban forestry protection, water resource management, conservation,  
20 recreation or other urban open space conservation purposes.

21 **SECTION 1036e.** 23.0957 (1) (c) of the statutes is created to read:

22 23.0957 (1) (c) “Urban conservation purpose” means an urban, open space  
23 conservation or restoration area; urban forest protection or enhancement; water  
24 resource management in urban areas; resource management strategies for urban

1 areas; conservation activities in an urban area; or recreation activities in an urban  
2 area.

3 **SECTION 1036em.** 23.0957 (2) (intro.) of the statutes is amended to read:

4 23.0957 (2) RECIPIENT REQUIREMENTS. (intro.) The department shall provide  
5 one grant of ~~\$75,000~~ \$150,000 in each fiscal year, ~~beginning with fiscal year~~  
6 ~~1999–2000~~ to be used for one or more urban conservation purposes, to a nonstock,  
7 nonprofit corporation that meets all of the following requirements:

8 **SECTION 1036f.** 23.0957 (2) (intro.) of the statutes, as affected by 2001  
9 Wisconsin Act ... (this act), is amended to read: *plain*

10 23.0957 (2) RECIPIENT REQUIREMENTS. (intro.) The department of natural  
11 resources and beginning with fiscal year 2002–03, the department of forestry shall  
12 provide one grant of \$150,000 in each fiscal year, to be used for one or more urban  
13 conservation purposes, to a nonstock, nonprofit corporation that meets all of the  
14 following requirements:

15 **SECTION 1036g.** 23.0957 (2) (c) 2. of the statutes is repealed.

16 **SECTION 1036h.** 23.0957 (2) (c) 3. of the statutes is repealed.

17 **SECTION 1036j.** 23.0957 (2) (c) 5. of the statutes is repealed.

18 **SECTION 1036k.** 23.0957 (2) (c) 7. of the statutes is repealed.

19 **SECTION 1036m.** 23.0957 (2) (d) of the statutes is amended to read:

20 23.0957 (2) (d) The corporation contributes ~~\$25,000~~ \$50,000 in funds ~~annually~~  
21 to be used with the grant that it receives under this subsection.

22 **SECTION 1036n.** 23.0957 (2) (e) of the statutes is created to read:

23 23.0957 (2) (e) The corporation contributes substantial support to a network  
24 that encourages activities that further one or more urban conservation purposes in  
25 various urban communities in this state.

1           **SECTION 1036p.** 23.0957 (2r) of the statutes is created to read:

2           23.0957 (2r) **AUTHORIZED ACTIVITIES.** A corporation receiving a grant under sub.  
3 (2) may use proceeds from the grant for projects that are for one or more urban  
4 conservation purposes and that are undertaken by the corporation. For urban, open  
5 space projects, conservation projects in urban areas, or recreation projects in urban  
6 areas undertaken by the corporation, the corporation may use the proceeds for the  
7 acquisition of land for these projects.

8           **SECTION 1036q.** 23.0957 (3) (intro.) of the statutes is amended to read:

9           23.0957 (3) **REQUIRED ACTIVITIES.** (intro.) A corporation receiving a grant under  
10 sub. (2) may use the grant for urban forest protection, water resource enhancement  
11 or other urban open space objectives and shall do use proceeds from the grant to do  
12 all of the following ~~with the grant~~:

13           **SECTION 1036r.** 23.0957 (3) (a) of the statutes is renumbered 23.0957 (3) (a)  
14 (intro.) and amended to read:

15           23.0957 (3) (a) (intro.) Provide to interested groups technical assistance,  
16 especially ~~in the areas of urban open space real estate transactions, reclaiming and~~  
17 ~~restoring the natural values of urban parks, urban forests and open space areas,~~  
18 ~~designing and constructing amenities in open space areas, on all of the following~~  
19 topics:

20           1. Methods of cultivating citizen participation in acquiring, developing, and  
21 maintaining urban, open space areas and securing.

22           2. Methods of securing public financing for urban, open space areas.

23           **SECTION 1036s.** 23.0957 (3) (a) 3. of the statutes is created to read:

24           23.0957 (3) (a) 3. Comprehensive management methods for urban forests.

25           **SECTION 1036t.** 23.0957 (3) (a) 4. of the statutes is created to read:

1           23.0957 (3) (a) 4. The use of resource management strategies to improve water  
2 and air quality and to revitalize urban communities.

3           **SECTION 1036u.** 23.0957 (3) (a) 5. of the statutes is created to read:

4           23.0957 (3) (a) 5. Methods for reducing the presence of toxic substances in  
5 residential neighborhoods in urban areas.

6           **SECTION 1036v.** 23.0957 (3) (a) 6. of the statutes is created to read:

7           23.0957 (3) (a) 6. Methods for promoting environmental education and  
8 environmental stewardship in urban communities.

9           **SECTION 1036w.** 23.0957 (3) (c) of the statutes is amended to read:

10          23.0957 (3) (c) Assist ~~community interested groups, nonprofit organizations~~  
11 ~~and local governmental units in acquiring urban property for open space, developing,~~  
12 ~~maintaining, or restoring land for one or more urban conservation purposes and in~~  
13 ~~restoring urban property acquired for conservation, recreation and other open space~~  
14 ~~purposes.~~

15          **SECTION 1036wm.** 23.0957 (3) (d) of the statutes is amended to read:

16          23.0957 (3) (d) For each fiscal year, prepare a report detailing the activities for  
17 which a grant under sub. (2) is expended. Copies of the report shall be submitted to  
18 the department and to the appropriate standing committees of the legislature, as  
19 determined by the speaker of the assembly ~~or~~ and the president of the senate.

20          **SECTION 1036x.** 23.0957 (3) (d) of the statutes, as affected by 2001 Wisconsin  
21 Act .... (this act), is amended to read:

22          23.0957 (3) (d) For each fiscal year, prepare a report detailing the activities for  
23 which a grant under sub. (2) is expended. ~~Copies~~ Beginning with the report for fiscal  
24 year 2002–03, copies of the report shall be submitted to the department of forestry

1 and to the appropriate standing committees of the legislature, as determined by the  
2 speaker of the assembly and the president of the senate.

3 SECTION 1036y. 23.0957 (4) of the statutes is repealed.

4 *stet.* SECTION 1036m. 23.0962 of the statutes is repealed.

5 SECTION 1036m. 23.0963 of the statutes is created to read:

6 23.0963 Racine museum. (1) From the appropriation under s. 20.370 (5) (cq),  
7 beginning with fiscal year 2001-02 and ending with 2004-05, the department,  
8 subject to sub (2), shall provide \$500,000 in funding in each fiscal year to Racine  
9 County for the construction of the Discovery Place museum as part of the Heritage  
10 museum in the city of Racine.

11 (2) The department may not provide the funding for construction under sub.  
12 (1) unless the department of administration has reviewed and approved the  
13 applicable plans for the construction.

14 *stet.* SECTION 1036b. 23.0919 of the statutes is created to read:

15 23.0919 Forestry land endowment fund. (1) In this section, "land"  
16 includes any buildings, facilities, or other structures located on the land.

17 (2) Unless the secretary of forestry determines otherwise in a specific case, only  
18 the income from the gifts, grants, or bequests in the forestry land endowment fund  
19 is available for expenditure. The secretary of forestry may authorize expenditures  
20 only for preserving, developing, managing, or maintaining land that is under the  
21 jurisdiction of the department of forestry and that is used for conservation purposes.  
22 In this subsection, unless otherwise provided in a gift, grant, or bequest, principal  
23 and income are determined as provided under s. 701.20 (3).

24 SECTION 1036c. 23.092 (5) (a) of the statutes is amended to read:

*stet.*

1           23.092 (5) (a) The department shall determine the value of land or an easement  
2           donated to the department that is within a habitat area and is dedicated for purposes  
3           of habitat protection, enhancement, or restoration. For an easement, the valuation  
4           shall be based on the extent to which the fair market value of the land is diminished  
5           by the transfer. Except as provided in par. (b), an amount of money equal to the value  
6           of the donation shall be released from the appropriation under s. 20.866 (2) (ta) or  
7           (tz) or both to be used for habitat protection, enhancement, or restoration activities  
8           for the same habitat area in which any donation was made on or after  
9           August 9, 1989. The department shall determine how the moneys being released are  
10          to be allocated from these appropriations. The amounts released from the  
11          appropriation under s. 20.866 (2) (ta) shall be subject to the agreement under s.  
12          23.0917 (4r).

13           **SECTION 1036d.** 23.094 (4) (a) of the statutes is amended to read:

14           23.094 (4) (a) The department shall determine the value of land or an easement  
15           donated to the department for purposes of this section and for stream bank  
16           protection under s. 23.096. For an easement, the valuation shall be based on the  
17           extent to which the fair market value of the land is diminished by the transfer.  
18           Except as provided in par. (b), an amount of money equal to the value of the donation  
19           shall be released from the appropriation under s. 20.866 (2) (ta) or (tz) or both to be  
20           used to acquire easements and land under this section and s. 23.096 for the same  
21           stream for which any donation was made on or after August 9, 1989. The  
22           department shall determine how the moneys being released are to be allocated from  
23           these appropriations. The amounts released from the appropriation under s. 20.866  
24           (2) (ta) shall be subject to the agreement under s. 23.0917 (4r).

25           **SECTION 1036e.** 23.095 (1m) (title) of the statutes is amended to read:

1           23.095 (1m) (title) ~~PROHIBITION ON DEPARTMENT LAND~~ CERTAIN STATE LANDS.

2           **SECTION 1036f.** 23.095 (1m) (a) of the statutes is amended to read:

3           23.095 (1m) (a) No person may damage or attempt to damage any natural  
4 resource or any archaeological feature located on state-owned lands that are under  
5 the supervision, management, and control of the department ~~except as of natural~~  
6 resources or the department of forestry unless the person is authorized to do so by  
7 the department of natural resources or the department of forestry.

8           **SECTION 1036fg.** 23.0955 (2) (am) of the statutes is amended to read:

9           23.0955 (2) (am) ~~Beginning in fiscal year 1997–98, the~~ The department may  
10 ~~provide an annual~~ award one grant of \$150,000 in each fiscal year to a nonstock,  
11 nonprofit corporation that meets all of the qualifications under par. (a).

12           **SECTION 1036fm.** 23.0955 (2) (c) of the statutes is created to read:

13           23.0955 (2) (c) If the department awards a grant under this subsection, the  
14 department shall pay part of the grant in an amount equal to \$112,500 from the  
15 appropriation under s. 20.370 (5) (aw) to the corporation receiving the grant, and the  
16 department of forestry shall pay part of the grant in an amount equal to \$37,500 from  
17 the appropriation under s. 20.375 (2) (rq) to the corporation receiving the grant.

18           **SECTION 1036fr.** 23.0956 (1) (intro.) of the statutes is amended to read:

19           23.0956 (1) (intro.) ~~From the appropriation under s. 20.370 (5) (aw), the~~ The  
20 department shall ~~provide~~ award one grant of \$85,000 in each fiscal year, ~~beginning~~  
21 ~~with fiscal year 2000–01,~~ to a nonstock, nonprofit corporation that is described under  
22 section 501 (c) (3) or (4) of the Internal Revenue Code and organized in this state if  
23 the corporation meets all of the following requirements:

24           **SECTION 1036fv.** 23.0956 (3) of the statutes is created to read:

1           23.0956 (3) The department shall pay part of the grant in an amount equal to  
2           \$42,500 from the appropriation under s. 20.370 (5) (aw) to the corporation receiving  
3           the grant, and the department of forestry shall pay part of the grant in an amount  
4           equal to \$42,500 from the appropriation under s. 20.375 (2) (rq) to the corporation  
5           receiving the grant.

6           **SECTION 1036i.** 23.096 (2) (a) of the statutes is amended to read:

7           23.096 (2) (a) The department may award grants from the appropriation under  
8           s. 20.866 (2) (ta) or (tz) to nonprofit conservation organizations to acquire property  
9           for all of the purposes described in ss. 23.09 (2) (d) ~~1. to 7.~~ 2., 3., 4., 6., 9., 11., 12. and  
10          15., (19), (20), and (20m), 23.092, 23.094, 23.17, 23.175, 23.27, 23.29, 23.293, 30.24,  
11          and 30.277 and for state forests, and for forest nurseries and experimental stations.

12          **SECTION 1036j.** 23.096 (2) (am) of the statutes is created to read:

13          23.096 (2) (am) In determining which grants will be awarded under this  
14          section, the department of forestry and the department of natural resources shall  
15          both approve each grant. Any dispute regarding which nonprofit conservation  
16          organization will receive a grant under this section shall be resolved by the secretary  
17          of administration. The grants awarded under this section from the appropriation  
18          under s. 20.866 (2) (ta) shall be subject to the agreement under s. 23.0917 (4r).

19          **SECTION 1036k.** 23.096 (3) (intro.) of the statutes is amended to read:


20          23.096 (3) (intro.) ~~In~~ Except as provided in sub. (3m), in order to receive a grant  
21          under this section, the nonprofit conservation organization shall enter into a  
22          contract with the department that contains all of the following provisions:

23          **SECTION 1036L.** 23.096 (3m) of the statutes is created to read:

24          23.096 (3m) In order to receive a grant under this section for state forests, other  
25          than southern state forests, or for forest nurseries or experimental stations, the



1 nonprofit conservation organization shall enter into a contract with the department  
2 of forestry that contains all of the provisions under sub. (3).

3   
4 **SECTION 1036m.** 23.096 (4) (a) 1. of the statutes is amended to read:

5 23.096 (4) (a) 1. The department that entered into the contract under sub. (3)  
6 or (3m) approves the subsequent sale or transfer.

7 **SECTION 1036n.** 23.096 (4) (a) 2. of the statutes is amended to read:

8 23.096 (4) (a) 2. The party to whom the property is sold or transferred enters  
9 into a new contract with the department specified in subd. 1. that contains the  
10 provisions under sub. (3).

11 **SECTION 1036p.** 23.096 (4) (b) of the statutes is amended to read:

12 23.096 (4) (b) The nonprofit conservation organization may subsequently sell  
13 or transfer the acquired property to satisfy a debt or other obligation if the  
14 department that enters into the contract under sub. (3) or (3m) approves the sale or  
15 transfer.

16 **SECTION 1037.** 23.097 (1) of the statutes is renumbered 23.097 (1) (b) and  
17 amended to read:

18 23.097 (1) (b) The department shall award grants to counties, cities and,  
19 villages, towns, and nonprofit organizations for up to 50% of the cost of tree  
20 management plans, tree inventories, brush residue projects, the development of tree  
21 management ordinances, tree disease evaluations, public education concerning  
22 trees in urban areas and other tree projects.

23 **SECTION 1037m.** 23.097 (1) of the statutes, as affected by 2001 Wisconsin Act  
24 .... (this act), is renumbered 23.097 (1m).

25 **SECTION 1038.** 23.097 (1) (a) of the statutes is created to read:

1           23.097 (1) (a) In this subsection, a “nonprofit organization” means an  
2 organization that is described in section 501 (c) (3) of the Internal Revenue Code and  
3 that is exempt from federal income tax under section 501 (a) of the Internal Revenue  
4 Code.

5           **SECTION 1038b.** 23.113 of the statutes is created to read:

6           **23.113 Designation of chief state forester.** The secretary shall designate  
7 the administrator of the division of forestry in the department as the chief state  
8 forester. The chief state forester shall be a professional forester as recognized by the  
9 society of American foresters.

10 *stat,*       **SECTION 1038c.** 23.113 of the statutes, as created by 2001 Wisconsin Act ....  
11 (this act), is amended to read:

12           **23.113 Designation of chief state forester.** The secretary of forestry shall  
13 designate the administrator of the division of forestry in the department of forestry  
14 as the chief state forester. The chief state forester shall be a professional forester as  
15 recognized by the society of American foresters.

16 *stat -*       **SECTION 1038bg.** 23.118 of the statutes is created to read:

17           **23.118 Signs required.** If the department acquires an easement that provides  
18 the public with access to a body of water for the purpose of fishing, the department  
19 shall place a sign on the property where the easement is located that informs the  
20 public that the easement allows the public access to the body of water for the purpose  
21 of fishing.

22           **SECTION 1038am.** 23.10 (1m) of the statutes is created to read:

23           **23.10 (1m)** The department shall designate a conservation warden as the chief  
24 warden. The chief warden shall have the duty to direct, supervise, and control  
25 conservation wardens in the performance of their duties under sub. (1) and s. 29.921.

1           **SECTION 1038bb.** 23.097 (1b) of the statutes is created to read:

2           23.097 (1b) In this section, “department” means the department of forestry.

3           **SECTION 1038bd.** 23.098 (1) (ag) of the statutes is amended to read:

4           23.098 (1) (ag) “Department property” means an area of real property that is  
5 owned by the state, that is under the jurisdiction of the department of natural  
6 resources, and that is used for one of the purposes specified in s. 23.09 (2) (d) or that  
7 is in a state forest.

8           **SECTION 1038be.** 23.098 (2) of the statutes is amended to read:

9           23.098 (2) The department of natural resources and the department of forestry  
10 shall establish jointly administer a program to make grants from the appropriations  
11 under s. 20.866 (2) (ta) and (tz) to friends groups and nonprofit conservation  
12 organizations for projects for property development activities on department  
13 properties. ~~The department may not encumber~~ Not more than \$250,000 may be  
14 encumbered in each fiscal year for these grants under this section.

15           **SECTION 1038bg.** 23.098 (2m) of the statutes is created to read:

16           23.098 (2m) In determining which grants will be awarded under this section,  
17 the department of forestry and the department of natural resources shall both  
18 approve each grant. Any dispute regarding which friends groups will receive a grant  
19 under this section shall be resolved by the secretary of administration.

20           **SECTION 1038bi.** 23.098 (3) of the statutes is amended to read:

21           23.098 (3) The department of natural resources and the department of forestry  
22 shall jointly promulgate rules to establish criteria to be used in determining which  
23 property development activities are eligible for these grants under this section. The  
24 rules promulgated by the department of natural resources under this subsection that

1 are in effect on the effective date of this subsection ... [revisor inserts date], shall  
2 remain in effect until rules are jointly promulgated by the 2 departments.

3 **SECTION 1038bk.** 23.098 (4) (a) of the statutes is amended to read:

4 23.098 (4) (a) The department of natural resources and the department of  
5 forestry shall periodically prepare a list of projects on department properties that are  
6 eligible for grants under this section and shall include in the list the estimated cost  
7 of each project.

8 **SECTION 1038bm.** 23.098 (4) (am) of the statutes is amended to read:

9 23.098 (4) (am) In awarding grants under this section for eligible projects, the  
10 department of natural resources and the department of forestry shall jointly  
11 establish a system under which the grants are offered to eligible friends groups  
12 before being offered to eligible nonprofit conservation organizations.

13 **SECTION 1038bp.** 23.098 (4) (b) of the statutes is amended to read:

14 23.098 (4) (b) ~~The department may not encumber~~ Not more than \$20,000 may  
15 be encumbered for grants under this section for a department property in each fiscal  
16 year.

17 **SECTION 1038br.** 23.11 (1) of the statutes is amended to read:

18 23.11 (1) In addition to the powers and duties heretofore conferred and imposed  
19 upon ~~said~~ the department by this chapter it shall have and take the general care,  
20 protection, and supervision of all state parks, of all state fish hatcheries and lands  
21 used therewith, of all southern state forests, and of all lands owned by the state or  
22 in which it has any interests, except lands the care and supervision of which are  
23 vested in some other officer, body, or board; and ~~said~~ the department is granted such  
24 further powers as may be necessary or convenient to enable it to exercise the  
25 functions and perform the duties required of it by this chapter and by other

1 provisions of law. But it may not perform any act upon state lands held for sale that  
2 will diminish their salable value.

3 **SECTION 1038d.** 23.125 of the statutes is created to read:

4 **23.125 Natural resources board member conflicts of interest.** (1) If a  
5 member of the natural resources board is the holder of a permit or license issued by  
6 the department under chs. 280 to 299, that member may not engage in a discussion  
7 at a board meeting or participate in a board decision on any matter that substantially  
8 relates to the permit or license.

9 (2) If a member of the natural resources board receives, or has during the  
10 previous 2 years received, a significant portion of his or her income directly or  
11 indirectly from a holder of or applicant for a permit or license issued by the  
12 department under chs. 280 to 299, that member may not engage in a discussion at  
13 a board meeting or participate in a board decision on any matter that substantially  
14 relates to the permit or license, except that this restriction does not apply with  
15 respect to a permit or license held or applied for by an agency, department, or  
16 subdivision of this state.

17 **SECTION 1038dm.** 23.13 of the statutes is amended to read:

18 **23.13 Governor to be informed.** The board of commissioners of public lands  
19 ~~and, the department of natural resources, and the department of forestry~~ shall  
20 furnish to the governor upon the governor's request a copy of any paper, document,  
21 or record in their respective offices and give the governor orally such information as  
22 the governor may call for.

23 **SECTION 1038g.** 23.14 (title) of the statutes is amended to read:

24 **23.14 (title) Approval Procedures required before new lands acquired.**

25 **SECTION 1038m.** 23.14 of the statutes is renumbered 23.14 (1).

1           **SECTION 1038mm.** 23.14 (1m) of the statutes is created to read:

2           23.14 (1m) Prior to the acquisition of any land, or interest in land, by the  
3 department, the department shall notify in writing each city, village, or town, and  
4 each county, in which the land or interest in land is located at least 30 days before  
5 the department completes the acquisition.

6           **SECTION 1038p.** 23.14 (1m) of the statutes, as created by 2001 Wisconsin Act  
7 .... (this act), is amended to read:

8           23.14 (1m) Prior to the acquisition of any land, or interest in land, by the  
9 department of natural resources or the department of forestry, the department of  
10 natural resources or the department of forestry shall notify in writing each city,  
11 village, or town, and each county, in which the land or interest in land is located at  
12 least 30 days before the department completes the acquisition.

13           **SECTION 1038p.** 23.14 (1) of the statutes, as affected by 2001 Wisconsin Act ....  
14 (this act), is amended to read:

15           23.14 (1) Prior to the initial acquisition of any lands by the department ~~after~~  
16 ~~July 1, 1977,~~ of natural resources or by the department of forestry for any new facility  
17 or project, the proposed initial acquisition shall be submitted to the governor for his  
18 or her approval. New facilities or projects include, without limitation because of  
19 enumeration, state parks, state forests, recreation areas, public shooting, trapping  
20 or fishing grounds or waters, fish hatcheries, game farms, forest nurseries,  
21 experimental stations, endangered species preservation areas, picnic and camping  
22 grounds, hiking trails, cross-country ski trails, bridle trails, nature trails, bicycle  
23 trails, snowmobile trails, youth camps, land in the lower Wisconsin state riverway  
24 as defined in s. 30.40 (15), natural areas and wild rivers.

25           **SECTION 1038r.** 23.14 (2) of the statutes is created to read:

1           23.14 (2) The department may not acquire any rights in the lands that are  
2 included in the Milwaukee county grounds unless the department first notifies the  
3 joint committee on finance in writing of the proposed acquisition. If the  
4 cochairpersons of the committee do not notify the department within 14 working  
5 days after the date of the department's notification that the committee has scheduled  
6 a meeting to review the proposed acquisition, the department may acquire the  
7 proposed rights. If, within 14 working days after the date of the department's  
8 notification, the cochairpersons of the committee notify the department that the  
9 committee has scheduled a meeting to review the proposed acquisition, the  
10 department may acquire the rights only upon approval of the committee.

11           **SECTION 1038u.** 23.145 of the statutes is created to read:

12           **23.145 Acquisition of land in the Chiwaukee Prairie–Carol Beach**  
13 **National Natural Landmark.** The department may not promulgate a rule or  
14 otherwise establish a policy that imposes a specified maximum purchase price per  
15 parcel or per acre for real property that the department acquires that is located  
16 within the boundaries of the Chiwaukee Prairie–Carol Beach National Natural  
17 Landmark.

18           **SECTION 1038sam.** 23.14 (2) of the statutes, as created by 2001 Wisconsin Act  
19 .... (this act), is amended to read:

20           23.14 (2) The department of forestry may not acquire any rights in the lands  
21 that are included in the Milwaukee ~~county~~ County grounds unless the department  
22 first notifies the joint committee on finance in writing of the proposed acquisition.  
23 If the cochairpersons of the committee do not notify the department within 14  
24 working days after the date of the department's notification that the committee has  
25 scheduled a meeting to review the proposed acquisition, the department may acquire

1 the proposed rights. If, within 14 working days after the date of the department's  
2 notification, the cochairpersons of the committee notify the department that the  
3 committee has scheduled a meeting to review the proposed acquisition, the  
4 department may acquire the rights only upon approval of the committee.

5 **SECTION 1038sb.** 23.15 (title) of the statutes is amended to read:

6 **23.15 (title) Sale of certain state-owned lands under the jurisdiction**  
7 **of the department of natural resources.**

8

9 **SECTION 1038sc.** 23.15 (1) of the statutes is amended to read:

10 23.15 (1) The natural resources board may sell, at public or private sale, lands  
11 real property and structures owned by the state that are under the jurisdiction of the  
12 department of natural resources ~~when~~ if the natural resources board determines  
13 that ~~said lands~~ the real property and structures are no longer necessary for the  
14 state's use for conservation purposes and, ~~if real property,~~ the real property is not the  
15 subject of a petition under s. 16.375 (2).

16 **SECTION 1038sd.** 23.15 (1m) of the statutes is created to read:

17 23.15 (1m) The secretary of forestry may sell, at public or private sale, real  
18 property and structures owned by the state that are under the jurisdiction of the  
19 department of forestry if the department of forestry determines that the real  
20 property and structures are no longer necessary for the state's use for conservation  
21 purposes and the real property is not the subject of a petition under s. 16.375 (2). The  
22 department of forestry may not perform any act on land in the state forests under its  
23 jurisdiction that is being held for sale if the act will diminish the sale value of the  
24 land.

25 **SECTION 1038se.** 23.15 (2) of the statutes is amended to read:



1           23.15 (2) ~~Said~~ The natural resources board and the secretary of forestry shall  
2 present to the governor a full and complete report of the lands to be sold, the reason  
3 for the sale, the price for which ~~said~~ the lands should be sold ~~together with, and~~ an  
4 application for the their sale of the same. The governor shall ~~thereupon make such~~  
5 ~~investigation as the governor deems necessary respecting said lands to be sold~~ may  
6 investigate and approve or disapprove ~~such~~ the application. If the governor shall  
7 ~~approve the same, approves the application for the sale, the governor shall issue a~~  
8 ~~permit shall be issued by the governor for such~~ the sale on the terms set forth in the  
9 application.


10           **SECTION 1038sf.** 23.15 (3) of the statutes is amended to read:

11           23.15 (3) Upon completion of ~~such~~ a sale of land under the jurisdiction of the  
12 department of natural resources, the chairperson and secretary of the natural  
13 resources board, or the secretary of natural resources, if the secretary is duly  
14 authorized by the natural resources board, shall execute ~~such~~ the necessary  
15 ~~instruments as are necessary to transfer title and the natural resources board or its~~  
16 ~~duly authorized agents shall deliver the same instruments to the purchaser upon~~  
17 ~~payment of the amount set forth in the application. Upon completion of a sale of land~~  
18 under the jurisdiction of the department of forestry, the secretary of forestry shall  
19 execute the necessary instruments to transfer title and shall deliver the instruments  
20 to the purchaser upon payment of the amount set forth in the application.

21           **SECTION 1038sg.** 23.15 (4) of the statutes is amended to read:

22           23.15 (4) ~~Said~~ The natural resources board effecting the sale of any such lands  
23 ~~and structures shall, upon receiving payment therefor, under sub. (3), shall deposit~~  
24 ~~the funds~~ moneys received in the conservation fund to be used exclusively for the  
25 purpose of purchasing other areas of land for the ~~creating~~ creation and establishing

1 establishment of public hunting and fishing grounds, and wildlife and fish refuges,  
2 southern state forests, and state parks and for land in the lower Wisconsin state  
3 riverway as defined in s. 30.40 (15).

4   
5 **SECTION 1038sh.** 23.15 (4m) of the statutes is created to read:

6 23.15 (4m) The secretary of forestry, upon receiving payment under sub. (3),  
7 shall deposit the moneys received in the forestry fund to be used exclusively for the  
8 purpose of purchasing other areas of land for the creation and establishment of areas  
9 in the state forests.

10 **SECTION 1038si.** 23.15 (5) (a) of the statutes is amended to read:

11 23.15 (5) (a) In this subsection, “surplus land” means land under the  
12 jurisdiction of the department which of natural resources or the department of  
13 forestry that is unused and not needed for ~~department that department’s~~ operations  
14 or that is not included in the ~~that~~ department’s plan for construction or development.

15 **SECTION 1038sj.** 23.15 (5) (b) of the statutes is amended to read:

16 23.15 (5) (b) Biennially, ~~beginning on January 1, 1984,~~ the department of and  
17 natural resources and the department of forestry shall each submit to the state  
18 building commission and the joint committee on finance an inventory of surplus land  
19 containing the description, location, and fair market value of each parcel.

20 **SECTION 1038sk.** 23.15 (5) (c) of the statutes is created to read:

21 23.15 (5) (c) The department of natural resources and the department of  
22 forestry shall notify the department of administration of the intention to sell any  
23 surplus lands under the jurisdiction of the respective department so that the  
24 department of administration may ensure that the sale is in compliance with federal  
25 law.

1           **SECTION 1039.** 23.175 (1) (b) of the statutes is amended to read:

2           23.175 (1) (b) “State agency” means any office, department, agency, institution  
3 of higher education, association, society or other body in state government created  
4 or authorized to be created by the constitution or any law which is entitled to expend  
5 moneys appropriated by law, including any authority created under ch. 231, 233 ~~or~~  
6 234, or 237 but not including the legislature or the courts.

7           **SECTION 1039aj.** 23.175 (3m) of the statutes is amended to read:

8           23.175 (3m) **ALLOCATION BETWEEN APPROPRIATIONS.** For purposes of sub. (3) (b),  
9 the department shall determine how the moneys being expended are to be allocated  
10 from the appropriations under s. 20.866 (2) (ta) and (tz). The moneys expended from  
11 the appropriation under s. 20.866 (2) (ta) shall be subject to the agreement under s.  
12 23.0917 (4r). The department may not allocate or expend any moneys from the  
13 appropriation under s. 20.866 (2) (ta) before July 1, 2000.

14           **SECTION 1039b.** 23.193 of the statutes is created to read:

15           **23.193 Acquisition of certain lands purchased by the board of**  
16 **commissioners of public lands.** (1) If the board of commissioners of public lands  
17 invests moneys in the purchase of land under s. 24.61 (2) (a) 10., the department,  
18 within 5 years after the date of purchase, may offer to exchange land that is currently  
19 owned by the state and that is under the jurisdiction of the department for the land  
20 purchased under s. 24.61 (2) (a) 10. The value of the land offered for exchange by the  
21 department shall be of approximately equal value, as defined in s. 24.09 (1) (bm).

22           (2) If the department fails to make such an offer under sub. (1) within the  
23 required time period, the department shall pay the board of commissioners of public  
24 lands an amount that equals the fair market value of the land and the board shall

1 transfer jurisdiction over any land purchased under s. 24.61 (2) (a) 10. to the  
2 department.

3 (3) Section 23.14 does not apply to any land over which the department  
4 acquires jurisdiction under this section. Section 23.15 does not apply to any land  
5 offered for exchange or exchanged by the department under this section.

6 **SECTION 1039br.** 23.197 (1) (a) of the statutes is amended to read:

7 23.197 (1) (a) From the appropriation under s. 20.866 (2) (ta) or (tz) or both, the  
8 department shall provide funding to the city of Racine for a multipurpose pathway  
9 along the Root River. The amount provided by the department may not exceed the  
10 amount that equals the matching contribution for the pathway made by the city of  
11 Racine or ~~\$750,000~~ \$1,125,000, whichever is less.

12 **SECTION 1039bm.** 23.197 (2m) of the statutes is created to read:

13 23.197 (2m) KICKAPOO VALLEY RESERVE; VISITOR CENTER. From the appropriation  
14 under s. 20.866 (2) (ta), the department shall provide \$2,370,000 to the Kickapoo  
15 reserve management board for construction of a visitor center and administration  
16 building at the Kickapoo valley reserve. For purposes of s. 23.0917, moneys provided  
17 from the appropriation under s. 20.866 (2) (ta) shall be treated as moneys obligated  
18 from either or both of the subprograms under s. 23.0917 (3) and (4).

19 **SECTION 1039bv.** 23.197 (3) (a) of the statutes is amended to read:

20 23.197 (3) (a) From the appropriation under s. 20.866 (2) (ta) or (tz) or both, the  
21 department shall provide the amount necessary for the development of a  
22 recreational area on Keyes Lake in Florence County, but the amount may not exceed  
23 ~~\$125,000~~ \$175,000.

24 **SECTION 1039c.** 23.197 (3m) of the statutes is renumbered 23.197 (3m) (a) and  
25 amended to read:

1           23.197 (3m) (a) From the appropriation under s. 20.866 (2) (ta) or (tz) or both,  
2 the department shall provide funding in the amount of \$50,000 to rebuild ~~a~~ the  
3 chalet at Rib Mountain State Park. The department shall determine how the moneys  
4 being provided under this subsection paragraph will be allocated between the  
5 appropriations under s. 20.866 (2) (ta) and (tz). For purposes of s. 23.0915 (1),  
6 moneys provided from the appropriation under s. 20.866 (2) (tz) shall be treated as  
7 moneys expended for general property development. For purposes of s. 23.0917,  
8 moneys provided from the appropriation under s. 20.866 (2) (ta) shall be treated as  
9 moneys obligated under the subprogram for property development and local  
10 assistance.

11           **SECTION 1039d.** 23.197 (3m) (b) of the statutes is created to read:

12           23.197 (3m) (b) In addition to the amounts provided under par. (a), the  
13 department shall provide, from the appropriation under s. 20.866 (2) (ta), funding  
14 in the amount of \$1,000,000 to reconstruct the chalet at Rib Mountain State Park for  
15 which funding is provided under par. (a). For purposes of s. 23.0917, moneys  
16 provided under this paragraph shall be treated as moneys obligated under either or  
17 both of the subprograms under s. 23.0917 (3) and (4).

18           **SECTION 1039fm.** 23.197 (5r) of the statutes is created to read:

19           23.197 (5r) HILLSBORO; CAMPING AND RECREATIONAL AREA. From the  
20 appropriation under s. 20.866 (2) (ta), the department shall provide \$60,000 to the  
21 city of Hillsboro for the development of a camping and recreational area near the  
22 Hillsboro and Northeastern Spur Trail in the city of Hillsboro. For purposes of s.  
23 23.0917, moneys provided from the appropriation under s. 20.866 (2) (ta) shall be  
24 treated as moneys obligated from the subprogram for property development and

1 local assistance. Notwithstanding s. 23.09 (20) (b), the 50% matching requirement  
2 under s. 23.09 (20) (b) does not apply to the state aid provided under this subsection.

3 **SECTION 1039k.** 23.197 (6m) of the statutes is created to read:

4 **23.197 (6m) PLOVER RIVER; CONSERVATION EASEMENTS.** From the appropriation  
5 under s. 20.866 (2) (ta), the department shall provide \$135,000 to acquire  
6 conservation easements along the Plover River in Marathon County and Portage  
7 County. For the purposes of s. 23.0917, moneys provided under this subsection from  
8 the appropriation under s. 20.866 (2) (ta) shall be treated as moneys obligated under  
9 the subprogram for land acquisition.

10 **SECTION 1039km.** 23.197 (6r) of the statutes is created to read:

11 **23.197 (6r) MILWAUKEE COUNTY; BEACH DEVELOPMENT.** From the appropriation  
12 under s. 20.866 (2) (ta), the department shall provide \$648,100 to Milwaukee County  
13 to redevelop the beach at Grant Park in Milwaukee County. 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 the subprogram for property development and  
16 local assistance. The requirements for matching contributions under s. 23.09 (20)  
17 (b) shall apply to the state aid provided under this subsection.

18 **SECTION 1039m.** 23.197 (7) of the statutes is created to read:

19 **23.197 (7) MENASHA; SKATEBOARD PARK.** From the appropriation under s. 20.866  
20 (2) (ta), during the fiscal biennium 2001-03 the department shall provide \$25,000  
21 to the city of Menasha for the purchase of land to be used for a skateboard park  
22 facility in Winnebago County. For purposes of s. 23.0917, moneys provided under  
23 this subsection from the appropriation under s. 20.866 (2) (ta) shall be treated as  
24 moneys obligated under the subprogram for land acquisition.

25 **SECTION 1039n.** 23.197 (7m) of the statutes is created to read:

1           **23.197 (7m)** WISCONSIN AGRICULTURAL STEWARDSHIP INITIATIVE FACILITY. From  
2 the appropriation under s. 20.866 (2) (ta), the department shall provide funding in  
3 the amount of \$1,000,000 for the Wisconsin agricultural stewardship initiative at the  
4 University of Wisconsin–Platteville and the University of Wisconsin–Madison, to  
5 construct a facility to be used for conducting research and for training farmers  
6 concerning the development of sound environmental farming practices. For  
7 purposes of s. 23.0917, moneys provided under this subsection shall be treated as  
8 moneys obligated under either or both of the subprograms under s. 23.0917 (3) and  
9 (4).

10           **SECTION 1039p.** 23.197 (8) of the statutes is created to read:

11           **23.197 (8)** STATE FAIR PARK CONSTRUCTION. From the appropriation under s.  
12 20.866 (2) (ta), the department shall provide \$2,000,000 for projects that are  
13 approved by the state fair park board. For purposes of s. 23.0917, moneys provided  
14 under this subsection shall be treated as moneys obligated under either or both of  
15 the subprograms under s. 23.0917 (3) and (4).

16           **SECTION 1039s.** 23.197 (8m) of the statutes is created to read:

17           **23.197 (8m)** CONSERVATION LAW ENFORCEMENT MUSEUM. From the appropriation  
18 under s. 20.866 (2) (ta), the department shall provide funding in the amount of  
19 \$200,000 for the development of a conservation law enforcement museum.  
20 Expenditures under this subsection shall be made in a manner such that, for every  
21 \$1 received by the department from private grants, gifts, or bequests for the  
22 development of the museum, \$1 will be expended from the moneys under this  
23 subsection. For the purposes of s. 23.0917, moneys provided under this subsection  
24 from the appropriation under s. 20.866 (2) (ta) shall be treated as moneys obligated  
25 under the subprogram for property development and local assistance.

1           **SECTION 1039t.** 23.197 (9) of the statutes is created to read:

2           **23.197 (9) PRAIRIE RIVER RESTORATION.** From the appropriation under s. 20.866  
3           (2) (ta), the department shall provide funding to the city of Merrill in the amount of  
4           \$450,000 for a project to restore an area on the exposed bed of the former flowage on  
5           the Prairie River. For the purposes of s. 23.0917, moneys provided under this  
6           subsection from the appropriation under s. 20.866 (2) (ta) shall be treated as moneys  
7           obligated under the subprogram for property development and local assistance.

8           **SECTION 1039w.** 23.198 (1) (a) of the statutes is amended to read:

9           **23.198 (1) (a)** From the appropriation under s. 20.866 (2) (ta), the department  
10          shall provide up to ~~\$1,500,000~~ \$4,500,000 for the development of ~~a state park that~~  
11          ~~will provide access to Lake Michigan in the city of Milwaukee~~ Lakeshore State Park.  
12          For purposes of s. 23.0917, moneys provided under this paragraph shall be treated  
13          as moneys obligated under either or both of the subprogram for property  
14          ~~development and local assistance subprograms~~ under s. 23.0917 (3) and (4).

15          **SECTION 1040.** 23.235 (2) of the statutes is amended to read:

16          **23.235 (2)** Except as provided in sub. (3), no person may sell, offer for sale,  
17          distribute, plant, or cultivate any ~~nuisance weed~~ multiflora rose or seeds thereof.

18          **SECTION 1041.** 23.235 (4) of the statutes is repealed.

19          **SECTION 1042.** 23.24 of the statutes is created to read:

20          **23.24 Aquatic plants. (1) DEFINITIONS.** In this section:

21          (a) “Aquaculture” has the meaning given in s. 93.01 (1d).

22          (b) “Aquatic plant” means a planktonic, submergent, emergent, or floating-leaf  
23          plant or any part thereof.

24          (c) “Control” means to cut, remove, destroy, or suppress.

25          (d) “Cultivate” means to intentionally maintain the growth or existence of.



1 (e) “Distribute” means to sell, offer to sell, distribute for no consideration, or  
2 offer to distribute for no consideration.

3 (f) “Introduce” means to plant, cultivate, stock, or release.

4 (g) “Invasive aquatic plant” means an aquatic plant that is designated under  
5 sub. (2) (b) 1.

6 (h) “Manage” means to introduce or control.

7 (i) “Native” means indigenous to the waters of this state.

8 (j) “Nonnative” means not indigenous to the waters of this state.

9 (k) “Waters of this state” means any surface waters within the territorial limits  
10 of this state.

11 (2) PROGRAM ESTABLISHED. (a) The department shall establish a program for  
12 the waters of this state to do all of the following:

- 13 1. Protect and develop diverse and stable communities of native aquatic plants.
- 14 2. Regulate how aquatic plants are managed.
- 15 3. Provide education and conduct research concerning invasive aquatic plants.

16 (b) Under the program implemented under par. (a), the department shall do all  
17 of the following:

- 18 1. Designate by rule which aquatic plants are invasive aquatic plants for  
19 purposes of this section. The department shall designate Eurasian water milfoil,  
20 curly leaf pondweed, and purple loosestrife as invasive aquatic plants and may  
21 designate any other aquatic plant as an invasive aquatic plant if it has the ability to  
22 cause significant adverse change to desirable aquatic habitat, to significantly  
23 displace desirable aquatic vegetation, or to reduce the yield of products produced by  
24 aquaculture.

1           2. Administer and establish by rule procedures and requirements for the  
2 issuing of aquatic plants management permits required under sub. (3).

3           (c) The requirements promulgated under par. (b) 2. may specify any of the  
4 following:

5           1. The quantity of aquatic plants that may be managed under an aquatic plant  
6 management permit.

7           2. The species of aquatic plants that may be managed under an aquatic plant  
8 management permit.

9           3. The areas in which aquatic plants may be managed under an aquatic plant  
10 management permit.

11           4. The methods that may be used to manage aquatic plants under an aquatic  
12 plant management permit.

13           5. The times during which aquatic plants may be managed under an aquatic  
14 plant management permit.

15           6. The allowable methods for disposing or using aquatic plants that are  
16 removed or controlled under an aquatic plant management permit.

17           7. The requirements for plans that the department may require under sub. (3)  
18 (b).

19           **(3) PERMITS.** (a) Unless a person has a valid aquatic plant management permit  
20 issued under the program established under sub. (2), no person may do any of the  
21 following:

22           1. Introduce nonnative aquatic plants into waters of this state.

23           2. Manually remove aquatic plants from navigable waters.

24           3. Control aquatic plants in waters of this state by the use of chemicals.

1           4. Control aquatic plants in navigable waters by introducing biological agents,  
2 by using a process that involves dewatering, desiccation, burning, or freezing, or by  
3 using mechanical means.

4           (b) The department may require that an application for an aquatic plant  
5 management permit contain a plan for the department's approval as to how the  
6 aquatic plants will be introduced, removed, or controlled.

7           (c) The department may promulgate a rule to establish fees for aquatic plant  
8 management permits. Under the rule, the department may establish a different fee  
9 for an aquatic plant management permit to manage aquatic plants that are located  
10 in a body of water that is entirely confined on the property of one property owner.

11           (4) EXEMPTIONS FROM PERMITS. (a) In this subsection:

12           1. "Local governmental unit" means a political subdivision of this state, a  
13 special purpose district in this state, an instrumentality or corporation of the  
14 political subdivision or special purpose district, or a combination or subunit of any  
15 of the foregoing.

16           2. "State agency" means any office, department, independent agency, or  
17 attached board or commission within the executive branch of state government, or  
18 any special purpose authority created by statute.

19           (b) The permit requirement under sub. (3) does not apply to any of the following:

20           1. A person who manually removes aquatic plants from privately owned stream  
21 beds with the permission of the landowner.

22           2. A person who engages in an activity listed under sub. (3) (a) in the course of  
23 harvesting wild rice as authorized under s. 29.607.

24           3. A person who engages in an activity listed under sub. (3) (a) in the course of  
25 operating a fish farm as authorized under s. 95.60.

1 (c) The department may promulgate a rule to waive the permit requirement  
2 under sub. (3) (a) 2. for any of the following:

3 1. A person who owns property on which there is a body of water that is entirely  
4 confined on the property of that person.

5 2. A riparian owner who manually removes aquatic plants from a body of water  
6 that abuts the owner's property provided that the removal does not interfere with the  
7 rights of other riparian owners.

8 3. A person who is controlling purple loosestrife.

9 4. A person who uses chemicals in a body of water for the purpose of controlling  
10 bacteria on bathing beaches.

11 5. A person who uses chemicals on plants to prevent the plants from interfering  
12 with the use of water for drinking purposes.

13 6. A state agency or a local governmental unit that uses a chemical treatment  
14 in a body of water for the purpose of protecting the public health.

15 (5) DISTRIBUTION PROHIBITED. No person may distribute an invasive aquatic  
16 plant.

17 (6) PENALTIES. (a) Except as provided in par. (b), any person who violates sub.  
18 (3) shall forfeit not more than \$200.

19 (b) A person who violates sub. (3) and who, within 5 years before the arrest of  
20 the current conviction, was previously convicted of a violation of sub. (3) shall forfeit  
21 not less than \$700 nor more than \$2,000 or shall be imprisoned for not less than 6  
22 months nor more than 9 months or both.

23 (c) The court may order a person who is convicted under par. (b) to abate any  
24 nuisance caused by the violation, restore any natural resource damaged by the

1 violation, or take other appropriate action to eliminate or minimize any  
2 environmental damage caused by the violation.

3 (d) A person who violates sub. (5) shall forfeit not more than \$100.

4 **SECTION 1042k.** 23.255 of the statutes is created to read:

5 **23.255 Geographical management units.** If the department divides the  
6 state into geographical units for the purpose of managing its functions, the  
7 department shall include the LaCrosse–Bad Axe Watershed and the Kickapoo River  
8 Watershed in the same geographical unit.

9 **SECTION 1043m.** 23.257 of the statutes is created to read:

10 **23.257 Departmental regions.** If the department divides the state into  
11 regions for the purpose of managing its functions, it shall include all of Crawford and  
12 Vernon counties in the region that covers the west central part of the state.

13 **SECTION 1042kb.** 23.26 (3) of the statutes is amended to read:

14 23.26 (3) Advise the department of natural resources, the department of  
15 forestry, and other agencies on matters pertaining to the acquisition, development,  
16 utilization, maintenance, and withdrawal of state natural areas, including  
17 determinations as to the extent of multiple use that may be allowed on state natural  
18 areas that are a part of a state park, state forest, public hunting ground, or similar  
19 areas under state ownership or control.

20 **SECTION 1042kd.** 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  
25 into cash. The department shall convert other noncash contributions into cash.

1 These moneys shall be deposited in the general fund and credited to the  
2 appropriation under s. 20.370 (1) (mg). These moneys shall be matched by an equal  
3 amount released from the appropriation under s. 20.866 (2) (ta), (tt) or (tz) or from  
4 any combination of these appropriations to be used for natural areas land acquisition  
5 activities under s. 23.27 (5). The department shall determine how the moneys being  
6 released are to be allocated from these appropriations. The amounts released from  
7 the appropriation under s. 20.866 (2) (ta) shall be subject to the agreement under s.  
8 23.0917 (4r).

9 **SECTION 1042kn.** 23.293 (4) of the statutes is amended to read:

10 23.293 (4) CONTRIBUTIONS AND GIFTS; STATE MATCH. The department may accept  
11 contributions and gifts for the ice age trail program. The department may convert  
12 gifts of land which it determines are not appropriate for the ice age trail program into  
13 cash. The department may convert other noncash contributions and gifts into cash.  
14 These moneys shall be deposited in the general fund and credited to the  
15 appropriation under s. 20.370 (7) (gg). An amount equal to the value of all  
16 contributions and gifts shall be released from the appropriation under s. 20.866 (2)  
17 (ta), (tw) or (tz) or from any combination of these appropriations to be used for land  
18 acquisition and development activities under s. 23.17. The department shall  
19 determine how the moneys being released are to be allocated from these  
20 appropriations. The amounts released from the appropriation under s. 20.866 (2) (ta)  
21 shall be subject to the agreement under s. 23.0917 (4r).

22 **SECTION 1042kp.** 23.293 (5) of the statutes is amended to read:

23 23.293 (5) LAND DEDICATIONS; VALUATION; STATE MATCH. The department shall  
24 determine the value of land accepted for dedication under the ice age trail program.  
25 If the land dedication involves the transfer of the title in fee simple absolute or other

1 arrangement for the transfer of all interest in the land to the state, the valuation of  
2 the land shall be based on the fair market value of the land before the transfer. If  
3 the land dedication involves the transfer of a partial interest in land to the state, the  
4 valuation of the land shall be based on the extent to which the fair market value of  
5 the land is diminished by that transfer and the associated articles of dedication. If  
6 the land dedication involves a sale of land to the department at less than the fair  
7 market value, the valuation of the land shall be based on the difference between the  
8 purchase price and the fair market value. An amount equal to the valuation of the  
9 land accepted for dedication under the ice age trail program shall be released from  
10 the appropriation under s. 20.866 (2) (ta), (tw) or (tz) or from any combination of these  
11 appropriations to be used for ice age trail acquisition activities under s. 23.17. The  
12 department shall determine how the moneys being released are to be allocated from  
13 these appropriations. The amounts released from the appropriation under s. 20.866  
14 (2) (ta) shall be subject to the agreement under s. 23.0917 (4r). This subsection does  
15 not apply to dedications of land under the ownership of the state.

16 **SECTION 1042kpm.** 23.295 (2) (intro.) of the statutes is amended to read:

17 23.295 (2) (intro.) The department of natural resources, and beginning with  
18 fiscal year 2002–03 the department of forestry, shall provide one grant of \$75,000 in  
19 each fiscal year, ~~beginning with fiscal year 1999–2000,~~ to a nonstock, nonprofit  
20 corporation that meets all of the following requirements:

21 **SECTION 1042kr.** 23.295 (3) (f) of the statutes is amended to read:

22 23.295 (3) (f) For each fiscal year, prepare a report detailing the activities for  
23 which a grant under sub. (2) is expended. ~~Copies~~ Beginning with the report for fiscal  
24 year 2002–03, copies of the report shall be submitted to the department of natural  
25 resources, to the department of forestry, and to the appropriate standing committees

1 of the legislature, as determined by the speaker of the assembly or the president of  
2 the senate.

3 **SECTION 1042ks.** 23.30 (4) of the statutes is created to read:

4 23.30 (4) CONSULTATION WITH THE DEPARTMENT OF FORESTRY. In carrying out its  
5 duties under sub. (3) and its duties under s. 23.31, the natural resources board shall  
6 consult with the department of forestry.

7 **SECTION 1042kt.** 23.305 (title) of the statutes is amended to read:

8 **23.305 (title) Leasing of ~~department land~~ certain lands for recreational**  
9 **purposes.**

10 **SECTION 1042ku.** 23.305 (2) of the statutes is amended to read:

11 23.305 (2) Notwithstanding ss. 23.30 and 28.04, the department may lease  
12 state park land or ~~state forest land~~ in the southern state forests to towns, villages or  
13 counties for outdoor recreational purposes associated with spectator sports.  
14 Notwithstanding ss. 23.30 and 28.04, the department of forestry may lease state  
15 forest land, other than land in the southern state forests, to towns, villages, or  
16 counties for outdoor recreational purposes associated with spectator sports.

17 **SECTION 1042kv.** 23.305 (3) of the statutes is amended to read:

18 23.305 (3) The lease shall be for a term not to exceed 15 years. The lease shall  
19 contain covenants to protect the department entering into the lease from all liability  
20 and costs associated with use of the land and to guard against trespass and waste.  
21 The rents arising from ~~the a lease~~ entered into by the department shall be paid into  
22 the state treasury and credited to the proper conservation fund. The rents arising  
23 from a lease entered into by the department of forestry shall be paid into the state  
24 treasury and credited to the forestry fund.

25 **SECTION 1045m.** 23.33 (1) (bc) of the statutes is created to read:



1           23.33 (1) (bc) “All-terrain vehicle club” means a club consisting of individuals  
2 that promotes the recreational use of all-terrain vehicles.

3           **SECTION 1046.** 23.33 (1) (g) of the statutes is repealed.

4           **SECTION 1046m.** 23.33 (1) (ig) of the statutes is amended to read:

5           23.33 (1) (ig) “Law enforcement officer” has the meaning specified under s.  
6 165.85 (2) (c) and includes a person appointed as a conservation warden by the  
7 department under s. 23.10 (1) or a state forest ranger appointed under s. 28.92.

8           **SECTION 1047.** 23.33 (1) (jn) of the statutes is created to read:

9           23.33 (1) (jn) “Registration documentation” means an all-terrain vehicle  
10 registration certificate, a validated registration receipt, or a registration decal.

11          **SECTION 1048.** 23.33 (1) (o) of the statutes is created to read:

12          23.33 (1) (o) “Validated registration receipt” means a receipt issued by the  
13 department or an agent under sub. (2) (ig) 1. a. that shows that an application and  
14 the required fees for a registration certificate has been submitted to the department.

15          **SECTION 1049.** 23.33 (2) (a) of the statutes is amended to read:

16          23.33 (2) (a) *Requirement.* No person may operate and no owner may give  
17 permission for the operation of an all-terrain vehicle within this state unless the  
18 all-terrain vehicle is registered for public use or for private use under this subsection  
19 or sub. (2g), is exempt from registration, or is operated with a reflectorized plate  
20 attached in the manner specified under par. (dm) 3. No person may operate and no  
21 owner may give permission for the operation of an all-terrain vehicle on a public  
22 all-terrain vehicle route or trail unless the all terrain vehicle is registered for public  
23 use under this subsection or sub. (2g), ~~is exempt from registration or is operated with~~  
24 ~~a reflectorized plate attached in the manner specified under par. (dm) 3.~~

25          **SECTION 1050.** 23.33 (2) (d) of the statutes is amended to read:

1           23.33 (2) (d) *Registration; private use; fee.* An all-terrain vehicle used  
2 exclusively for agricultural purposes or used exclusively on private property may be  
3 registered for private use. The fee for the issuance ~~or renewal~~ of a registration  
4 certificate for private use is \$6.

5           **SECTION 1051.** 23.33 (2) (dm) 4. of the statutes is created to read:

6           23.33 (2) (dm) 4. Paragraphs (i), (ig), and (ir) do not apply to commercial  
7 all-terrain vehicle certificates or reflectorized plates.

8           **SECTION 1052.** 23.33 (2) (h) (title) of the statutes is repealed.

9           **SECTION 1053.** 23.33 (2) (h) of the statutes is renumbered 23.33 (2) (p) 2. and  
10 amended to read:

11           23.33 (2) (p) 2. The department ~~shall~~ may establish by rule additional  
12 procedures and requirements for all-terrain vehicle registration.

13           **SECTION 1054.** 23.33 (2) (i) (intro.) of the statutes is amended to read:

14           23.33 (2) (i) *Registration; ~~appointment of agents~~ issuers.* (intro.) For the  
15 issuance of ~~all-terrain vehicle registration certificates~~ original or duplicate  
16 registration documentation and for the transfer or renewal of registration  
17 documentation, the department may do any of the following:

18           **SECTION 1055.** 23.33 (2) (i) 1. of the statutes is amended to read:

19           23.33 (2) (i) 1. Directly issued <sup>plain space</sup> ~~the certificates,~~ transfer, or renew the registration  
20 documentation with or without using the expedited service specified in par. (ig) 1.

21           **SECTION 1056.** 23.33 (2) (i) 2. of the statutes is repealed.

22           **SECTION 1057.** 23.33 (2) (i) 3. of the statutes is amended to read:

23           23.33 (2) (i) 3. Appoint persons who are not employees of the department as  
24 agents of the department to issue the certificate as agents of the department,

1 transfer, or renew the registration documentation using either or both of the  
2 expedited services specified in par. (ig) 1.

3 **SECTION 1058.** 23.33 (2) (ig) of the statutes is created to read:

4 23.33 (2) (ig) *Registration; methods of issuance.* 1. For the issuance of original  
5 or duplicate registration documentation and for the transfer or renewal of  
6 registration documentation, the department may implement either or both of the  
7 following expedited procedures to be provided by the department and any agents  
8 appointed under par. (i) 3.:

9 a. A noncomputerized procedure under which the department or agent may  
10 accept applications for registration certificates and issue a validated registration  
11 receipt at the time the applicant submits the application accompanied by the  
12 required fees.

13 b. A computerized procedure under which the department or agent may accept  
14 applications for registration documentation and issue to each applicant all or some  
15 of the items of the registration documentation at the time the applicant submits the  
16 application accompanied by the required fees.

17 2. Under either procedure under subd. 1., the applicant shall receive any  
18 remaining items of registration documentation directly from the department at a  
19 later date. The items of registration documentation issued at the time of the  
20 submittal of the application under either procedure shall be sufficient to allow the  
21 all-terrain vehicle for which the application is submitted to be operated in  
22 compliance with the registration requirements under this subsection.

23 **SECTION 1059.** 23.33 (2) (ir) of the statutes is created to read:

24 23.33 (2) (ir) *Fees.* 1. In addition to the applicable fee under par. (c), (d), or (e),  
25 each agent appointed under par. (i) 3. shall collect an expedited service fee of \$3 each

1 time the agent issues a validated registration receipt under par. (ig) 1. a. The agent  
2 shall retain the entire amount of each expedited service fee the agent collects.

3 2. In addition to the applicable fee under par. (c), (d), or (e), the department or  
4 the agent appointed under par. (i) 3. shall collect an expedited service fee of \$3 each  
5 time the expedited service under par. (ig) 1. b. is provided. The agent shall remit to  
6 the department \$1 of each expedited service fee the agent collects.

7 **SECTION 1060.** 23.33 (2) (j) of the statutes is repealed.

8 **SECTION 1061.** 23.33 (2) (k) of the statutes is repealed.

9 **SECTION 1062.** 23.33 (2) (L) of the statutes is repealed.

10 **SECTION 1063.** 23.33 (2) (m) of the statutes is repealed.

11 **SECTION 1064.** 23.33 (2) (n) of the statutes is repealed.

12 **SECTION 1065.** 23.33 (2) (o) of the statutes is amended to read:

13 23.33 (2) (o) ~~Renewals; remittal~~ Receipt of fees. ~~An agent appointed under par.~~  
14 ~~(m) shall remit to the department \$2 of each \$3 fee collected under par. (n). Any All~~  
15 ~~fees remitted to or collected by the department under par. (L) or (n) (ir) shall be~~  
16 ~~credited to the appropriation account under s. 20.370 (9) (hu).~~

17 **SECTION 1066.** 23.33 (2) (p) (title) and 1. of the statutes are created to read:

18 23.33 (2) (p) (title) *Rules.* 1. The department may promulgate rules to establish  
19 eligibility and other criteria for the appointment of agents under par. (i) 3. and to  
20 regulate the activities of these agents.

21 **SECTION 1066am.** 23.33 (5) (a) of the statutes is amended to read:

22 23.33 (5) (a) *Age restriction.* No person under 12 years of age may operate an  
23 all-terrain vehicle unless he or she is operating the all-terrain vehicle for an  
24 agricultural purpose and he or she is under the supervision of a person over 18 years  
25 of age or unless he or she is operating a small all-terrain vehicle on an all-terrain

1 vehicle trail designated by the department of natural resources or by the department  
2 of forestry and he or she is accompanied by his or her parent. No person who is under  
3 12 years of age may operate an all-terrain vehicle which is an implement of  
4 husbandry on a roadway under any circumstances. No person who is under 12 years  
5 of age may operate an all-terrain vehicle on a roadway under the authorization  
6 provided under sub. (4) (d) 6. under any circumstances. No person who is under 12  
7 years of age may rent or lease an all-terrain vehicle. For purposes of this paragraph,  
8 supervision does not require that the person under 12 years of age be subject to  
9 continuous direction or control by the person over 18 years of age.

10 **SECTION 1066ar.** 23.33 (5m) of the statutes is created to read:

11 **23.33 (5m) GRANT PROGRAM.** (a) The department shall establish a program to  
12 award grants to organizations that meet the eligibility requirements under par. (b).

13 (b) To be eligible for a grant under this subsection, an organization shall meet  
14 all of the following requirements:

15 1. The organization is a nonstock corporation organized in this state, is  
16 described under section 501 (c) (3) or (4) of the Internal Revenue Code, and is exempt  
17 from taxation under section 501 (a) of the Internal Revenue Code.

18 2. The organization promotes the operation of all-terrain vehicles in a manner  
19 that is safe and responsible and that does not harm the environment.

20 3. The organization promotes the operation of all-terrain vehicles in a manner  
21 that does not conflict with the laws, rules, and departmental policies that relate to  
22 the operation of all-terrain vehicles.

23 4. The interest of the organization is limited to the recreational operation of  
24 all-terrain vehicles on all-terrain vehicle trails and other areas that are off the  
25 highways.

1           5. The organization has a board of directors that has a majority of members who  
2 are representatives of all-terrain vehicle clubs.

3           6. The organization provides support to all-terrain vehicle clubs.

4           (c) A nonprofit organization receiving a grant under this subsection shall use  
5 the grant moneys to promote and provide support to the program established under  
6 sub. (5) by conducting activities that include all of the following:

7           1. Collecting data on the recreational operation of all-terrain vehicles off the  
8 highways.

9           2. Providing assistance to the department in locating, recruiting, and training  
10 instructors for the program established under sub. (5) (d).

11           3. Attempting to increase participation by current and future all-terrain  
12 vehicle operators and owners in the program established under sub. (5) (d).

13           4. Assisting the department of natural resources and the department of  
14 tourism in creating an outreach program to inform local communities of appropriate  
15 all-terrain vehicle use in their communities and of the economic benefits that may  
16 be gained from promoting tourism to attract all-terrain vehicle operators.

17           5. Attempting to improve and maintain its relationship with the department  
18 of natural resources, the department of tourism, all-terrain vehicle dealers,  
19 all-terrain vehicle manufacturers, snowmobile clubs, as defined in s. 350.138 (1) (e),  
20 snowmobile alliances, as defined in s. 350.138 (1) (d), and other organizations that  
21 promote the recreational operation of snowmobiles.

22           6. Recruiting, assisting in the training of, and providing support to a corps of  
23 volunteers that will assist in providing instruction on the safe and responsible  
24 operation of all-terrain vehicles that is given in the field to all-terrain vehicle  
25 operators.

1           7. Publishing a manual in cooperation with the department that shall be used  
2 to train volunteers in monitoring the recreational operation of all-terrain vehicles  
3 for safety issues and other issues that relate to the responsible operation of  
4 all-terrain vehicles.

5           (d) The department shall pay the grants from the appropriation under s. 20.370  
6 (5) (cx).

7           **SECTION 1066av.** 23.33 (7m) of the statutes is created to read:

8           **23.33 (7m) REPORTING REQUIREMENT.** The department shall submit an annual  
9 report to the joint legislative audit committee on how the increase in conservation  
10 warden positions under 2001 Wisconsin Act .... (this act), that provide additional  
11 state law enforcement functions related to all-terrain vehicles has benefited the  
12 department's efforts to enforce the laws relating to the operation of all-terrain  
13 vehicles and to educate the public on these laws. The department shall submit this  
14 report no later than August 15 annually and shall submit the first report no later  
15 than August 15, 2002. The report shall cover the fiscal year ending on the June 30  
16 that immediately precedes the date of the report.

17           **SECTION 1066atg.** 23.33 (5m) (c) 4. of the statutes, as created by 2001  
18 Wisconsin Act .... (this act), is amended to read:

19           **23.33 (5m) (c) 4.** Assisting the department of natural resources, the  
20 department of forestry, and the department of tourism in creating an outreach  
21 program to inform local communities of appropriate all-terrain vehicle use in their  
22 communities and of the economic benefits that may be gained from promoting  
23 tourism to attract all-terrain vehicle operators.

24           **SECTION 1066ati.** 23.33 (5m) (c) 5. of the statutes, as created by 2001 Wisconsin  
25 Act .... (this act), is amended to to read:

1 23.33 (5m) (c) 5. Attempting to improve and maintain its relationship with the  
2 department of natural resources, the department of forestry, the department of  
3 tourism, all-terrain vehicle dealers, all-terrain vehicle manufacturers, snowmobile  
4 clubs, as defined in s. 350.138 (1) (e), snowmobile alliances, as defined in s. 350.138  
5 (1)(d), and other organizations that promote the recreational operation of  
6 snowmobiles.

7 **SECTION 1066atv.** 23.33 (8) (c) of the statutes is amended to read:

8 23.33 (8) (c) *Trails.* ~~A~~ Any town, any village, any city, any county or, the  
9 department of natural resources, or the department of forestry may designate  
10 corridors through land which it owns or controls, or for which it obtains leases,  
11 easements or permission, for use as all-terrain vehicle trails.

12 **SECTION 1066atz.** 23.33 (9) (b) (intro.) of the statutes is amended to read:

13 23.33 (9) (b) *All-terrain vehicle projects.* (intro.) Any of the following  
14 all-terrain vehicle projects ~~are~~ is eligible for funding as ~~a state~~ an all-terrain vehicle  
15 project from the appropriation account under s. 20.370 (1) (ms) or 20.375 (3) (sr) or  
16 for aid as a nonstate all-terrain vehicle project from the appropriation accounts  
17 under s. 20.370 (5) (ct) and (cu):

18 **SECTION 1066aui.** 23.33 (9m) of the statutes is created to read:

19 23.33 (9m) STATE TRAILS. The department of forestry shall designate, develop,  
20 and maintain the all-terrain vehicle trails in state forests, other than southern state  
21 forests.  
22

23 **SECTION 1066auk.** 23.33 (12) (a) of the statutes is amended to read:

24 23.33 (12) (a) ~~An officer of the state traffic patrol under s. 110.07 (1), inspector~~  
25 ~~under s. 110.07 (3), conservation warden appointed by the department under s.~~



1 ~~23.10, county sheriff or municipal peace~~ Any law enforcement officer has authority  
2 and jurisdiction to enforce this section and ordinances enacted in conformity with  
3 this section.

4 **SECTION 1066b.** *stat.* 23.41 (5) of the statutes is amended to read:

5 23.41 (5) Each contract for construction work entered into by the department  
6 under this section shall be awarded on the basis of bids or competitive sealed  
7 proposals in accordance with procedures established by the department. Each  
8 contract for construction work shall be awarded to the lowest responsible bidder or  
9 the person submitting the most advantageous competitive sealed proposal as  
10 determined by the department. If the bid of the lowest responsible bidder or the  
11 proposal of the person submitting the most advantageous competitive sealed  
12 proposal is determined by the department to be in excess of the estimated reasonable  
13 value of the work or not in the public interest, the department may reject all bids or  
14 competitive sealed proposals. Every such contract is exempted from ss. 16.70 to  
15 16.75, 16.755, 16.76, 16.767 to 16.82, 16.855, 16.87 and 16.89, but ss. 16.528, 16.754  
16 and 16.765 apply to the contract. Every such contract involving an expenditure of  
17 \$30,000 or more than \$60,000 is not valid until the contract is approved by the  
18 governor.

19 **SECTION 1066b.** *stat.* 23.43 of the statutes is created to read:

20 **23.43 Watershed management center.** From the appropriation under s.  
21 20.370 (4) (aq), the department shall annually provide to the board of regents of the  
22 University of Wisconsin System \$150,000 to establish and operate the watershed  
23 management center under s. 36.25 (46).

24 **SECTION 1066c.** 23.45 (1) (a) of the statutes is amended to read:

1           23.45 (1) (a) “Approval” means any type of approval or authorization issued by  
2 the department ~~including a license, permit, certificate, card, stamp or tag or its~~  
3 agents through an automated system established by the department for the issuance  
4 of approvals under s. 29.024 or the issuance of vehicle admission receipts under s.  
5 27.01 (7m) (d).

6           **SECTION 1066g.** 23.45 (1) (b) of the statutes is amended to read:

7           23.45 (1) (b) “List” means ~~information~~ a computer generated list compiled or  
8 maintained by the department ~~from information provided to the department by~~  
9 individuals who have applied for an approval or for registration and that contains  
10 the personal identifiers of 10 or more of those individuals.

11           **SECTION 1066L.** 23.45 (1) (d) of the statutes is created to read:

12           23.45 (1) (d) “Registration” means any registration documentation, as defined  
13 in s. 23.33 (1) (jn) or s. 350.01 (10t), or certification or registration documentation,  
14 as defined in s. 30.50 (3b), issued by the department or its agents.

15           **SECTION 1066p.** 23.45 (2) of the statutes is amended to read:

16           23.45 (2) If a form that the department ~~requires~~ or its agents require an  
17 individual to complete in order to obtain an approval ~~or other privilege from the~~  
18 ~~department or to obtain a product or service from the department~~ or a registration  
19 requires the individual to provide any of the individual’s personal identifiers, the  
20 form shall include a place for the individual to declare that the individual’s personal  
21 identifiers obtained by the department or its agents from the information on the form  
22 may not be disclosed on ~~any~~ a list that the department furnishes to another person.

23           **SECTION 1066t.** 23.45 (3) of the statutes is amended to read:

24           23.45 (3) If the department ~~requires~~ or its agents require an individual to  
25 provide, by telephone or other electronic means, any of the individual’s personal

1 identifiers in order to obtain an approval ~~or other privilege from the department or~~  
2 ~~to obtain a product or service~~ or a registration from the department, the department  
3 or its agents shall ask the individual at the time that the individual provides the  
4 information if the individual wants to declare that the individual's personal  
5 identifiers obtained by telephone or other electronic means may not be disclosed on  
6 ~~any a~~ list that the department furnishes to another person.

7 **SECTION 1066x.** 23.45 (4) of the statutes is amended to read:

8 23.45 (4) The department shall provide to an individual upon request a form  
9 that includes a place for the individual to declare that the individual's personal  
10 identifiers obtained by the department or its agents may not be disclosed on ~~any a~~  
11 list that the department furnishes to another person.

12 **SECTION 1066y.** 23.47 of the statutes is created to read:

13 **23.47 Payments for department of tourism programs and activities.**

14 The department of natural resources may not expend any moneys appropriated from  
15 the conservation fund to the department of natural resources under s. 20.370 to pay,  
16 in whole or in part, for a program operated, or an activity conducted, by the  
17 department of tourism. *stet*

18 **SECTION 1088d.** 24.60 (1v) of the statutes is created to read:

19 24.60 (1v) Federated public library system means a federated public library  
20 system whose territory lies within 2 or more counties.

21 **SECTION 1067g.** 24.39 (1) of the statutes is amended to read:

22 24.39 (1) The board of commissioners of public lands may grant leases of parts  
23 or parcels of any public lands except state park lands and state forest lands; grant  
24 easements, leases to enter upon any of said lands to flow the same or to prospect for  
25 and to dig and remove therefrom ore, minerals and other deposits, and sell therefrom

1 such timber as the board shall find necessary to prevent future loss or damage. All  
2 sales of standing live timber shall be on a selective cutting basis in line with federal  
3 forest practices. Such easements, leases, licenses, and sales shall be made only for  
4 a full and fair consideration paid or to be paid to the state, the amount and terms  
5 whereof shall be fixed by said board, and such easements, leases, licenses and sales  
6 shall conform to the requirements, so far as applicable, prescribed by ch. 26 for the  
7 exercise by the department of natural resources of similar powers affecting state  
8 park lands and state forest lands.

9 **SECTION 1067r.** 24.39 (2) of the statutes is amended to read:

10 24.39 (2) In negotiating for such leases, licenses, or sales, and in exercising the  
11 other powers conferred by this section the board of commissioners of public lands  
12 shall, so far as it finds it desirable and practicable, request and make proper use of  
13 such services and information as the department of natural resources or the  
14 department of forestry may be able to furnish.

15 **SECTION 1088e.** 24.61 (2) (a) 10. of the statutes is created to read:

16 24.61 (2) (a) 10. Land in this state, but subject to the conditions established  
17 under par. (c).

18 **SECTION 1088m.** 24.61 (2) (b) of the statutes is amended to read:

19 24.61 (2) (b) *Deposited with state treasurer.* All bonds, notes, and other  
20 securities ~~so~~ purchased under par. (a) shall be deposited with the state treasurer.

21 **SECTION 1088r.** 24.61 (2) (c) of the statutes is created to read:

22 24.61 (2) (c) *Investments in land in this state.* The board may not invest moneys  
23 in the purchase of any land under par. (a) 10. unless all of the following conditions  
24 are satisfied:

1           1. The land was project land under a hydroelectric project license issued by the  
2 federal energy regulatory commission and the commission has determined that the  
3 land is no longer necessary for the operation of any hydroelectric facility.

4           2. The board determines that the land is suitable for public use, enjoyment,  
5 recreation, and education.

6           3. The amount of land purchased by the board in any 5-year period does not  
7 exceed 10,000 acres.

8           4. The land is appraised in the manner provided under s. 24.08 (3).

9           5. The board considers all appraisals of the land in making the offer to purchase  
10 the land.

11           6. The board notifies the joint committee on finance in writing of its intention  
12 to purchase the land. If the cochairpersons of the committee do not notify the board  
13 that the committee has scheduled a meeting for the purpose of reviewing the  
14 proposed purchase of land within 14 working days after the date of the board's  
15 notification, the land may be purchased by the board. If, within 14 working days  
16 after the date of the board's notification, the cochairpersons of the committee notify  
17 the board that the committee has scheduled a meeting for the purpose of reviewing  
18 the proposed purchase, the land may be purchased only upon approval of the  
19 committee.

20           **SECTION 1089m.** 24.61 (3) (a) 11. of the statutes is created to read:

21           24.61 (3) (a) 11. A federated public library system, as provided under s. 43.17  
22 (9) (b) or otherwise authorized by law.

23           **SECTION 1089n.** 24.61 (3) (b) of the statutes is amended to read:

24           24.61 (3) (b) *Terms; conditions.* A municipality ~~or~~, cooperative educational  
25 service agency, or federated public library system may obtain a state trust fund loan

1 for the sum of money, for the time and upon the conditions as may be agreed upon  
2 between the board and the borrower, subject to the limitations, restrictions, and  
3 conditions set forth in this subchapter.

4 **SECTION 1089t.** 24.63 (2r) of the statutes is created to read:

5 24.63 (2r) FEDERATED PUBLIC LIBRARY SYSTEM LOANS. A state trust fund loan to  
6 a federated public library system may be made for any term, not exceeding 20 years,  
7 that is agreed upon between the federated public library system and the board and  
8 may be made for a total amount that, together with all other indebtedness of the  
9 federated public library system, does not exceed the federated public library system's  
10 allowable indebtedness under s. 43.17 (9) (b).

11 **SECTION 1092m.** 24.66 (3v) of the statutes is created to read:

12 24.66 (3v) FOR FEDERATED PUBLIC LIBRARY SYSTEMS. An application for a loan by  
13 a federated public library system shall be accompanied by a certified copy of a  
14 resolution of the board of the federated public library system approving the loan.

15 **SECTION 1096m.** 24.67 (1) (intro.) of the statutes is amended to read:

16 24.67 (1) (intro.) If the board approves the application, it shall cause  
17 certificates of indebtedness to be prepared in proper form and transmitted to the  
18 municipality ~~or~~, cooperative educational service agency, or federated public library  
19 system submitting the application. The certificate of indebtedness shall be executed  
20 and signed:

21 **SECTION 1097m.** 24.67 (1) (m) of the statutes is created to read:

22 24.67 (1) (m) For a federated public library system, by its president.

23 **SECTION 1098m.** 24.67 (2) (h) of the statutes is created to read:

1           24.67 (2) (h) For a federated public library system, by a member of the  
2 federated public library system board designated by that board who is not the  
3 president of that board.

4           **SECTION 1099m.** 24.67 (3) of the statutes is amended to read:

5           24.67 (3) If a municipality has acted under subs. (1) and (2), it shall certify that  
6 fact to the department of administration. Upon receiving a certification from a  
7 municipality, or upon direction of the board if a loan is made to a cooperative  
8 educational service agency or a federated public library system, the secretary of  
9 administration shall draw a warrant upon the state treasurer for the amount of the  
10 loan, payable to the treasurer of the municipality ~~or~~ cooperative educational service  
11 agency, or federated public library system making the loan or as the treasurer of the  
12 municipality ~~or~~ cooperative educational service agency, or federated public library  
13 system directs. The certificate of indebtedness shall then be conclusive evidence of  
14 the validity of the indebtedness and that all the requirements of law concerning the  
15 application for the making and acceptance of the loan have been complied with.

16           **SECTION 1100m.** 24.70 (1) of the statutes is amended to read:

17           24.70 (1) APPLICABILITY. This section applies to all outstanding state trust fund  
18 loans to borrowers other than school districts and federated public library systems.

19           **SECTION 1101m.** 24.715 of the statutes is created to read:

20           **24.715 Collections from federated public library systems. (1)**

21           APPLICABILITY. This section applies to all outstanding trust fund loans to federated  
22 public library systems.

23           (2) CERTIFIED STATEMENT. If a federated public library system has a state trust  
24 fund loan, the board shall transmit to the system board a certified statement of the  
25 amount due on or before October 1 of each year until the loan is paid. The board shall

1 furnish a copy of each certified statement to the state treasurer and the department  
2 of public instruction.

3 (3) PAYMENT TO STATE TREASURER. The system board shall transmit to the state  
4 treasurer on its own order the full amount levied for state trust fund loans within 15  
5 days after March 15. The state treasurer shall notify the board when he or she  
6 receives payment. Any payment not made by March 30 is delinquent and is subject  
7 to a penalty of one percent per month or fraction thereof, to be paid to the state  
8 treasurer with the delinquent payment.

9 (4) FAILURE TO MAKE PAYMENT. If the system board fails to remit the amounts  
10 due under sub. (3), the state superintendent, upon certification of delinquency by the  
11 board, shall deduct the amount due including any penalty from any aid payments  
12 due the system, shall remit such amount to the state treasurer and, no later than  
13 June 15, shall notify the system board and the board to that effect.

14 SECTION 1102. 25.14 (1) (a) 15. of the statutes is created to read:

15 25.14 (1) (a) 15. The permanent endowment fund.

16 SECTION 1102e. 25.14 (1) (a) 15m. of the statutes is created to read:

17 25.14 (1) (a) 15m. Any redemption fund established under s. 18.561 (5).

18 SECTION 1102g. 25.14 (1) (a) 16. of the statutes is created to read:

19 25.14 (1) (a) 16. Any redemption fund established under s. 18.562 (3).

20 SECTION 1102k. 25.14 (1) (a) 17. of the statutes is created to read:

21 25.14 (1) (a) 17. Any fund established under s. 18.57 (1).

22 SECTION 1102m. 25.14 (1) (a) 18. of the statutes is created to read:

23 25.14 (1) (a) 18. The artistic endowment fund.

24 SECTION 1104. 25.17 (1) (ag) of the statutes is created to read:

25 25.17 (1) (ag) Agricultural producer security fund (s. 25.463);



1           **SECTION 1104m.** 25.17 (1) (ak) of the statutes is created to read:

2           25.17 (1) (ak) Artistic endowment fund (s. 25.78);

3           **SECTION 1104p.** 25.17 (1) (at) of the statutes is created to read:

4           25.17 (1) (at) Cemetery management insurance fund (s. 25.86);

5           **SECTION 1104n.** 25.17 (1) (aq) of the statutes is created to read:

6           25.17 (1) (aq) Cash building projects fund (s. 25.91).

7           **SECTION 1105.** 25.17 (1) (ee) of the statutes is repealed.

8           **SECTION 1107.** 25.17 (1) (f) of the statutes is repealed.

9           **SECTION 1107g.** 25.17 (1) (fs) of the statutes is created to read:

10          25.17 (1) (fs) Forestry fund (s. 25.28).

11          **SECTION 1107r.** 25.17 (1) (fv) of the statutes is created to read:

12          25.17 (1) (fv) Forestry land endowment fund (s. 25.294);

13          **SECTION 1108.** 25.17 (1) (jv) of the statutes is created to read:

14          25.17 (1) (jv) Medical assistance trust fund (s. 25.77);

15          **SECTION 1109.** 25.17 (1) (kr) of the statutes is created to read:

16          25.17 (1) (kr) Permanent endowment fund (s. 25.69);

17

18          **SECTION 1110m.** 25.17 (1) (yt) of the statutes is created to read:

19          25.17 (1) (yt) Wisconsin outdoor wildlife heritage trust fund (s. 25.297).

20          **SECTION 1111.** 25.17 (16) of the statutes is created to read:

21          25.17 (16) (a) Annually, after June 1 but not later than June 15, beginning in

22          2004, calculate the amount of moneys that are available in the permanent

23          endowment fund for transfer to the general fund under s. 13.101 (16) (a). For the

24          purpose of this calculation, moneys that are available in the permanent endowment

25          fund for transfer to the general fund shall equal the sum of the following:

1           1. An amount that equals 8.5% of the market value of the investments in the  
2 permanent endowment fund on June 1, less the amount transferred to the tobacco  
3 control fund under s. 13.101 (16) (b). For the purpose of making the calculation under  
4 this subdivision, the board shall not include any amounts or investments specified  
5 in subds. 2. and 3.

6           2. All proceeds of, and investment earnings on, investments of the permanent  
7 endowment fund made under s. 25.18 (1) (p) that are received in the fiscal year.

8           3. All other amounts identified by the secretary of administration as payments  
9 of residual interests to the state from the sale of the state's right to receive payments  
10 under the Attorneys General Master Tobacco Settlement Agreement of November  
11 23, 1998, that are received in the fiscal year.

12           (b) Annually, beginning in 2004, submit to the joint committee on finance and  
13 to the chief clerk of each house, for distribution to the appropriate standing  
14 committees under s. 13.172 (3), a report specifying the amount of moneys that are  
15 available in the permanent endowment fund for transfer to the general fund under  
16 s. 13.101 (16).

17           **SECTION 1111j.** 25.17 (59) of the statutes is amended to read:

18           25.17 (59) Invest or deposit money from the appropriation under s. 20.143 (1)  
19 (fm) in a public depository located in this state that is ~~at least 51% owned by a~~  
20 ~~minority group member or minority group members, as defined in s. 560.036 (1) (f)~~  
21 a minority business certified by the department of commerce under s. 560.036 (2).

22           **SECTION 1112.** 25.18 (1) (o) of the statutes is created to read:

23           25.18 (1) (o) Invest any of the assets of the permanent endowment fund in any  
24 investment that is an authorized investment for assets in the fixed retirement

1 investment trust under s. 25.17 (4) or assets in the variable retirement investment  
2 trust under s. 25.17 (5).

3 **SECTION 1113.** 25.18 (1) (p) of the statutes is created to read:

4 25.18 (1) (p) Hold any of the assets in the permanent endowment fund in any  
5 of the following:

6 1. Evidences of indebtedness, including subordinated obligations, that are  
7 secured by tobacco settlement revenues, as defined in s. 16.63 (1) (c), and that are  
8 issued by a corporation or company established under s. 16.63 (3) or 231.215 or by  
9 the Wisconsin health and educational facilities authority.

10 2. Certificates or other evidences of ownership interest in all or any portion of  
11 tobacco settlement revenues, as defined in s. 16.63 (1) (c).

12 **SECTION 1113g.** 25.28 of the statutes is created to read:

13 **25.28 Forestry fund.** (1) There is established a separate nonlapsible trust  
14 fund designated as the forestry fund to consist of all of the following:

15 (a) All moneys accruing to the state for or in behalf of the department of forestry  
16 under s. 29.235 (6) and chs. 23, 26, 27, and 28.

17 (b) All moneys received under subchs. I and VI of ch. 77.

18 (c) All moneys received under s. 70.58.

19 (d) All other state funds appropriated or transferred to the forestry fund.

20 (2) All moneys received from the United States for fire prevention and control,  
21 forest planting, and other forestry activities shall be devoted to the purposes for  
22 which these moneys are received.

23 **SECTION 1113r.** 25.29 (1) (a) of the statutes is amended to read:

24 25.29 (1) (a) Except as provided in ss. 25.293 and 25.295, all moneys accruing  
25 to the state for or in behalf of the department under chs. 26, 27, 28, 29, and 350,

1 subchs. I and VI of ch. 77 and ss. 23.09 to 23.31, 23.325 to 23.42, 23.50 to 23.99, 30.50  
2 to 30.55, ~~70.58~~, 71.10 (5) and 71.30 (10), including grants received from the federal  
3 government or any of its agencies except as otherwise provided by law.

4 **SECTION 1114.** 25.29 (3) (intro.) of the statutes is renumbered 25.29 (3) and  
5 amended to read:

6 25.29 (3) Funds accruing to the conservation fund from license fees paid by  
7 hunters and from sport and recreation fishing license fees shall not be diverted for  
8 any other purpose than ~~those provided by the department, except: the~~ the  
9 administration of the department when it is exercising its responsibilities that are  
10 specific to the management of the fish and wildlife resources of this state.

11 **SECTION 1115.** 25.29 (3) (a) of the statutes is repealed.

12 **SECTION 1116.** 25.29 (3) (b) of the statutes is repealed.

13 **SECTION 1117.** 25.29 (3) (c) of the statutes is repealed.

14 **SECTION 1117m.** 25.29 (3g) of the statutes is created to read:

15 25.29 (3g) For purposes of sub. (3) and s. 29.037, the joint committee on finance  
16 shall determine what constitutes the administration of the department when it is  
17 exercising its responsibilities that are specific to the management of the fish and  
18 wildlife resources of this state.

19 **SECTION 1118.** 25.29 (4m) of the statutes is amended to read:


20 25.29 (4m) ~~Notwithstanding sub. (3), no~~ No moneys that accrue to the state for  
21 or in behalf of the department under ch. 29 may be expended or paid for the  
22 enforcement of the treaty-based, off-reservation rights to fish held by members of  
23 federally recognized American Indian tribes or bands domiciled in Wisconsin.

24 **SECTION 1119.** 25.29 (6) of the statutes is amended to read:

1           25.29 (6) All moneys received from the United States for fire prevention and  
2 control, forest planting, and other forestry activities, ~~and~~ for wildlife restoration  
3 projects and fish restoration and management projects, and for other purposes, ~~and~~  
4 ~~as provided in s. 29.037~~, shall be devoted to the purposes for which these moneys are  
5 received.

6           **SECTION 1119m.** 25.297 of the statutes is created to read:

7           **25.297 Wisconsin outdoor wildlife heritage trust fund.** There is  
8 established a separate nonlapsible trust fund designated as the Wisconsin outdoor  
9 wildlife heritage trust fund, to consist of all gifts, grants, or bequests or other  
10 contributions made to the Wisconsin outdoor wildlife heritage trust fund.

11           **SECTION 1119c.** 25.29 (6) of the statutes, as affected by 2001 Wisconsin Act ...  
12 (this act), is amended to read:  stricken comma

13           25.29 (6) All moneys received from the United States for fire prevention and  
14 ~~control, forest planting and other forestry activities,~~ for wildlife restoration projects  
15 and fish restoration and management projects, and for other purposes shall be  
16 devoted to the purposes for which these moneys are received.

17           **SECTION 1119g.** 25.29 (7) (intro.) of the statutes is renumbered 25.28 (3) (a).

18           **SECTION 1119L.** 25.29 (7) (a) of the statutes is renumbered 25.28 (3) (am) and  
19 amended to read:

20           25.28 (3) (am) Eight percent of the tax levied under s. 70.58 or of the funds  
21 provided for in lieu of the levy shall be used to acquire and develop forests of the state  
22 for the purposes or capable of providing the benefits described under s. 28.04 (2)  
23 within areas approved by the department of forestry and the governor and located  
24 within the region composed of Manitowoc, Calumet, Winnebago, Sheboygan, Fond

1 du Lac, Ozaukee, Washington, Dodge, Milwaukee, Waukesha, Jefferson, Racine,  
2 Kenosha, Walworth, Rock and Outagamie counties.

3 **SECTION 1119p.** 25.29 (7) (b) of the statutes is renumbered 25.28 (3) (b) and  
4 amended to read:

5 25.28 (3) (b) An additional 4% of the tax levied under s. 70.58 or of the funds  
6 provided in lieu of the levy shall be used to purchase forests for the state for the  
7 purposes or capable of providing the benefits described under s. 28.04 (2) within  
8 areas approved by the department of forestry and the governor and located within  
9 the region specified under par. (a) (am).

10 **SECTION 1119t.** 25.294 of the statutes is created to read:

11 **25.294 Forestry land endowment fund.** There is established a separate  
12 nonlapsible trust fund designated as the forestry land endowment fund, to consist  
13 of:

14 (1) All gifts, grants, or bequests made to the forestry land endowment fund. The  
15 department of forestry may convert any noncash gift, grant, or bequest into cash for  
16 deposit into the fund.

17 (2) All interest and other income generated from these gifts, grants, and  
18 bequests.

19 **SECTION 1119x.** 25.295 (1) (b) of the statutes is amended to read:

20 25.295 (1) (b) Notwithstanding s. 23.15 (4), all moneys received by the  
21 ~~department of natural resources~~ state from utility easements on property located in  
22 the state park system, a southern state forest, or a state recreation area ~~under ss.~~  
23 ~~23.09 (10), 27.01 (2) (g) and 28.02 (5).~~

24 **SECTION 1120.** 25.36 (1) of the statutes is amended to read:

1           25.36 (1) Except as provided in sub. (2), all moneys appropriated or transferred  
2 by law shall constitute the veterans trust fund which shall be used for the veterans  
3 programs under ss. 20.485 (2) (m), (mn), (tm), (u), (v), (vo), (w), (z), and (zm), ~~45.01~~  
4 45.014, 45.25, 45.351 (1), 45.353, 45.356, 45.357, 45.396, 45.397, and 45.43 (7) and  
5 administered by the department of veterans affairs, including all moneys received  
6 from the federal government for the benefit of veterans or their dependents; all  
7 moneys paid as interest on and repayment of loans under the post-war  
8 rehabilitation fund; soldiers rehabilitation fund, veterans housing funds as they  
9 existed prior to July 1, 1961; all moneys paid as interest on and repayment of loans  
10 under this fund; all moneys paid as expenses for, interest on, and repayment of  
11 veterans trust fund stabilization loans under s. 45.356, 1995 stats.; all moneys paid  
12 as expenses for, interest on, and repayment of veterans personal loans; the net  
13 proceeds from the sale of mortgaged properties related to veterans personal loans;  
14 all mortgages issued with the proceeds of the 1981 veterans home loan revenue bond  
15 issuance purchased with moneys in the veterans trust fund; all moneys received from  
16 the state investment board under s. 45.356 (9) (b); all moneys received from the  
17 veterans mortgage loan repayment fund under s. 45.79 (7) (a) and (c); and all gifts  
18 of money received by the board of veterans affairs for the purposes of this fund.

19           **SECTION 1121.** 25.40 (1) (a) 4m. of the statutes is created to read:

20           25.40 (1) (a) 4m. Moneys received from telecommunications providers or cable  
21 telecommunications service providers that are deposited in the general fund and  
22 credited to the appropriation account under s. 20.395 (3) (jh).

23           **SECTION 1122.** 25.40 (1) (a) 21. of the statutes is created to read:

24           25.40 (1) (a) 21. Moneys received as payment for losses of and damage to state  
25 property for costs associated with repair or replacement of such property that are

1 deposited in the general fund and credited to the appropriation account under s.  
2 20.395 (3) (jj).

3 **SECTION 1123m.** 25.40 (1) (cd) of the statutes is created to read:

4 25.40 (1) (cd) All moneys transferred to the transportation fund from the  
5 appropriation account under s. 20.855 (4) (fm).

6 **SECTION 1124.** 25.44 of the statutes is repealed.

7 **SECTION 1125.** 25.46 (1k) of the statutes is created to read:

8 25.46 (1k) The moneys transferred under s. 20.505 (8) (hm) 20.

9 **SECTION 1127.** 25.46 (20) of the statutes is created to read:

10 25.46 (20) All moneys received in settlement of actions initiated under 42 USC  
11 9601 to 9675 for environmental management.

12 **SECTION 1127c.** 25.46 (21) of the statutes is created to read:

13 25.46 (21) All moneys, other than fines and forfeitures, that are received under  
14 settlement agreements or orders in settlement of actions or proposed actions for  
15 violations of chs. 280 to 299 and that are designated to be used to restore or develop  
16 environmental resources, to provide restitution, or to make expenditures required  
17 under an agreement or order.

18 **SECTION 1128.** 25.463 of the statutes is created to read:

19 **25.463 Agricultural producer security fund.** There is established a  
20 separate nonlapsible trust fund designated as the agricultural producer security  
21 fund, to consist of all fees, surcharges, assessments, reimbursements, and proceeds  
22 of surety bonds received by the department of agriculture, trade and consumer  
23 protection under ch. 126.

24 **SECTION 1129.** 25.47 (7) of the statutes is created to read:

25 25.47 (7) The fees imposed under s. 101.09 (3) (d).



1           **SECTION 1131.** 25.60 of the statutes is repealed and recreated to read:

2           **25.60 Budget stabilization fund.** There is created a separate nonlapsible  
3 trust fund designated as the budget stabilization fund, consisting of moneys  
4 transferred to the fund from the general fund under s. 16.518 (3).

5           **SECTION 1132.** 25.61 of the statutes is amended to read:

6           **25.61 VendorNet fund.** There is created a separate nonlapsible trust fund  
7 designated as the VendorNet fund consisting of all revenues accruing to the state  
8 from fees assessed under ~~s. ss.~~ ss. 16.701 and 16.702 (1) and from gifts, grants, and  
9 bequests made for the purposes of ~~s. ss.~~ ss. 16.701 and 16.702 (1) and moneys transferred  
10 to the fund from other funds.

11           **SECTION 1134.** 25.66 (1) of the statutes is renumbered 25.66 (1) (intro.) and  
12 amended to read:

13           **25.66 (1) (intro.)** There is created a separate nonlapsible trust fund, known as  
14 the tobacco control fund, to consist of, ~~in fiscal year 1999–2000,~~ the following:

15           (a) The first \$23,500,000 of the moneys received in fiscal year 1999–2000 under  
16 the Attorneys General Master Tobacco Settlement Agreement of  
17 November 23, 1998.

18           **SECTION 1135.** 25.66 (1) (b) of the statutes is created to read:

19           **25.66 (1) (b)** Except as provided in sub. (1m) (a), the first \$6,032,300 of the  
20 moneys received in fiscal year 2001–02 under the Attorneys General Master Tobacco  
21 Settlement Agreement of November 23, 1998.

22           **SECTION 1136.** 25.66 (1) (c) of the statutes is created to read:

23           **25.66 (1) (c)** Except as provided in sub. (1m) (b), in fiscal year 2002–03, the first  
24 \$15,345,100 of the moneys received in that fiscal year under the Attorneys General  
25 Master Tobacco Settlement Agreement of November 23, 1998.

1           **SECTION 1136g.** 25.66 (1) (d) of the statutes is created to read:

2           25.66 (1) (d) Beginning in fiscal year 2003–04, all moneys transferred from the  
3 permanent endowment fund under s. 13.101 (16) (b).

4           **SECTION 1137.** 25.66 (1m) of the statutes is created to read:

5           25.66 (1m) (a) If the state has not received in fiscal year 2001–02 at least  
6 \$6,032,300 under the Attorneys General Master Tobacco Settlement Agreement of  
7 November 23, 1998, because the secretary of administration, under s. 16.63, has sold  
8 the state's right to receive payments under the Agreement, the tobacco control fund  
9 shall also consist of any moneys transferred to the tobacco control fund from the  
10 general fund under s. 16.519 (3).

11           (b) In fiscal year 2002–03, if the state has not received at least \$15,345,100 in  
12 that fiscal year under the Attorneys General Master Tobacco Settlement Agreement  
13 of November 23, 1998, because the secretary of administration, under s. 16.63, has  
14 sold the state's right to receive payments under the Agreement, the tobacco control  
15 fund shall also consist of any moneys transferred to the tobacco control fund from the  
16 general fund under ~~s. 16.519 (4)~~ <sup>ss. 13.101 (16) (b) and</sup> (stet) ok!

17           **SECTION 1138.** 25.67 (2) (b) of the statutes is amended to read:

18           25.67 (2) (b) All moneys in the fund that are not appropriated under s. 20.433  
19 (1) (r) or expended under s. 20.433 (1) (q) shall continue to accumulate indefinitely.

20           **SECTION 1139.** 25.68 (4) of the statutes is created to read:

21           25.68 (4) All moneys received under s. 49.855 (4) from the department of  
22 revenue or the department of administration that were withheld by the department  
23 of revenue or the internal revenue service for delinquent child support, family  
24 support, or maintenance or outstanding court-ordered amounts for past support,  
25 medical expenses, or birth expenses.

1           **SECTION 1140.** 25.69 of the statutes is created to read:

2           **25.69 Permanent endowment fund.** There is established a separate  
3 nonlapsible trust fund designated as the permanent endowment fund, consisting of  
4 all of the proceeds from the sale of the state's right to receive payments under the  
5 Attorneys General Master Tobacco Settlement Agreement of November 23, 1998,  
6 and all investment earnings on the proceeds. Moneys in the permanent endowment  
7 fund shall be used only to make the transfers under s. 20.855 (4) (rc), (rh), (rp), and  
8 (rv).

9           **SECTION 1141.** 25.69 of the statutes, as created by 2001 Wisconsin Act ... (this  
10 act), is amended to read:

11           **25.69 Permanent endowment fund.** There is established a separate  
12 nonlapsible trust fund designated as the permanent endowment fund, consisting of  
13 all of the proceeds from the sale of the state's right to receive payments under the  
14 Attorneys General Master Tobacco Settlement Agreement of November 23, 1998,  
15 and all investment earnings on the proceeds. Moneys in the permanent endowment  
16 fund shall be used only to make the transfers under ~~s. ss. 13.101 (16) (b) and 20.855~~  
17 ~~(4) (rc), (rh), (rp), and (rv).~~

18           **SECTION 1141g.** 25.72 of the statutes is repealed and recreated to read:

19           **25.72 Historical legacy trust fund.** There is established a separate  
20 nonlapsible trust fund designated as the historical legacy trust fund that consists of  
21 all moneys in the bicentennial account under s. 25.72 (2), 1999 stats., and all gifts,  
22 grants, or bequests made to commemorate the 200th anniversary of Wisconsin  
23 statehood.

24           **SECTION 1141r.** 25.73 of the statutes is repealed and recreated to read:

1           **25.73 Historical society endowment fund.** There is established a separate  
2 nonlapsible endowment fund designated as the historical society endowment fund,  
3 to consist of all gifts, grants, or bequests made to the fund. Notwithstanding s. 20.907  
4 (1), the historical society may convert any noncash gift, grant, or bequest into cash.

5           **SECTION 1142t.** 25.75 (2) of the statutes is amended to read:

6           **25.75 (2) CREATION.** There is created a separate nonlapsible trust fund known  
7 as the lottery fund, to consist of gross lottery revenues received by the department  
8 of revenue and moneys transferred to the lottery fund under ss. 20.435 (7) (kg),  
9 20.455 (2) (g), and 20.505 (8) (am), (g), and (jm).

10           **SECTION 1143.** 25.77 of the statutes is created to read:

11           **25.77 Medical assistance trust fund.** There is created a separate  
12 nonlapsible trust fund designated as the medical assistance trust fund, consisting  
13 of all of the following:

14           (1) All federal moneys received, including moneys that the department of  
15 health and family services may transfer from the appropriation under s. 20.435 (4)  
16 (o), that are related to payments under s. 49.45 (6m) and are based on public funds  
17 that are transferred or certified under 42 CFR 433.51 (b) and used as the non-federal  
18 share of medical assistance funding.

19           (2) All public funds that are related to payments under s. 49.45 (6m) and that  
20 are transferred or certified under 42 CFR 433.51 (b) and used as the non-federal and  
21 federal share of medical assistance funding.

22           **SECTION 1143m.** 25.78 of the statutes is created to read:

23           **25.78 Artistic endowment fund.** (intro.)<sup>91</sup> There is established a separate  
24 nonlapsible trust fund designated as the artistic endowment fund, to consist of all  
25 of the following:

1           (1) All gifts, grants, bequests, or other contributions made to the artistic  
2 endowment fund.

3           (2) All gifts, grants, bequests, or other contributions made to the Wisconsin  
4 Artistic Endowment Foundation and described under s. 247.05 (2) (f).

5           **SECTION 1144m.** 25.86 of the statutes is created to read:

6           **25.86 Cemetery management insurance fund.** There is established a  
7 separate nonlapsible trust fund designated as the cemetery management insurance  
8 fund, to consist of the moneys received under s. 69.22 (7).

9           **SECTION 1145.** 25.90 of the statutes is repealed.

10          **SECTION 1145d.** 25.91 of the statutes is created to read:

11          **25.91 Cash building projects fund.** There is created a separate nonlapsible  
12 fund designated as the cash building projects fund, consisting of moneys transferred  
13 from the general fund under s. 16.518 (4).

14          **SECTION 1146g.** 26.01 of the statutes is amended to read:

15          **26.01 Definition.** In this chapter, unless the context requires otherwise  
16 “department” means the department of ~~natural resources~~ forestry.

17          **SECTION 1146r.** 26.06 (1) of the statutes is amended to read:

18          **26.06 (1)** Foresters, forest supervisors, and state forest rangers and wardens  
19 of the department and the cruisers and foresters of the board of commissioners of  
20 public lands have the enforcement powers specified in s. 26.97 with respect to, and  
21 may seize, without process, any forest products unlawfully severed from public lands  
22 of the state, federal lands leased to the state, county forest lands entered under s.  
23 28.11, forest croplands entered under subch. I of ch. 77, or managed forest land  
24 designated under subch. VI of ch. 77. Seized products cut from lands under the  
25 control of the board of commissioners of public lands shall be held for the

1 commissioners and those cut from forest croplands, managed forest land, or county  
2 forest shall be held for the owner, and subject to the payment of severance taxes, yield  
3 taxes or severance share thereon to the state. Products cut from state forest lands  
4 or federal lands leased to the department shall be appraised and sold. Products  
5 appraised at more than \$500 shall be sold on sealed bids not less than 10 days after  
6 a class 1 notice has been published, under ch. 985, in the county where the material  
7 is located. Any sheriff may seize and hold for the owner thereof any forest products  
8 unlawfully severed or removed.

9 **SECTION 1146t.** 26.08 (1) of the statutes is amended to read:

10 26.08 (1) The department of forestry may, ~~from time to time~~, lease parts or  
11 parcels of ~~state park lands or state forest lands, other than lands in southern state~~  
12 forests. The department of natural resources may lease parts or parcels of state park  
13 lands or lands in southern state forests. These leases shall contain proper covenants  
14 to guard against trespass and waste. The rents arising from these leases shall be  
15 paid into the state treasury to the credit of the proper fund. Licenses also may be  
16 granted to prospect for ore or mineral upon any of these lands; but proper security  
17 shall be taken that the licensees will fully inform the department that grants a  
18 license of every discovery of ore or mineral and will restore the surface to its former  
19 condition and value if no discovery of valuable deposits is made. The department  
20 that enters into a lease or grants a license shall retain a copy of each lease or license  
21 and file the original in the office of the board of commissioners of public lands.

22 **SECTION 1146u.** 26.08 (2) (a) of the statutes is amended to read:

23 26.08 (2) (a) Except as provided under pars. (b) to (d), ~~the department may lease~~  
24 ~~state park land or state forest land for~~ leases under sub. (1) shall be for terms not  
25 exceeding 15 years.

1           **SECTION 1147.** 26.08 (2) (bn) of the statutes is created to read:

2           26.08 (2) (bn) The department may lease state park land located within the  
3 boundaries of the Wisconsin Dells natural area for terms not exceeding 30 years.

4           **SECTION 1147m.** 26.08 (3) of the statutes is amended to read:

5           26.08 (3) The department of natural resources and the department of forestry  
6 shall furnish to the board of commissioners of public lands such maps, plats, surveys,  
7 valuations, information, and other services as the board may request respecting any  
8 of the public lands, for use by it in granting leases or licenses or in making sales under  
9 s. 24.39.

10          **SECTION 1147r.** 26.11 (6) of the statutes is amended to read:

11          26.11 (6) The department, as the director of the effort, may suppress a forest  
12 fire on lands located outside the boundaries of intensive or extensive forest fire  
13 protection districts but not within the limits of any city or village if the town  
14 responsible for suppressing fires within its boundaries spends more than \$3,000, as  
15 determined by rates established by the department, on suppressing the forest fire  
16 and if the town chairperson makes a request to the department for assistance.  
17 Persons participating in the suppression efforts shall act at the direction of the  
18 department after the department begins suppression efforts under this subsection.  
19 Funds expended by the state under this subsection shall be drawn from the  
20 appropriation under s. ~~20.370 (1) (mu)~~ 20.375 (2) (q).

21          **SECTION 1148.** 26.11 (7) (a) of the statutes is amended to read:

22          26.11 (7) (a) Notwithstanding s. 20.001 (3) (c), if the sum of the unencumbered  
23 balances in the appropriation accounts under s. 20.370 (1) (cs) and (mz) exceeds  
24 \$500,000 \$1,000,000 on June 30 of any fiscal year, the amount in excess of \$500,000

1     \$1,000,000 shall lapse from the appropriation account under s. 20.370 (1) (cs) to the  
2     conservation fund, except as provided in par. (b).

3             **SECTION 1148c.** 26.11 (7) (a) of the statutes, as affected by 2001 Wisconsin Act  
4     .... (this act), is amended to read:

5             26.11 (7) (a) Notwithstanding s. 20.001 (3) (c), if the sum of the unencumbered  
6     balances in the appropriation accounts under s. ~~20.370 (1) (cs)~~ 20.375 (2) (r) and ~~(mz)~~  
7     ~~(z)~~ exceeds \$1,000,000 on June 30 of any fiscal year, the amount in excess of  
8     \$1,000,000 shall lapse from the appropriation account under s. ~~20.370 (1) (cs)~~ 20.375  
9     ~~(2) (r)~~ to the ~~conservation forestry~~ fund, except as provided in par. (b).

10            **SECTION 1148f.** 26.11 (7) (b) of the statutes is amended to read:

11            26.11 (7) (b) Notwithstanding s. 20.001 (3) (c), if the amount in the  
12     appropriation account under s. ~~20.370 (1) (cs)~~ 20.375 (2) (r) is insufficient for the  
13     amount that must lapse under par. (a), the remainder that is necessary for the lapse  
14     shall lapse from the appropriation account under s. ~~20.370 (1) (mz)~~ 20.375 (2) (z).

15            **SECTION 1148j.** 26.12 (2) of the statutes is amended to read:

16            26.12 (2) ORGANIZATION. The department shall organize each forest protection  
17     area so as to most effectively prevent, detect and suppress forest fires, and to that  
18     end may employ experienced wardens or state forest rangers to have charge of its  
19     efforts in each area; may subdivide each area into patrol areas; may establish lookout  
20     towers, construct ranger stations, telephone lines, purchase tools for fire fighting as  
21     well as other necessary supplies or equipment, and carry on all other activities  
22     considered necessary to effectively protect the area from forest fires, including the  
23     promulgation of rules for the payment of fire fighters, the preparation of notices and  
24     forms for publication and the disposition and use of all fire-fighting equipment or  
25     property. All property or equipment purchased by the state shall be owned by the



1 state, but counties or towns may purchase and own equipment for fire suppression,  
2 and the equipment shall be used for the improvement of the forest fire-fighting  
3 organization.

4 **SECTION 1148r.** 26.14 (2) of the statutes is amended to read:

5 26.14 (2) All such state forest rangers, town chairpersons, emergency fire  
6 wardens, conservation wardens and other duly appointed deputies may in the  
7 performance of their official duty go on the lands of any person to fight forest fires,  
8 and in so doing may set back fires, dig trenches, cut fire lines or carry on all other  
9 customary activities in the fighting of forest fires, without incurring a liability to  
10 anyone.

11 **SECTION 1149.** 26.145 (1) of the statutes is amended to read:

12 26.145 (1) GRANTS. The department shall establish a program to award grants  
13 for up to 50% of the cost of acquiring fire resistant clothing for suppressing fires and,  
14 of acquiring fire suppression supplies, equipment, and vehicles, of acquiring fire  
15 prevention materials, and of training fire fighters in forest fire suppression  
16 techniques.

17 **SECTION 1149b.** 26.20 (6) (b) of the statutes is amended to read:

18 26.20 (6) (b) Any state forest ranger, conservation warden, sheriff or other duly  
19 appointed authority may, in the performance of official duties, require any train  
20 causing fires or suspected of causing fires to stop within a safe distance from the fires  
21 to avoid further setting or spread of fire.

22 **SECTION 1149c.** 26.22 of the statutes is amended to read:

23 **26.22 Sales, etc.** The department of forestry may sell any timber on the state  
24 park or state forest lands which, other than lands in southern state forests, that has  
25 been damaged by fire or wind, on such terms and in such manner as it shall deem

1 best for the interest of the state. The department of natural resources may sell any  
2 timber on lands in southern state forests that has been damaged by fire or wind, on  
3 such terms and in such manner as it shall deem best for the interest of the state.

4 **SECTION 1149d.** 26.30 (2) of the statutes is amended to read:

5 26.30 (2) POWERS. The department is vested with authority and jurisdiction in  
6 all matters relating to the prevention, detection and control of forest pests on the  
7 forest lands of the state, and to do all things necessary in the exercise of such  
8 authority and jurisdiction, except that this shall not be construed to grant any  
9 powers or authority to the department for the silvicultural control of forest pests on  
10 any land. This section shall apply only to the detection and control of forest pests on  
11 forest lands and does not affect the authority of the department of agriculture, trade  
12 and consumer protection under chs. 93 and 94. The action of the department under  
13 sub. (4) shall be coordinated with the department of agriculture, trade and consumer  
14 protection in accordance with s. 20.901. The secretaries of ~~natural resources~~ forestry  
15 and agriculture, trade and consumer protection shall execute annually a  
16 memorandum of agreement to enable the coordination of pest control work of their  
17 departments.

18 **SECTION 1149e.** 26.30 (4) of the statutes is amended to read:

19 26.30 (4) SURVEYS, INVESTIGATIONS AND CONTROL. The department shall make  
20 surveys and investigations to determine the presence, condition and extent of  
21 infestations and it shall also carry on control measures when necessary. For such  
22 purposes the department or its wardens or state forest rangers may enter public and  
23 private lands at reasonable times without incurring a liability to anyone.

24 **SECTION 1149g.** 26.37 (1) (intro.) of the statutes is amended to read:

1           26.37 (1) (intro.) The department of ~~natural resources forestry~~ and the  
2 department of commerce shall ~~jointly develop a~~ comply with any plan to establish  
3 required to be developed by the department of natural resources and the department  
4 of commerce to establish a lake states wood utilization consortium to provide  
5 research, development and demonstration grants to enhance the forest products  
6 industry in Wisconsin and other states. ~~The if the plan shall de~~ does all of the  
7 following:

8           **SECTION 1149h.** 26.37 (1) (a) of the statutes is amended to read:

9           26.37 (1) (a) ~~Define~~ Defines the powers, duties and responsibilities of the  
10 consortium.

11           **SECTION 1149i.** 26.37 (1) (b) of the statutes is amended to read:

12           26.37 (1) (b) ~~Establish~~ Establishes an implementation committee for the  
13 consortium. Members of the committee may include one or more representatives  
14 from the department of natural resources, the department of forestry, the  
15 department of commerce and the forest products industry.

16           **SECTION 1149j.** 26.37 (1) (c) of the statutes is amended to read:

17           26.37 (1) (c) ~~Specify~~ Specifies eligibility requirements for the grants and  
18 criteria for awarding the grants, including how the grants are to be distributed to  
19 each state participating in the consortium.

20           **SECTION 1149k.** 26.37 (1) (d) of the statutes is amended to read:

21           26.37 (1) (d) ~~Require~~ Requires that the grants require matching funds or  
22 in-kind contributions by industrial recipients of the grants.

23           **SECTION 1149L.** 26.37 (1) (e) of the statutes is amended to read:

1           26.37 (1) (e) ~~Require~~ Requires the implementation committee to identify an  
2 organization that can administer and award the grants and oversee the grant  
3 program.

4           **SECTION 1149Lb.** 26.37 (1) (f) of the statutes is amended to read:

5           26.37 (1) (f) ~~Require~~ Requires the consortium to actively pursue funding from  
6 the states of Michigan and Minnesota of \$200,000 annually from each state for 3  
7 years.

8           **SECTION 1149Ld.** 26.37 (1) (g) of the statutes is amended to read:

9           26.37 (1) (g) ~~Require~~ Requires the consortium to actively pursue federal and  
10 other funding sources.

11           **SECTION 1149m.** 26.39 of the statutes is created to read:

12           **26.39 Forestry education. (1) DEFINITIONS.** In this section:

13           (a) “School forest” means a community forest that is owned or operated by a  
14 school as provided in s. 28.20.

15           (b) “Sustainable forestry” has the meaning given in s. 28.04 (1) (e).

16           **(2) FORESTRY EDUCATION CURRICULUM; SCHOOLS.** Using the moneys appropriated  
17 under s. 20.370 (1) (cu), the department, in cooperation with the Center for  
18 Environmental Education in the College of Natural Resources at the University of  
19 Wisconsin–Stevens Point, shall develop a forestry education curriculum for grades  
20 kindergarten to 12.

21           **(3) FORESTRY EDUCATION FOR THE PUBLIC.** Using the moneys appropriated under  
22 s. 20.370 (1) (cv), the department shall develop a program to educate the public on  
23 the value of sustainable forestry. The program shall include support for educational  
24 efforts conducted by school districts at school forests or conducted by other entities  
25 that provide education on the topic of sustainable forestry.

1 (4) FUNDING. (a) The department shall credit to the appropriation account  
 2 under s. 20.370 (1) (cu) the moneys received as surcharges under s. 28.06 (2m) during  
 3 fiscal year 2001-02, up to a total amount of \$300,000. The department shall credit  
 4 any balance over \$300,000 that remains from the moneys received as such  
 5 surcharges during fiscal year 2001-02 to the appropriation account under s. 20.370  
 6 (1) (cv).

7 (b) For fiscal year 2002-03 and each fiscal year thereafter, the department shall  
 8 credit 50% of the moneys received as surcharges under s. 28.06 (2m) during the  
 9 applicable fiscal year to the appropriation account under s. ~~20.370 (1) (cu)~~ and the  
 10 remaining 50% to the appropriation account under s. ~~20.370 (1) (cu)~~.

11 SECTION 1149md. 26.39 (2) and (3) of the statutes, as created by 2001  
 12 Wisconsin Act ... (this act), are amended to read:

13 26.39 (2) FORESTRY EDUCATION CURRICULUM; SCHOOLS. Using the moneys  
 14 appropriated under s. ~~20.370 (1) (cu)~~ 20.375 (2) (ru), the department, in cooperation  
 15 with the Center for Environmental Education in the College of Natural Resources  
 16 at the University of Wisconsin-Stevens Point, shall develop a forestry education  
 17 curriculum for grades kindergarten to 12.

18 (3) FORESTRY EDUCATION FOR THE PUBLIC. Using the moneys appropriated under  
 19 s. ~~20.370 (1) (cv)~~ 20.375 (2) (rv), the department shall develop a program to educate  
 20 the public on the value of sustainable forestry. The program shall include support  
 21 for educational efforts conducted by school districts at school forests or conducted by  
 22 other entities that provide education on the topic of sustainable forestry.

23 SECTION 1149rx. 27.01 (7) (a) 3. of the statutes is amended to read:

24 27.01 (7) (a) 3. In this subsection, "vehicle admission area" means the Bong  
 25 area lands acquired under s. 23.09 (13), the Wisconsin Dells natural area, the Point

20.375  
(2)  
(ru)

20-375 (2) (rv)

1 Beach state forest, recreational areas in other state forests designated as such by the  
2 department of natural resources or by the department of forestry, designated use  
3 zones within other recreation areas established under s. 23.091 (3), and any state  
4 park or roadside park except those areas specified in par. (c) 5.

5 **SECTION 1150.** 27.01 (7) (f) 1. of the statutes is amended to read:

6 27.01 (7) (f) 1. Except as provided in par. (gm), the fee for an annual vehicle  
7 admission receipt is ~~\$17.50~~ \$19.50 for each vehicle ~~which~~ that has Wisconsin  
8 registration plates, except that no fee is charged for a receipt issued under s. 29.235  
9 (6).

10 **SECTION 1151.** 27.01 (7) (g) 1. of the statutes is amended to read:

11 27.01 (7) (g) 1. Except as provided in par. (gm), the fee for an annual vehicle  
12 admission receipt is ~~\$24.50~~ \$29.50 for any vehicle ~~which~~ that has a registration plate  
13 or plates from another state, except that no fee is charged for a receipt issued under  
14 s. 29.235 (6).

15 **SECTION 1152.** 27.01 (7) (g) 2. of the statutes is amended to read:

16 27.01 (7) (g) 2. Except as provided in subds. 3. and 4., the fee for a daily vehicle  
17 admission receipt for any vehicle ~~which~~ that has a registration plate or plates from  
18 another state is ~~\$6.85~~ \$9.85.

19 **SECTION 1153.** 27.01 (7) (gm) 1. of the statutes is amended to read:

20 27.01 (7) (gm) 1. Instead of the fees under pars. (f) 1. and (g) 1., the department  
21 shall charge an individual ~~\$8.50~~ \$9.50 or ~~\$12~~ \$14.50, respectively, for an annual  
22 vehicle admission receipt if the individual applying for the receipt or a member of his  
23 or her household owns a vehicle for which a current annual vehicle admission receipt  
24 has been issued for the applicable fee under par. (f) 1. or (g) 1.

25 **SECTION 1153c.** 27.01 (7) (gm) 3. of the statutes is amended to read:

1           27.01 (7) (gm) 3. Notwithstanding par. (f) 1., the fee for an annual vehicle  
2 admission receipt for a vehicle that has Wisconsin registration plates and that is  
3 owned by a resident senior citizen, as defined in s. 29.001 (72), is \$8.50 \$9.50. (C)

4           **SECTION 1153g.** 27.01 (7) (gu) of the statutes is created to read: (D)

5           27.01 (7) (gu) *Transaction payments.* The department shall establish a system  
6 under which the department pays each agent appointed under sub. (7m) (a) a  
7 payment of 50 cents for each time that the agent processes a transaction through the  
8 statewide automated system contracted for under sub. (7m) (d). This payment is in  
9 addition to any issuing fee retained by the agent. The department shall make these  
10 payments by allowing the agent to retain an amount equal to the payments from the  
11 amounts that are collected by the agent and that would otherwise be remitted to the  
12 department.

13           **SECTION 1153h.** 27.01 (7) (gu) of the statutes, as created by 2001 Wisconsin Act  
14 .... (this act), is amended to read:

15           27.01 (7) (gu) *Transaction payments.* The department shall establish a system  
16 under which ~~the department pays~~ each agent appointed under sub. (7m) (a) ~~a~~  
17 ~~payment of 1. is paid~~ 50 cents for each time that the agent processes a transaction  
18 through the statewide automated system contracted for under sub. (7m) (d). This  
19 payment is in addition to any issuing fee retained by the agent. ~~The department shall~~  
20 ~~make these~~ These payments shall be made by allowing the agent to retain an amount  
21 equal to the payments from the amounts that are collected by the agent and that  
22 would otherwise be remitted to the department.

23           **SECTION 1153i.** 27.01 (7) (h) of the statutes is amended to read:

24           27.01 (7) (h) *Use of vehicle admission receipt and issuing fees.* All moneys  
25 collected as fees under pars. ~~(g)~~ (f) to (gr) and sub. (7m) (b) that are not retained by