

**BILL**

20.585 (1) (km) *Credit card use charges.* All moneys received under ss. 59.25

(3) (j) and (k) and 85.14 (1) (b), to pay charges under ss. 23.49 and, 85.14 (1) (b) and

(2), and 278.49. <sup>✓</sup>  
# Page 414, line 11: after that line insert: as affected by 2001 Wisconsin Act... (this act),  
SECTION 328. 20.866 (1) (u) of the statutes is amended to read:  
962b

20.866 (1) (u) *Principal repayment and interest.* A sum sufficient from moneys

appropriated under sub. (2) (zp) and ss. 20.115 (2) (d) and (7) (b) and (f), 20.190 (1)

\* (c), (d), (i) and (j), 20.225 (1) (c) and (i) and (j), ~~20.245 (1) (e), 20.250~~  
(c) and

\* (1) (e), 20.255 (1) (d), 20.275 (1) (er), (es), (h) and (hb), 20.285 (1) (d), (db), (fh), (ih),

\* (kd) and (km) and (5) (i), 20.320 (1) (c) and (t) and (2) (c), 20.370 (7) (aa), (ac), (ag),  
(au), (ba), (ca), (cb), (cc), (cd), (ce), (cf), (ea), and (eq) and (er), 20.375 (7) (aa),

\* (ar), (ba), (ca), (cb), (cc), (cd), (ce), (cf), (ea), and (er), 20.395 (6) (af), (aq) and (ar),

\* 20.410 (1) (e), (ec) and (ko) and (3) (e), 20.435 (2) (ee) and (6) (e), 20.465 (1) (d), 20.485

\* (1) (f) and (go), (3) (t) and (4) (qm), 20.505 (5) (c), (g) and (kc), 20.855 (8) (a) and

\* 20.867 (1) (a) and (b) and (3) (a), (b), (bp), (br), (g), (h), (i) and (q) for the payment of

principal and interest on public debt contracted under subchs. I and IV of ch. 18. <sup>✓</sup>

# Page 415, line 2: after that line insert: as affected by 2001 Wisconsin Act... (this act),  
SECTION 329. 20.866 (2) (tb) of the statutes is amended to read:  
962v

20.866 (2) (tb) *Natural resources; municipal clean drinking water grants.* From

the capital improvement fund, a sum sufficient to the department of natural

resources environmental management to provide funds for municipal clean drinking

water grants under s. 281.53. The state may contract public debt in an amount not

to exceed \$9,800,000 for this purpose. <sup>10</sup>

# Page 415, line 15: after that line insert: as affected by 2001 Wisconsin Act... (this act),  
SECTION 330. 20.866 (2) (tc) of the statutes is amended to read:  
964b

20.866 (2) (tc) *Clean water fund program.* From the capital improvement fund,

a sum sufficient for the purposes of s. 281.57 (10m) and (10r) and to be transferred

to the environmental improvement fund for the purposes of the clean water fund

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program under ss. 281.58 and 281.59. The state may contract public debt in an amount not to exceed ~~\$552,743,200~~ <sup>\$637,743,200</sup> for this purpose. Of this amount, the amount needed to meet the requirements for state deposits under 33 USC 1382 is allocated for those deposits. Of this amount, \$8,250,000 is allocated to fund the minority business development and training program under s. 200.49 (2) (b). Moneys from this appropriation account may be expended for the purposes of s. 281.57 (10m) and (10r) only in the amount by which the department of ~~natural resources~~ environmental management and the department of administration determine that moneys available under par. (tn) are insufficient for the purposes of s. 281.57 (10m) and (10r).

#. Page 415, line 21: after that line insert: *as affected by 2001 Wisconsin Act ... (this act)*  
 SECTION ~~331~~ <sup>965b</sup> 20.866 (2) (te) of the statutes is amended to read:

20.866 (2) (te) *Natural resources; nonpoint source grants.* From the capital improvement fund, a sum sufficient for the department of ~~natural resources~~ environmental management to provide funds for nonpoint source water pollution abatement projects under s. 281.65. The state may contract public debt in an amount not to exceed ~~\$58,763,600~~ <sup>\$75,763,600</sup> for this purpose.

SECTION ~~332~~ <sup>965n</sup> 20.866 (2) (tf) of the statutes is amended to read:

20.866 (2) (tf) *Natural resources; nonpoint source.* From the capital improvement fund, a sum sufficient for the department of ~~natural resources~~ environmental management to fund nonpoint source water pollution abatement projects under s. 281.65. The state may contract public debt in an amount not to exceed \$2,000,000 for this purpose.

#. Page 416, line 5: after that line insert:  
 SECTION ~~333~~ <sup>966b</sup> 20.866 (2) (tg) of the statutes is amended to read:

20.866 (2) (tg) *Natural resources; environmental repair.* From the capital improvement fund, a sum sufficient for the department of ~~natural resources~~

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environmental management to fund investigations and remedial action under s. 292.11 (7) (a) or 292.31 and remedial action under s. 281.83 and for payment of this state's share of environmental repair that is funded under 42 USC 6991 to 6991i or 42 USC 9601 to 9675. The state may contract public debt in an amount not to exceed \$<sup>48</sup>10,000,000 for this purpose. Of this amount, \$<sup>?</sup>10,000,000 is allocated for remedial action under s. 281.83.

\*

#. Page 416, line 13: after that line insert: as affected by 2001 Wisconsin Act (this act),

SECTION 334. 20.866 (2) (th) of the statutes is amended to read: ... (This act),  
20.866 (2) (th) *Natural resources; urban nonpoint source cost-sharing.* From the capital improvement fund, a sum sufficient for the department of natural resources environmental management to provide cost-sharing grants for urban nonpoint source water pollution abatement and storm water management projects

under s. 281.66 and to provide municipal flood control and riparian restoration cost-sharing grants under s. 281.665. The state may contract public debt in an amount not to exceed \$<sup>17,700,000</sup>13,000,000 for this purpose.

\*

\*

\*

Insert  
65-A

SECTION 335. 20.866 (2) (tj) of the statutes is created to read:

20.866 (2) (tj) *Environment; general fund supported administrative facilities.*

From the capital improvement fund, a sum sufficient for the department of environmental management to acquire, construct, develop, enlarge, or improve administrative office, laboratory, equipment, storage, or maintenance facilities. The state may contract public debt in an amount not to exceed \$5,441,200 for this purpose.

#. Page 417, line 2: after that line insert: as affected by 2001 Wisconsin Act ... (this act),

SECTION 336. 20.866 (2) (tk) of the statutes is amended to read:

20.866 (2) (tk) *Natural resources; environmental segregated fund supported administrative facilities.* From the capital improvement fund, a sum sufficient for the department of natural resources environmental management to acquire,

the department of natural resources environmental management to acquire,

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construct, develop, enlarge or improve natural resource administrative office, laboratory, equipment storage and maintenance facilities. The state may contract public debt in an amount not to exceed ~~\$2,050,000~~ <sup>\$6,770,400</sup> for this purpose.

<sup>968b</sup>  
SECTION ~~337~~. 20.866 (2) (tL) of the statutes is amended to read:

20.866 (2) (tL) *Natural resources; segregated revenue supported dam safety projects.* From the capital improvement fund, a sum sufficient for the department of ~~natural resources~~ environmental management to provide financial assistance to counties, cities, villages, towns and public inland lake protection and rehabilitation districts for dam safety projects under s. 31.385. The state may contract public debt in an amount not to exceed \$6,350,000 for this purpose.

<sup>968n</sup>  
SECTION ~~338~~. 20.866 (2) (tm) of the statutes is amended to read:

20.866 (2) (tm) *Natural resources; pollution abatement and sewage collection facilities, ORAP funding.* From the capital improvement fund, a sum sufficient to the department of ~~natural resources~~ environmental management to acquire, construct, develop, enlarge, or improve point source water pollution abatement facilities and sewage collection facilities under ss. 281.55 and 281.56. The state may contract public debt in an amount not to exceed \$146,850,000 for this purpose. Of this amount, \$5,000,000 is allocated for point source water pollution abatement facilities and sewage collection facilities under s. 281.56. ✓

#. Page 417, line 17: after that line insert!

SECTION ~~339~~. 20.866 (2) (tn) of the statutes is amended to read:

as affected by 2001 Wisconsin Act ... (this act)

<sup>969b</sup>  
20.866 (2) (tn) *Natural resources; pollution abatement and sewage collection facilities.* From the capital improvement fund, a sum sufficient to the department of ~~natural resources~~ environmental management to acquire, construct, develop, enlarge, or improve point source water pollution abatement facilities and sewage collection facilities under s. 281.57 and to upgrade or replace a drinking water

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treatment plant under s. 281.57 (10t) including eligible engineering design costs. Payments may be made from this appropriation for capital improvement expenditures and encumbrances authorized under s. 281.57 before July 1, 1990, except for reimbursements made under s. 281.57 (9m) (a) and except as provided in s. 281.57 (10m), (10r), and (10t). Payments may also be made from this appropriation for expenditures and encumbrances resulting from disputed costs under s. 281.57 if an appeal of an eligibility determination is filed before July 1, 1990, and the result of the dispute requires additional funds for an eligible project. The state may contract public debt in an amount not to exceed ~~\$202,419,800~~ <sup>\$893,493,400</sup> for this purpose.

\*  
SECTION ~~340~~ <sup>969cd</sup> 20.866 (2) (to) of the statutes is amended to read:

20.866 (2) (to) *Natural resources; pollution abatement and sewage collection facilities; combined sewer overflow.* From the capital improvement fund, a sum sufficient to the department of natural resources environmental management to provide funds for the construction of combined sewer overflow projects and for eligible engineering design costs under s. 281.63. The state may contract public debt in an amount not to exceed \$200,600,000 for this purpose. Of this amount, \$7,360,000 is allocated to fund the minority business demonstration and training program under s. 200.49.

SECTION ~~341~~ <sup>969ch</sup> 20.866 (2) (tp) of the statutes is amended to read:

20.866 (2) (tp) *Natural resources; recreation projects.* From the capital improvement fund, a sum sufficient for the department of ~~natural resources~~ fish, wildlife, parks, and forestry to acquire, construct, develop or enlarge state recreation facilities and to assist municipalities and other qualifying entities in the acquisition, construction, development, enlargement or improvement of recreational boating facilities under s. 30.92. The state may contract public debt in an amount not to

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exceed \$56,055,000 for this purpose. Of this amount, \$1,200,000 is allocated to assist municipalities and other qualifying entities in the acquisition, construction, development, enlargement or improvement of recreational boating facilities under s. 30.92.

<sup>ⓑ 969cp</sup>  
SECTION ~~342~~ 20.866 (2) (tq) of the statutes is amended to read:

20.866 (2) (tq) *Natural resources; local parks land acquisition and development.* From the capital improvement fund, a sum sufficient for the department of ~~natural resources~~ fish, wildlife, parks, and forestry to pay the state's share of aids for land acquisition and development of local parks under s. 23.09 (20). The state may contract public debt in an amount not to exceed \$2,490,000 for this purpose.

<sup>ⓑ 969de</sup>  
SECTION ~~343~~ 20.866 (2) (tr) of the statutes is amended to read:

20.866 (2) (tr) *Natural resources; recreation development.* From the capital improvement fund, a sum sufficient for the department of ~~natural resources~~ fish, wildlife, parks, and forestry to acquire, construct, develop, enlarge or improve state recreation facilities and state fish hatcheries. The state may contract public debt in an amount not to exceed \$23,061,500 for this purpose.

<sup>ⓑ 969dn</sup>  
SECTION ~~344~~ 20.866 (2) (ts) of the statutes is amended to read:

20.866 (2) (ts) *Natural resources; land acquisition.* From the capital improvement fund, a sum sufficient for the department of ~~natural resources~~ fish, wildlife, parks, and forestry for outdoor recreation land acquisition activities and for acquiring state forest lands. The state may contract public debt in an amount not to exceed \$45,608,600 for these purposes. Of this amount of public debt not authorized for the department before August 9, 1989, \$2,000,000 is allocated on August 9, 1989, for natural areas land acquisition activities.

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Ⓟ 969ds

SECTION ~~345~~. 20.866 (2) (tt) of the statutes is amended to read:

20.866 (2) (tt) *Natural resources; Wisconsin natural areas heritage program.*

From the capital improvement fund, as a part of the outdoor recreation land acquisition program, a sum sufficient for the department of ~~natural resources~~ fish, wildlife, parks, and forestry for natural areas land acquisition activities under the Wisconsin natural areas heritage program. The state may contract public debt in an amount not to exceed \$2,500,000 for this purpose. Moneys from this appropriation may be expended in each fiscal year only in an amount equal to the value of all gifts, contributions and land dedications accepted under the Wisconsin natural areas heritage program.

✓  
#. Page 417, line 25: after that line insert! as affected by 2001 Wis cons. Act.... (this act)

Ⓟ 969eb  
SECTION ~~346~~. 20.866 (2) (tu) of the statutes is amended to read:

20.866 (2) (tu) *Natural resources; segregated revenue supported facilities.* From

the capital improvement fund, a sum sufficient for the department of natural resources fish, wildlife, parks, and forestry to acquire, construct, develop, enlarge or improve natural resource administrative office, laboratory, equipment storage or maintenance facilities and to acquire, construct, develop, enlarge or improve state recreation facilities and state fish hatcheries. The state may contract public debt in an amount not to exceed ~~\$23,376,600~~ <sup>\$30,576,400</sup> for this purpose.

\*

Ⓟ 969g  
SECTION ~~347~~. 20.866 (2) (tv) of the statutes is amended to read:

20.866 (2) (tv) *Natural resources; general fund supported administrative*

*facilities.* From the capital improvement fund, a sum sufficient for the department of ~~natural resources~~ fish, wildlife, parks, and forestry to acquire, construct, develop, enlarge or improve natural resource administrative office, laboratory, equipment, storage or maintenance facilities. The state may contract public debt in an amount not to exceed ~~\$10,882,400~~ \$5,441,200 for this purpose.

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Ⓟ 964i

~~SECTION 348.~~ 20.866 (2) (tw) of the statutes is amended to read:

20.866 (2) (tw) *Natural resources; ice age trail.* From the capital improvement fund, as a part of the outdoor recreation land acquisition program, a sum sufficient for the department of ~~natural resources~~ fish, wildlife, parks, and forestry for the acquisition and development of the ice age trail under s. 23.17. The state may contract public debt in an amount not to exceed \$750,000 for this purpose. Moneys expended from this appropriation in each fiscal year may not exceed an amount equal to the sum of the amount received under s. 20.370 (7) (gg) from gifts, grants and bequests for that fiscal year plus an amount equal to the valuation of the land accepted for dedication under s. 23.293 (5) in that fiscal year.

Ⓟ 969k

~~SECTION 349.~~ 20.866 (2) (tx) of the statutes is amended to read:

20.866 (2) (tx) *Natural resources; dam safety projects.* From the capital improvement fund, a sum sufficient for the department of ~~natural resources~~ environmental management to provide financial assistance to counties, cities, villages, towns and public inland lake protection and rehabilitation districts for dam safety projects under s. 31.385. The state may contract public debt in an amount not to exceed \$5,500,000 for this purpose.

Ⓟ 969n

~~SECTION 350.~~ 20.866 (2) (ty) of the statutes is amended to read:

20.866 (2) (ty) *Natural resources; segregated revenue supported land acquisition.* From the capital improvement fund, a sum sufficient for the department of ~~natural resources~~ fish, wildlife, parks, and forestry for outdoor recreation and preservation land acquisition activities. The state may contract debt in an amount not to exceed \$2,500,000 for this purpose.

#. Page 425, line 18: after that line insert: as affected by 2001 Wisconsin Act. (this act)  
SECTION 351. 20.903 (2) (b) of the statutes is amended to read:  
Ⓟ 983b



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20.903 (2) (b) Notwithstanding sub. (1), liabilities may be created and moneys expended from the appropriations under ss. 20.370 (8) ~~(mt)~~ (1) (st), 20.375 (2) (uk), 20.395 (4) (eq), (er) and (es) and 20.505 (1) (im), (ka), (kb), <sup>and</sup> (kc) ~~and (kd)~~ in an additional amount not exceeding the depreciated value of equipment for operations financed under ss. 20.370 (8) ~~(mt)~~ (1) (st), 20.375 (2) (uk), 20.395 (4) (eq), (er) and (es) and 20.505 (1) (im), (ka), (kb), <sup>and</sup> (kc) ~~and (kd)~~. The secretary of administration may require such statements of assets and liabilities as he or she deems necessary before approving expenditure estimates in excess of the unexpended moneys in the appropriation account. (b)

SECTION 352. <sup>983e</sup> 20.9045 (title) of the statutes is amended to read:

**20.9045 (title) Department of natural resources fish, wildlife, parks, and forestry; appropriations; program balances; revenues.**

SECTION 353. <sup>(b) 983j</sup> 20.916 (3) of the statutes is amended to read:

20.916 (3) FURNISHING OF GROUP TRANSPORTATION TO PLACE OF WORK. The department of health and family services, the department of corrections and the department of natural resources fish, wildlife, parks, and forestry may, with the approval of the governor and the department of administration, provide group transportation, in the absence of convenient and public scheduled transportation, for employees to and from the Mendota and Winnebago mental health institutes and the centers for the developmentally disabled in the case of employees of the department of health and family services, to the Ethan Allen School, the Taycheedah Correctional Institution and the Fox Lake Correctional Institution in the case of employees of the department of corrections, and to and from its temporary branch offices located at the Nevin fish hatchery grounds in the case of employees of the department of natural resources fish, wildlife, parks, and forestry. Any employee,

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if injured while being so transported, shall be deemed to have been in the course of his or her employment. ✓

# Page 426, line 19: after that line insert:  
SECTION 354. 20.923 (4) (g) 1n. of the statutes is created to read:

20.923 (4) (g) 1n. Environmental management, department of: secretary.

SECTION 355. 20.923 (4) (g) 2. of the statutes is amended to read:

20.923 (4) (g) 2. Natural resources Fish, wildlife, parks, and forestry,

department of: secretary. ✓

# Page 445, line 22: after that line insert:  
SECTION 356. 23.09 (2) (d) 16. of the statutes is amended to read:

23.09 (2) (d) 16. For bluff protection under s. 30.24 23.0942.

SECTION 357. 23.09 (2r) (b) of the statutes is amended to read:

23.09 (2r) (b) Land acquisition for urban river grants under s. 30.277 23.0944.

SECTION 358. 23.09 (12) (c) of the statutes is amended to read:

23.09 (12) (c) State aid under this subsection to any county shall be distributed by the department according to the procedures adopted by the natural resources fish, wildlife, parks, and forestry board. State aid granted to any county under this subsection shall be matched by the county, and the state's share may not exceed one-half of the actual cost of the project. Personnel, equipment and materials furnished by the county may be included in computing the county share contribution.

SECTION 359. 23.091 (2) of the statutes is amended to read:

23.091 (2) MASTER PLAN. The department may designate a recreational area only after a master plan for use and management of the area is prepared, public hearings on the plan are held in the county where the largest portion of land in the project is located, the procedures prescribed in s. 1.11 are complied with, and the plan is approved by the natural resources fish, wildlife, parks, and forestry board.

SECTION 360. 23.0915 (1g) of the statutes is amended to read:

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23.0915 (1g) LAND ACQUISITION; URBAN RIVER GRANTS. Beginning in fiscal year 1992-93 and ending in fiscal year 1999-2000, the department for each fiscal year shall designate for expenditure \$1,900,000 of the moneys appropriated under s. 20.866 (2) (tz) for land acquisition for urban river grants under s. ~~30.277~~ 23.0944.

⑥ 1034 gh  
SECTION ~~361~~. 23.0915 (1r) (c) of the statutes is amended to read:

23.0915 (1r) (c) For land acquisition, the department shall designate for expenditure \$900,000 for urban river grants under s. ~~30.277~~ 23.0944 and for grants under s. 23.096 for the purposes under s. ~~30.277~~ 23.0944 (2) (a).

⑥ 1034 gm  
SECTION ~~362~~. 23.0915 (2) (d) (intro.) of the statutes is amended to read:

23.0915 (2) (d) (intro.) In a given fiscal year, in addition to expending the amount designated for a purpose under sub. (1) (a) or (c) to (k), or the amount equal to the expenditure limit for that purpose, as adjusted under pars. (a) and (b), whichever amount is applicable, the department may also expend for that purpose up to 50% of the designated amount for that purpose for the given fiscal year for a project or activity if the ~~natural resources~~ fish, wildlife, parks, and forestry board determines all of the following:

⑥ 1034 gp  
SECTION ~~363~~. 23.0915 (2g) of the statutes is amended to read:

23.0915 (2g) FUNDS FOR MONONA TERRACE PROJECT. If all of the money set aside under s. 23.195 for the Frank Lloyd Wright Monona terrace project is not expended before July 1, 1998, the department shall make the unexpended moneys available for expenditure for land acquisition and for urban river grants under s. ~~30.277~~ 23.0944. The moneys expended for the Frank Lloyd Wright Monona terrace project are expended as an amount for land acquisition. ✓

# Page 446, line 9: after that line insert:  
✓ SECTION ~~364~~. 23.0917 (3) (c) 1. of the statutes is amended to read:

⑥ 1034 m

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23.0917 (3) (c) 1. Acquisition of land that preserves or enhances the state's water resources, including land in and for the Lower Wisconsin State Riverway; land abutting wild rivers designated under s. ~~30.26~~ 23.43, wild lakes and land along the shores of the Great Lakes. ✓

# Page 446, line 14: after that line insert:  
SECTION 365. 23.0917 (4) (b) 4. of the statutes is amended to read:

1034 paf (b) 23.0917 (4) (b) 4. Grants for urban rivers under ss. 23.096 and ~~30.277~~ 23.0944. ✓

# Page 447, line 2: after that line insert:  
SECTION 366. 23.0917 (4m) (L) of the statutes is amended to read:

(b) 1034 vq 23.0917 (4m) (L) Highway construction required. No moneys may be obligated for the subprogram for the Baraboo Hills before the department of transportation certifies to the department of ~~natural resources~~ fish, wildlife, parks, and forestry that highway construction that will result in at least 4 traffic lanes has begun on the portion of USH 12 between the city of Middleton and the village of Sauk City.

(b) 1034 rm SECTION 367. 23.0917 (5) (d) (intro.) of the statutes is amended to read:

23.0917 (5) (d) (intro.) For a given fiscal year, in addition to obligating the amount of the annual bonding authority for a subprogram under sub. (3) or (4), or the amount equal to the annual bonding authority for that subprogram, as adjusted under pars. (a) and (b), whichever amount is applicable, the department may also obligate for that subprogram up to 100% of the annual bonding authority for that subprogram for that given fiscal year for a project or activity if the ~~natural resources~~ fish, wildlife, parks, and forestry board determines that all of the following conditions apply:

(b) 1034 rp SECTION 368. 23.0917 (7) (a) of the statutes is amended to read:

23.0917 (7) (a) Except as provided in pars. (b) and (c), for purposes of calculating the acquisition costs for acquisition of land under ss. 23.09 (19), (20) and (20m), 23.092 (4), 23.094 (3g), 23.096, ~~30.24~~ 23.0942 (4) and ~~30.277~~ 23.0944 from the

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*line 4: 24 statute 30.277 23 by 2001 Wisconsin Act 11.111*

appropriation under s. 20.866 (2) (ta), the acquisition costs shall equal the sum of the land's current fair market value and other acquisition costs, as determined by rule by the department. ✓

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electronic

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~~SECTION 369. 23.0917 (7) (e) of the statutes is amended to read:~~

~~23.0917 (7) (e) For any land for which moneys are proposed to be obligated from the appropriation under s. 20.866 (2) (ta) in order to provide a grant or state aid to a governmental unit under s. 23.09 (19), (20) or (20m) or 30.277 23.0944 or to a nonprofit conservation organization under s. 23.096, the governmental unit or nonprofit conservation organization shall submit to the department ~~two appraisals~~ *at least one appraisal* if the department estimates that the fair market value of the land exceeds \$200,000.~~

SECTION 370. 23.0918 (2) of the statutes is amended to read:

23.0918 (2) Unless the natural resources fish, wildlife, parks, and forestry board determines otherwise in a specific case, only the income from the gifts, grants or bequests in the fund is available for expenditure. The natural resources fish, wildlife, parks, and forestry board may authorize expenditures only for preserving, developing, managing or maintaining land under the jurisdiction of the department that is used for any of the purposes specified in s. 23.09 (2) (d). In this subsection, unless otherwise provided in a gift, grant or bequest, principal and income are determined as provided under s. 701.20 (3).

SECTION 371. 23.093 of the statutes is amended to read:

**23.093 Carp control research.** The department of natural resources may enter into contracts with public or private agencies for the accelerated research and development of a specific toxic material for the control and eradication of carp in the waters of the state.

SECTION 372. 23.094 (2) (a) of the statutes is amended to read:

# Page 448, line 2: after that line insert: ✓

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23.094 (2) (a) The department, in consultation with the department of environmental management, shall identify as priority streams those streams in this state that are in most need of protection from degradation of water quality caused by agricultural or urban runoff.

<sup>(b) 1036x</sup>  
SECTION ~~373~~. 23.096 (2) (a) of the statutes is amended to read:

23.096 (2) (a) The department may award grants from the appropriation under s. 20.866 (2) (ta) or (tz) to nonprofit conservation organizations to acquire property for all of the purposes described in ss. 23.09 (2) (d) 1. to 7., 9., 11., 12. and 15., (19), (20) and (20m), 23.092, 23.094, 23.17, 23.175, 23.27, 23.29, 23.293, ~~30.24~~ 23.0942, and ~~30.277~~ 23.0944.

<sup>(b) 1036m</sup>  
SECTION ~~374~~. 23.0962 (1) (intro.) of the statutes is amended to read:

23.0962 (1) (intro.) If the department of administration acquires as a gift the property, known as Black Point Estate, that is located on Lake Geneva in the county of Walworth, town of Linn, in fractional Sec. 8, T. 1 N., R. 17 E., and if the joint committee on finance approves the gift under s. 20.907 (1), the department of ~~natural resources~~ fish, wildlife, parks, and forestry shall make a grant of \$1,800,000, from the appropriation under s. 20.370 (5) (cq), to a nonprofit conservation organization that meets all of the following requirements:

<sup>(b) 1036p</sup>  
SECTION ~~375~~. 23.0962 (1) (d) of the statutes is amended to read:

23.0962 (1) (d) The nonprofit conservation organization acquires a conservation easement in the property, the terms of which are subject to approval of the department of ~~natural resources~~ fish, wildlife, parks, and forestry, to be held by the organization for the purpose of preserving Black Point Estate.

<sup>(b) 1036r</sup>  
SECTION ~~376~~. 23.0962 (1) (e) of the statutes is amended to read:

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23.0962 (1) (e) The nonprofit conservation organization makes a commitment, with guarantees determined to be adequate by the department of ~~natural resources~~ fish, wildlife, parks, and forestry, to use the grant under this section and any additional funds donated to the organization to fund an endowment for the operation and maintenance of Black Point Estate.

<sup>Ⓢ10367</sup>  
SECTION ~~377~~. 23.0965 (1) of the statutes is amended to read:

23.0965 (1) The department of ~~natural resources~~ fish, wildlife, parks, and forestry shall enter into an agreement with Ducks Unlimited, Inc., to make payments from the appropriation under s. 20.370 (5) (au) to Ducks Unlimited, Inc., to fund its conservation efforts in the United States, Canada and Mexico. <sup>Ⓢ10367</sup>

# ; Page 448, line 14: after that line insert:  
SECTION 378. 23.10 (1) of the statutes is amended to read:

<sup>Ⓢ1038c</sup>  
23.10 (1) The department of ~~natural resources~~ shall secure the enforcement of all laws which it is required to administer and bring, or cause to be brought, actions and proceedings in the name of the state for that purpose. The persons appointed by said department to exercise and perform the powers and duties heretofore conferred and imposed upon deputy fish and game wardens, shall be known as conservation wardens and shall be subject to ch. 230.

<sup>Ⓢ1038cd</sup>  
SECTION ~~379~~. 23.10 (1m) of the statutes is created to read:

23.10 (1m) The department shall designate a conservation warden as the chief warden, who shall serve outside of the classified service. The department may designate one or more deputy chief wardens. The chief warden shall have the duty to direct, supervise, and control conservation wardens in the performance of their duties under sub. (1) and s. 29.921. The chief warden shall designate an employee of the department as an internal affairs officer to investigate complaints against conservation wardens when the chief warden determines an investigation is

**BILL**

necessary and shall designate an employee of the department as a complaint officer to resolve complaints against conservation wardens.

<sup>①1038cy</sup>  
**SECTION 380.** 23.10 (4) of the statutes is amended to read:

23.10 (4) All conservation wardens shall, before exercising any of their powers, be provided with a commission issued by the department of ~~natural resources~~ under its seal, substantially as follows:

STATE OF WISCONSIN

DEPARTMENT OF ~~NATURAL RESOURCES~~ FISH, WILDLIFE, PARKS, AND FORESTRY

To all to whom these presents shall come, greeting:

Know ye, that reposing special trust and confidence in the integrity and ability of ....., of the county of ....., we do hereby appoint and constitute .... a conservation warden (or county, or special conservation warden) for the (county of .....), state of Wisconsin, and do authorize and empower .... to execute and fulfill the duties of that office according to law, during good behavior and the faithful performance of the duties of that office.

In testimony whereof, the secretary has hereunto affixed the secretary's signature and the official seal of the department, at its office in the city of Madison, Wisconsin, this .... day of ....., .... (year)

(Seal)

STATE OF WISCONSIN

DEPARTMENT OF ~~NATURAL RESOURCES~~ FISH, WILDLIFE, PARKS, AND FORESTRY

By .... ..

<sup>①1038cy</sup>  
**SECTION 381.** 23.10 (5) of the statutes is amended to read:

23.10 (5) The department of ~~natural resources~~ shall furnish to each conservation warden at the time of the warden's appointment, a pocket identification folder in form and substance as follows: A leather-covered folder, size when folded,



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3 by 4 inches; on one of the inner sides thereof shall be securely fastened a photograph of such appointee to be furnished by the appointee, and partly on the photograph and partly on the margin of such folder shall be an impression of the seal of the department of ~~natural resources~~; such appointee shall also affix the appointee's signature below the photograph on such folder; on the other inner side of such folder shall be securely fastened a miniature true copy of the commission issued to such appointee, which shall be signed by the secretary. The appointee shall carry the identification folder on his or her person at all times that the appointee is on official duty, and the appointee shall on demand exhibit the same to any person to whom the appointee may represent himself or herself as a conservation warden. The cost of such identification folder shall be charged to the appropriation for the department.

① 1038cm

**SECTION 382.** 23.117 (4) of the statutes is amended to read:

23.117 (4) Any council that is created by the ~~natural resources~~ fish, wildlife, parks, and forestry board under s. 15.04 (1) (c) to advise the department on the opening of trails in state parks and in the Kettle Moraine ~~state forest~~ State Forest for use by bicycles shall have its recommendations regarding such that use reviewed and approved by the ~~natural resources~~ fish, wildlife, parks, and forestry board before they are implemented.

① 1038cp

**SECTION 383.** 23.12 of the statutes is amended to read:

**23.12 Bylaws.** Said ~~natural resources~~ The fish, wildlife, parks, and forestry board may make and establish such rules and bylaws, not inconsistent with law, as it deems useful to itself and its subordinates in the conduct of the business entrusted

to it.

Page 449, line 3: after that line insert:

**SECTION 384.** 23.13 of the statutes is amended to read:

① 21038 f

Insert  
79-A

**BILL**

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

# Page 449, line 17: after that line insert:

SECTION 385. 23.15 (title) of the statutes is amended to read:

① 1038t

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

SECTION 386. 23.15 (1) of the statutes is amended to read:

② 038td

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

SECTION 387. 23.15 (2) of the statutes is amended to read:

③ 1038tf

23.15 (2) ~~Said natural resources~~ The fish, wildlife, parks, and forestry board shall present to the governor a full and complete report of the lands to be sold, the reason for the sale, the price for which ~~said the~~ lands should be sold together with an application for the sale of the ~~same~~ lands. The governor shall ~~thereupon~~ make such any investigation as that the governor ~~deems~~ considers necessary respecting ~~said the~~ lands to be sold and approve or disapprove such the application. If the governor ~~shall approve~~ approves the ~~same~~ application, a permit shall be issued by the governor for such the sale on the terms set forth in the application.

SECTION 388. 23.15 (2m) (a) (intro.) of the statutes is amended to read:

④ 1038tg

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23.15 (2m) (a) (intro.) Notwithstanding sub. (1), the ~~natural resources fish, wildlife, parks, and forestry~~ board shall sell, at fair market value, land in the lower Wisconsin state riverway, as defined in s. 30.40 (15), that is not exempt under s. 30.48 (2) and that is acquired by the department after August 9, 1989, if all of the following conditions are met:

<sup>Ⓟ 1038tr</sup>  
SECTION 389. 23.15 (2m) (b) of the statutes is amended to read:

23.15 (2m) (b) Notwithstanding sub. (1), the ~~natural resources fish, wildlife, parks, and forestry~~ board is not required to make a finding that land to be sold under par. (a) is no longer necessary for the state's use for conservation purposes.

<sup>Ⓟ 1035tm</sup>  
SECTION 390. 23.15 (3) of the statutes is amended to read:

23.15 (3) Upon completion of such sale, the chairperson and secretary of the ~~natural resources fish, wildlife, parks, and forestry~~ board, or the secretary of ~~natural resources fish, wildlife, parks, and forestry~~, if the secretary is duly authorized by the ~~natural resources fish, wildlife, parks, and forestry~~ board, shall execute ~~such any~~ instruments ~~as that~~ are necessary to transfer title, and the ~~natural resources fish, wildlife, parks, and forestry~~ board or its duly authorized agents shall deliver the ~~same instruments~~ to the purchaser upon payment of the amount set forth in the application.

<sup>Ⓟ 1038tn</sup>  
SECTION 391. 23.15 (4) of the statutes is amended to read:

23.15 (4) ~~Said natural resources~~ The fish, wildlife, parks, and forestry board effecting the sale of any such lands and structures shall, upon receiving payment therefor, deposit the funds in the conservation fund to be used exclusively for the purpose of purchasing other areas of land for the creating and establishing of public hunting and fishing grounds, wildlife and fish refuges and state parks and for land

**BILL**

in the lower ~~Lower Wisconsin state riverway~~ State Riverway as defined in s. 30.40

(15).

ⓐ 1038tp

**SECTION 392.** 23.16 (1) of the statutes is amended to read:

23.16 (1) PUBLICATION. The department may produce, issue or reprint magazines or other periodicals on a periodic basis as it determines, pertaining to fish and game, forests, parks, ~~environmental quality~~ and other similar subjects of general information. The department may distribute its magazines and periodicals by subscription. The department shall charge a fee for any of its magazines or periodicals, except that no fee may be charged to a person who is provided a subscription to the Wisconsin Natural Resources Magazine under s. 29.235.

ⓐ 1038tg

**SECTION 393.** 23.16 (5) of the statutes is amended to read:

23.16 (5) USE OF MONEYS. The department shall use the moneys collected under this section for the costs specified in sub. (4). If the moneys collected under this section exceed the amount necessary for the costs specified in sub. (4), the department shall use the excess for educational and informational activities concerning conservation ~~and the environment~~.

ⓐ 1038tr

**SECTION 394.** 23.165 (1) of the statutes is amended to read:

23.165 (1) PUBLICATIONS. The department may produce, issue, reprint and sell publications not published on a periodic basis that pertain to fish and game, forests, parks, ~~environmental quality~~ and other similar subjects of general information.

ⓐ 1038ts

**SECTION 395.** 23.165 (1m) of the statutes is amended to read:

23.165 (1m) PHOTOGRAPHS, SLIDES, VIDEOTAPES, ARTWORK. The department may produce, issue, reprint and sell photographs, slides, videotapes and artwork if they pertain to fish and game, forests, parks, ~~environmental quality~~ and other similar subjects of general information.

**BILL**

Ⓟ 1038tu

**SECTION 396.** 23.165 (5m) of the statutes is amended to read:

23.165 (5m) USE OF MONEYS. The department shall use the moneys collected under this section for the costs specified in sub. (5). If the moneys collected under this section exceed the amount necessary for the costs specified in sub. (5), the department shall use the excess for educational and informational activities concerning conservation and the environment.

# Page 449, line 23: after that line insert: <sup>INS 83A</sup>  
SECTION 397. 23.18 of the statutes is renumbered 278.18 and 278.18 (1) (a) and  
Ⓟ 21039am.

(b) (intro.), as renumbered, are amended to read:

278.18 (1) (a) Advise the department, the department of fish, wildlife, parks, and forestry, the governor and the legislature on matters relating to the environmental, recreational and economic revitalization of the Milwaukee River basin.

(b) (intro.) Assist the department and the department of fish, wildlife, parks,

and forestry to:

# Page 450, line 14: after that line insert:  
SECTION 398. 23.197 (2) (a) of the statutes is amended to read:  
Ⓟ 21039bn

23.197 (2) (a) From the appropriation under s. 20.866 (2) (ta) or (tz) or both, the department shall provide funding to the city of Fort Atkinson for the restoration of a river wall along the Rock River. The amount provided by the department may not exceed the amount that equals the matching contribution made for the river wall by the city of Fort Atkinson or \$96,500, whichever is less. The requirements for matching contributions under s. ~~30.277~~ 23.0944 (5) shall apply.

# Page 453, line 17: after that line insert:  
SECTION 399. 23.235 (3) of the statutes is amended to read:  
Ⓟ 21040m

23.235 (3) The department may conduct research on the control of nuisance weeds. The secretaries of natural resources fish, wildlife, parks, and forestry and of

## BILL

agriculture, trade and consumer protection may authorize any person to plant or cultivate nuisance weeds for the purpose of controlled experimentation. ✓

**SECTION 400.** 23.235 (4) of the statutes is amended to read:

23.235 (4) The department of natural resources shall make a reasonable effort to implement a statewide program for education, research, control and containment of purple loosestrife under s. 23.23.

# *Page 458, line 8: after that line insert:*  
SECTION 401. 23.30 (3) (intro.) of the statutes is amended to read:

⑩ 1045LC  
23.30 (3) NATURAL RESOURCES FISH, WILDLIFE, PARKS, AND FORESTRY BOARD. (intro.)

The natural resources fish, wildlife, parks, and forestry board is the body through which all governmental agencies and nongovernmental agencies may coordinate their policies, plans and activities with regard to Wisconsin outdoor recreation resources. To this end it shall:

⑩ 1045Lf  
SECTION 402. 23.31 (1) (a) of the statutes is amended to read:

23.31 (1) (a) To provide and develop recreation resources facilities within this state, the natural resources fish, wildlife, parks, and forestry board, subject to the limits provided in s. 20.866 (2) (tp), (ts) and (tt), may direct that state debt be contracted for providing recreation resources facilities or making additions to existing recreation resources facilities.

⑩ 1045Lh  
SECTION 403. 23.31 (1) (b) of the statutes is amended to read:

23.31 (1) (b) With ~~their~~ its biennial budget request to the department of administration, the natural resources fish, wildlife, parks, and forestry board shall include its request and plan for recreational acquisition and development funding under s. 23.30. This plan shall be approved by the governor and shall contain the policies regarding the priority types of land to be acquired and the nature and categories of the developments to be undertaken. Changes in priority types of land

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to be acquired and in categories of developments may not be made without approval of the governor. Any deviation which the governor approves shall be reviewed by the joint committee on finance.

⑩ 1045Lx  
SECTION 404. 23.32 of the statutes, as affected by 1997 Wisconsin Act 27, is renumbered 278.32.

⑩ 1045Lm  
SECTION 405. 23.321 of the statutes is renumbered 278.321 and 278.321 (1) (a) ↗

3. and (c), as renumbered, are amended to read:

278.321 (1) (a) 3. A wild and scenic river designated under 16 USC 1271 to 1287, a wild river designated under s. ~~30.26~~ 23.43, the Lower Wisconsin State Riverway or a scenic urban waterway designated under s. ~~30.275~~ 23.434.

(c) "Wetland" has the meaning given in s. ~~23.32~~ 278.32 (1).

⑩ 1045Ln  
SECTION 406. 23.325 (2) (a) of the statutes is amended to read:

23.325 (2) (a) After consultation with the department of transportation and the state cartographer, the department of ~~natural resources~~ fish, wildlife, parks, and forestry shall select the photographic products to be sold.

⑩ 1045Lp  
SECTION 407. 23.325 (3) of the statutes is amended to read:

23.325 (3) The department of ~~natural resources~~ fish, wildlife, parks, and forestry may sell and may enter into contracts to sell the photographic products.

⑩ 1045Lr  
SECTION 408. 23.325 (4) of the statutes is amended to read:

23.325 (4) All income received by the department of ~~natural resources~~ fish, wildlife, parks, and forestry and the department of transportation from the sale of the photographic products, less the amount retained by the department of transportation under s. 85.10, shall be deposited in the conservation fund. ⓪

# Page 461, line 21; after that line insert:

SECTION 409. 23.33 (2) (o) of the statutes is amended to read:

⑩ 1065d

as affected by # 2001 Wisconsin Act... (this act),

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*Receipt*

23.33 (2) (o) ~~Renewals; remittal~~ of fees. An agent appointed under par. (m) shall remit to the department \$2 of each \$3 fee collected under par. (n). Any <sup>All</sup> fees remitted to or collected by the department under par. ~~(n)~~ <sup>(r)</sup> shall be credited to the appropriation account under s. 20.370 (9) ~~(hu)~~ (1) (hw). <sup>©</sup>

*Insert 86-A*  
# *page 463, line 23; after that line insert:*  
**SECTION 410.** 23.33 (9) (a) of the statutes is amended to read:  
<sup>©1066 as</sup>

23.33 (9) (a) *Enforcement.* The department may utilize moneys received under sub. (2) for all-terrain vehicle registration aids administration and for the purposes specified under s. 20.370 (3) (1) (as) and (5) (er) including costs associated with enforcement, safety education, accident reports and analysis, law enforcement aids to counties, and other similar costs in administering and enforcing this section.

<sup>©1066 as</sup>  
**SECTION 411.** 23.38 (1) of the statutes is amended to read:

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

<sup>©1066 as</sup>  
**SECTION 412.** 23.39 of the statutes is created to read:

**23.39 Financial interest prohibited.** The secretary and any other person in a position of administrative responsibility in the department may not have a financial interest in any enterprise which might profit by weak or preferential administration or enforcement of the powers and duties of the department.

<sup>©1066 av</sup>  
**SECTION 413.** 23.40 (3) (d) of the statutes is amended to read:

23.40 (3) (d) ~~Except as provided in par. (e), the~~ The department shall deposit any environmental impact statement fee in the general fund and shall designate



**BILL**

clearly the amount of the fee related to the cost of authorized environmental consultant services and the amount of the fee related to the cost of printing and postage.

① 1066 aW

SECTION ~~414~~. 23.40 (3) (e) of the statutes is repealed.

① 1066 aX

SECTION ~~415~~. 23.41 (1) (intro.) and (b) of the statutes are consolidated, renumbered 23.41 (1) and amended to read:

23.41 (1) In this section: (b) ~~“Environmental~~ “environmental consultant services” includes services provided by environmental scientists, engineers and other experts.

① 1066 aY

SECTION ~~416~~. 23.41 (1) (a) of the statutes is repealed.

① 1066 aZ

SECTION ~~417~~. 23.41 (2) of the statutes is repealed.

# Page

461, line 14: after that line insert:

SECTION ~~418~~. 23.41 (5) of the statutes is repealed.

① 1066 bB

as affected by 2001 Wisconsin Act ... (this act),

SECTION ~~419~~. 23.41 (5m) of the statutes is repealed.

① 1066 bD

SECTION ~~420~~. 23.42 of the statutes is renumbered 278.42.

① 1066 bG

SECTION ~~421~~. 23.425 (title), (1) and (2) (a) of the statutes are renumbered

① 1066 bY

278.425 (title), (1) and (2).

① 1066 bM

SECTION ~~422~~. 23.425 (2) (b) of the statutes is renumbered 23.425 and amended to read:

**23.425 MacKenzie center.** The fees collected by the department under par-

(a) may collect fees for the use of the MacKenzie environmental center. The fees shall be deposited in the general fund and credited to the appropriation under s. 20.370

① (1) (gb). ✓ ①

Page 466, line 6: after that line insert:

SECTION ~~423~~. 23.50 (1) of the statutes is amended to read:

① 1066 7b

23.50 (1) The procedure in ss. 23.50 to 23.85 applies to all actions in circuit court to recover forfeitures, penalty assessments, jail assessments, applicable

Insert  
87-A

**BILL**

weapons assessments, ~~applicable environmental assessments~~, applicable wild animal protection assessments, applicable natural resources assessments, applicable fishing shelter removal assessments, applicable snowmobile registration restitution payments and applicable natural resources restitution payments for violations of ss. 77.09, 134.60, 167.10 (3), and 167.31 (2), ~~281.48 (2) to (5), 283.33, 285.57 (2), 285.59 (2), (3) (c) and (4), 287.07, 287.08, 287.81 and 299.64 (2) subchs. IV and V of ch. 30, subch. VI of ch. 77, this chapter and chs. 26 to 31 29~~ and of ch. 350, and any administrative rules promulgated thereunder, ~~violations specified under s. 285.86~~, violations of rules of the Kickapoo reserve management board under s. 41.41 (7) (k) or violations of local ordinances enacted by any local authority in accordance with s. 23.33 (11) (am) or 30.77.

<sup>① 1068b</sup>  
SECTION ~~424~~. 23.50 (2) of the statutes is amended to read:

23.50 (2) All actions to recover these forfeitures, penalty assessments, jail assessments, applicable weapons assessments, ~~applicable environmental assessments~~, applicable wild animal protection assessments, applicable natural resources assessments, applicable fishing shelter removal assessments, applicable snowmobile registration restitution payments and applicable natural resources restitution payments are civil actions in the name of the state of Wisconsin, shall be heard in the circuit court for the county where the offense occurred, and shall be recovered under the procedure set forth in ss. 23.50 to 23.85.

<sup>① 1068r</sup>  
SECTION 425. 23.51 (3c) of the statutes is repealed.

<sup>① 1072b</sup>  
SECTION ~~426~~. 23.53 (1) of the statutes is amended to read:

23.53 (1) The citation created under this section shall, in all actions to recover forfeitures, penalty assessments, jail assessments, applicable weapons assessments, ~~applicable environmental assessments~~, applicable wild animal protection

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assessments, applicable natural resources assessments, applicable fishing shelter removal assessments, applicable snowmobile registration restitution payments and applicable natural resources restitution payments for violations of those statutes enumerated in s. 23.50 (1), any administrative rules promulgated thereunder, and any rule of the Kickapoo reserve management board under s. 41.41 (7) (k) be used by any law enforcement officer with authority to enforce those laws, except that the uniform traffic citation created under s. 345.11 may be used by a traffic officer employed under s. 110.07 in enforcing s. 167.31 ~~or by an officer of a law enforcement agency of a municipality or county or a traffic officer employed under s. 110.07 in enforcing s. 287.81.~~ In accordance with s. 345.11 (1m), the citation shall not be used for violations of ch. 350 relating to highway use. The citation may be used for violations of local ordinances enacted by any local authority in accordance with s. 23.33 (11) (am) or 30.77.

© 1073 b

**SECTION 427.** 23.54 (3) (e) of the statutes is amended to read:

23.54 (3) (e) The maximum forfeiture, penalty assessment, jail assessment, crime laboratories and drug law enforcement assessment, applicable weapons assessment, ~~applicable environmental assessment,~~ applicable wild animal protection assessment, applicable natural resources assessment, applicable fishing shelter removal assessment, applicable snowmobile registration restitution payment and applicable natural resources restitution payment for which the defendant might be found liable.

© 1074 b

**SECTION 428.** 23.54 (3) (i) of the statutes is amended to read:

23.54 (3) (i) Notice that if the defendant makes a deposit and fails to appear in court at the time fixed in the citation, the defendant will be deemed to have tendered a plea of no contest and submitted to a forfeiture, a penalty assessment, a

**BILL**

jail assessment, a crime laboratories and drug law enforcement assessment, any applicable weapons assessment, ~~any applicable environmental assessment~~, any applicable wild animal protection assessment, any applicable natural resources assessment, any applicable fishing shelter removal assessment, any applicable snowmobile registration restitution payment and any applicable natural resources restitution payment plus costs, including any applicable fees prescribed in ch. 814, not to exceed the amount of the deposit. The notice shall also state that the court may decide to summon the defendant rather than accept the deposit and plea.

⑥ 1075b  
**SECTION 429.** 23.54 (3) (j) of the statutes is amended to read:

23.54 (3) (j) Notice that if the defendant makes a deposit and signs the stipulation, the defendant will be deemed to have tendered a plea of no contest and submitted to a forfeiture, a penalty assessment, a jail assessment, a crime laboratories and drug law enforcement assessment, any applicable weapons assessment, ~~any applicable environmental assessment~~, any applicable wild animal protection assessment, any applicable natural resources assessment, any applicable fishing shelter removal assessment, any applicable snowmobile registration restitution payment and any applicable natural resources restitution payment plus costs, including any applicable fees prescribed in ch. 814, not to exceed the amount of the deposit. The notice shall also state that the court may decide to summon the defendant rather than accept the deposit and stipulation, and that the defendant may, at any time prior to or at the time of the court appearance date, move the court for relief from the effects of the stipulation.

⑥ 1076b  
**SECTION 430.** 23.55 (1) (b) of the statutes is amended to read:

23.55 (1) (b) A plain and concise statement of the violation identifying the event or occurrence from which the violation arose and showing that the plaintiff is entitled

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to relief, the statute upon which the cause of action is based and a demand for a forfeiture, the amount of which shall not exceed the maximum set by the statute involved, a penalty assessment, a jail assessment, a crime laboratories and drug law enforcement assessment, any applicable weapons assessment, ~~any applicable environmental assessment~~, any applicable wild animal protection assessment, any applicable natural resources assessment, any applicable fishing shelter removal assessment, any applicable snowmobile registration restitution payment, any applicable natural resources restitution payment and any other relief that is sought by the plaintiff.

<sup>Ⓟ 1076 m</sup>  
SECTION ~~431~~. 23.56 (2) of the statutes is amended to read:

23.56 (2) In actions to collect forfeitures, penalty assessments, jail assessments, applicable weapons assessments, ~~applicable environmental assessments~~, applicable wild animal protection assessments, applicable natural resources assessments, applicable fishing shelter removal assessments, applicable snowmobile registration restitution payments and applicable natural resources restitution payments, the judge who issues a warrant under sub. (1) may endorse upon the warrant the amount of the deposit. If no endorsement is made, the deposit schedule under s. 23.66 shall apply, unless the court directs that the person be brought before the court.

<sup>Ⓟ 1076 r</sup>  
SECTION ~~432~~. 23.65 (1) of the statutes is amended to read:

23.65 (1) When it appears to the district attorney that a violation of s. 134.60, ~~281.48 (2) to (5), 283.33, 285.57 (2), 285.59 (2), (3) (c) and (4), 287.07, 287.08, 287.81 or 299.64 (2) subch. IV or V of ch. 30, this chapter or ch. 26, 27, 28, 29, 30, 31 or 350, or any administrative rule promulgated pursuant thereto, or a violation specified~~

**BILL**

~~under s. 285.86~~ has been committed the district attorney may proceed by complaint and summons.

⑥1076t  
**SECTION 433.** 23.65 (3) of the statutes is amended to read:

23.65 (3) If a district attorney refuses or is unavailable to issue a complaint, a circuit judge, after conducting a hearing, may permit the filing of a complaint if he or she finds there is probable cause to believe that the person charged has committed a violation of ~~s. 287.07, 287.08 or 287.81~~ subch. IV or V of ch. 30, this chapter or ch. 26, 27, 28, 29, ~~30, 31~~ or 350 ~~or a violation specified under s. 285.86~~. The district attorney shall be informed of the hearing and may attend.

⑥1077b  
**SECTION 434.** 23.66 (2) of the statutes is amended to read:

23.66 (2) The person receiving the deposit shall prepare a receipt in triplicate showing the purpose for which the deposit is made, stating that the defendant may inquire at the office of the clerk of court or municipal court regarding the disposition of the deposit, and notifying the defendant that if he or she fails to appear in court at the time fixed in the citation he or she will be deemed to have tendered a plea of no contest and submitted to a forfeiture, a penalty assessment, a jail assessment, a crime laboratories and drug law enforcement assessment, any applicable weapons assessment, ~~any applicable environmental assessment~~, any applicable wild animal protection assessment, any applicable natural resources assessment, any applicable fishing shelter removal assessment, any applicable snowmobile registration restitution payment and any applicable natural resources restitution payment plus costs, including any applicable fees prescribed in ch. 814, not to exceed the amount of the deposit which the court may accept. The original of the receipt shall be delivered to the defendant in person or by mail. If the defendant pays by check, share draft or other draft, the check, share draft or other draft or a microfilm copy of the

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check, share draft or other draft shall be considered a receipt. If the defendant makes the deposit by use of a credit card, the credit charge receipt shall be considered a receipt.

⑥ 1078b

**SECTION 435.** 23.66 (4) of the statutes is amended to read:

23.66 (4) The basic amount of the deposit shall be determined in accordance with a deposit schedule that the judicial conference shall establish. Annually, the judicial conference shall review and may revise the schedule. In addition to the basic amount determined according to the schedule, the deposit shall include court costs, including any applicable fees prescribed in ch. 814, any applicable penalty assessment, any applicable jail assessment, any applicable crime laboratories and drug law enforcement assessment, any applicable weapons assessment, ~~any applicable environmental assessment,~~ any applicable wild animal protection assessment, any applicable natural resources assessment, any applicable fishing shelter removal assessment, any applicable snowmobile registration restitution payment and any applicable natural resources restitution payment.

⑥ 1079b

**SECTION 436.** 23.67 (2) of the statutes is amended to read:

23.67 (2) The deposit and stipulation of no contest may be made at any time prior to the court appearance date. By signing the stipulation, the defendant is deemed to have tendered a plea of no contest and submitted to a forfeiture, a penalty assessment, a jail assessment, a crime laboratories and drug law enforcement assessment, any applicable weapons assessment, ~~any applicable environmental assessment,~~ any applicable wild animal protection assessment, any applicable natural resources assessment, any applicable fishing shelter removal assessment, any applicable snowmobile registration restitution payment and any applicable

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natural resources restitution payment plus costs, including any applicable fees prescribed in ch. 814, not to exceed the amount of the deposit.

⑥1080b  
**SECTION 437.** 23.67 (3) of the statutes is amended to read:

23.67 (3) The person receiving the deposit and stipulation of no contest shall prepare a receipt in triplicate showing the purpose for which the deposit is made, stating that the defendant may inquire at the office of the clerk of court or municipal court regarding the disposition of the deposit, and notifying the defendant that if the stipulation of no contest is accepted by the court the defendant will be deemed to have submitted to a forfeiture, a penalty assessment, a jail assessment, a crime laboratories and drug law enforcement assessment, any applicable weapons assessment, ~~any applicable environmental assessment~~, any applicable wild animal protection assessment, any applicable natural resources assessment, any applicable fishing shelter removal assessment, any applicable snowmobile registration restitution payment and any applicable natural resources restitution payment plus costs, including any applicable fees prescribed in ch. 814, not to exceed the amount of the deposit. Delivery of the receipt shall be made in the same manner as in s. 23.66.

⑥1081b  
**SECTION 438.** 23.75 (3) (a) 2. of the statutes is amended to read:

23.75 (3) (a) 2. If the court considers the nonappearance to be a plea of no contest and enters judgment accordingly, the court shall promptly mail a copy or notice of the judgment to the defendant. The judgment shall allow the defendant not less than 20 working days from the date the judgment copy or notice is mailed to pay the forfeiture, penalty assessment, jail assessment and crime laboratories and drug law enforcement assessment, any applicable weapons assessment, ~~any applicable environmental assessment~~, any applicable wild animal protection assessment, any applicable natural resources assessment, any applicable fishing shelter removal



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assessment, any applicable snowmobile registration restitution payment and any applicable natural resources restitution payment plus costs, including any applicable fees prescribed in ch. 814.

<sup>⑥ 1082b</sup>  
**SECTION 439.** 23.75 (3) (b) of the statutes is amended to read:

23.75 (3) (b) If the defendant has made a deposit, the citation may serve as the initial pleading and the defendant shall be deemed to have tendered a plea of no contest and submitted to a forfeiture, a penalty assessment, a jail assessment, a crime laboratories and drug law enforcement assessment, any applicable weapons assessment, ~~any applicable environmental assessment~~, any applicable wild animal protection assessment, any applicable natural resources assessment, any applicable fishing shelter removal assessment, any applicable snowmobile registration restitution payment and any applicable natural resources restitution payment plus any applicable fees prescribed in ch. 814, not exceeding the amount of the deposit. The court may either accept the plea of no contest and enter judgment accordingly, or reject the plea and issue a summons. If the defendant fails to appear in response to the summons, the court shall issue an arrest warrant. If the court accepts the plea of no contest, the defendant may move within 90 days after the date set for appearance to withdraw the plea of no contest, open the judgment and enter a plea of not guilty if the defendant shows to the satisfaction of the court that failure to appear was due to mistake, inadvertence, surprise or excusable neglect. If a party is relieved from the plea of no contest, the court or judge may order a written complaint to be filed and set the matter for trial. After trial the costs and fees shall be taxed as provided by law. If on reopening the defendant is found not guilty, the court shall delete the record of conviction and shall order the defendant's deposit returned.

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⑥1083b

SECTION 440. 23.75 (3) (c) of the statutes is amended to read:

23.75 (3) (c) If the defendant has made a deposit and stipulation of no contest, the citation may serve as the initial pleading and the defendant shall be deemed to have tendered a plea of no contest and submitted to a forfeiture, a penalty assessment, a jail assessment, a crime laboratories and drug law enforcement assessment, any applicable weapons assessment, ~~any applicable environmental assessment,~~ any applicable wild animal protection assessment, any applicable natural resources assessment, any applicable fishing shelter removal assessment, any applicable snowmobile registration restitution payment and any applicable natural resources restitution payment plus any applicable fees prescribed in ch. 814, not exceeding the amount of the deposit. The court may either accept the plea of no contest and enter judgment accordingly, or reject the plea and issue a summons. If the defendant fails to appear in response to the summons, the court shall issue an arrest warrant. After signing a stipulation of no contest, the defendant may, at any time prior to or at the time of the court appearance date, move the court for relief from the effect of the stipulation. The court may act on the motion, with or without notice, for cause shown by affidavit and upon just terms, and relieve the defendant from the stipulation and the effects thereof. If the defendant is relieved from the stipulation of no contest, the court may order a citation or complaint to be filed and set the matter for trial. After trial the costs and fees shall be taxed as provided by law.

⑥1084b

SECTION 441. 23.79 (1) of the statutes is amended to read:

23.79 (1) If the defendant is found guilty, the court may enter judgment against the defendant for a monetary amount not to exceed the maximum forfeiture provided by the statute for the violation, the penalty assessment, the jail assessment, the crime laboratories and drug law enforcement assessment, any applicable weapons

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assessment, ~~any applicable environmental assessment~~, any applicable wild animal protection assessment, any applicable natural resources assessment, any applicable fishing shelter removal assessment, any applicable snowmobile registration restitution payment, any applicable natural resources restitution payment and for costs.

⑥ 1084g  
SECTION 442. 23.79 (2) of the statutes is amended to read:

23.79 (2) The payment of any judgment may be suspended or deferred for not more than 90 days in the discretion of the court. In cases where a deposit has been made, any forfeitures, penalty assessments, jail assessments, weapons assessments, ~~environmental assessments~~, wild animal protection assessments, natural resources assessments, fishing shelter removal assessments, snowmobile registration restitution payments, natural resources restitution payments or costs shall be taken out of the deposit and the balance, if any, returned to the defendant.

⑥ 1085b  
SECTION 443. 23.80 (2) of the statutes is amended to read:

23.80 (2) Upon default of the defendant corporation or municipality, or upon conviction, judgment for the amount of the forfeiture, the penalty assessment, the jail assessment, the crime laboratories and drug law enforcement assessment, any applicable weapons assessment, ~~any applicable environmental assessment~~, any applicable wild animal protection assessment, any applicable natural resources assessment, any applicable fishing shelter removal assessment, any applicable snowmobile registration restitution payment and any applicable natural resources restitution payment shall be entered.

⑥ 1085g  
SECTION 444. 23.83 (2) of the statutes is amended to read:

23.83 (2) STAY OF EXECUTION. The amount of undertaking required to stay execution on appeal shall not exceed the amount of the maximum forfeiture,

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applicable weapons assessment, ~~applicable environmental assessment~~, applicable wild animal protection assessment, applicable natural resources assessment, applicable fishing shelter removal assessment, applicable snowmobile registration restitution payment and applicable natural resources restitution payment plus court costs.

ⓑ 1086b

**SECTION 445.** 23.84 of the statutes is amended to read:

**23.84 Forfeitures and assessments collected; to whom paid.** Except for actions in municipal court, all moneys collected in favor of the state or a municipality for forfeiture, penalty assessment, jail assessment, crime laboratories and drug law enforcement assessment, applicable weapons assessment, ~~applicable environmental assessment~~, applicable wild animal protection assessment, applicable natural resources assessment, applicable fishing shelter removal assessment, applicable snowmobile registration restitution payment and applicable natural resources restitution payment shall be paid by the officer who collects the same to the appropriate municipal or county treasurer, within 20 days after its receipt by the officer, except that all jail assessments shall be paid to the county treasurer. In case of any failure in the payment, the municipal or county treasurer may collect the payment from the officer by an action in the treasurer's name of office and upon the official bond of the officer, with interest at the rate of 12% per year from the time when it should have been paid.

ⓑ 1087b

**SECTION 446.** 23.85 of the statutes is amended to read:

**23.85 Statement to county board; payment to state.** Every county treasurer shall, on the first day of the annual meeting of the county board of supervisors, submit to it a verified statement of all forfeitures, penalty assessments, jail assessments, weapons assessments, ~~environmental assessments~~, wild animal

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protection assessments, natural resources assessments, fishing shelter removal assessments, snowmobile registration restitution payments and natural resources restitution payments money received during the previous year. The county clerk shall deduct all expenses incurred by the county in recovering those forfeitures, penalty assessments, weapons assessments, ~~environmental assessments~~, wild animal protection assessments, natural resources assessments, fishing shelter removal assessments, snowmobile registration restitution payments and natural resources restitution payments from the aggregate amount so received, and shall immediately certify the amount of clear proceeds of those forfeitures, penalty assessments, ~~environmental assessments~~, wild animal protection assessments, natural resources assessments, fishing shelter removal assessments, snowmobile registration restitution payments and natural resources restitution payments to the county treasurer, who shall pay the proceeds to the state treasurer as provided in s. 59.25 (3). Jail assessments shall be treated separately as provided in s. 302.46.

<sup>(b) 1087a</sup>  
SECTION ~~447~~ 24.01 (3) of the statutes is amended to read:

24.01 (3) "Department" means department of ~~natural resources~~ fish, wildlife, parks, and forestry.

<sup>(b) 1087m</sup>  
SECTION ~~448~~ 24.01 (8) of the statutes is amended to read:

24.01 (8) "Secretary" means secretary of ~~natural resources~~ fish, wildlife, parks, and forestry.

<sup>(b) 1087p</sup>  
SECTION ~~449~~ 24.39 (1) of the statutes is amended to read:

24.39 (1) The board of commissioners of public lands may grant leases of parts or parcels of any public lands except state park lands and state forest lands; grant easements, leases to enter upon any of said lands to flow the same or to prospect for

**BILL****SECTION 449**

and to dig and remove therefrom ore, minerals and other deposits; and sell therefrom such timber as the board shall find necessary to prevent future loss or damage. All sales of standing live timber shall be on a selective cutting basis in line with federal forest practices. Such easements, leases, licenses and sales shall be made only for a full and fair consideration paid or to be paid to the state, the amount and terms whereof shall be fixed by said board, and such easements, leases, licenses and sales shall conform to the requirements, so far as applicable, prescribed by ch. 26 for the exercise by the department of ~~natural resources~~ fish, wildlife, parks, and forestry of similar powers affecting state park lands and state forest lands.

⑥ 1087r  
**SECTION 450.** 24.39 (2) of the statutes is amended to read:

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

⑥ 1087t  
**SECTION 451.** 24.39 (4) (c) of the statutes is amended to read:

24.39 (4) (c) No leases under par. (a) may be executed without a prior finding of the department of ~~natural resources~~ environmental management under s. 30.11 (5) that any proposed physical change in the area contemplated as the result of the execution of any term lease is consistent with the public interest in the navigable waters involved.

⑥ 1087v  
**SECTION 452.** 24.39 (4) (f) of the statutes is amended to read:

24.39 (4) (f) A municipality may sublease rights leased to it under par. (a) 1. or 2. to corporations or private persons. A municipality may also make physical

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improvements on and above the bottoms to which rights were leased from the board of commissioners of public lands and may sublease these improvements to corporations or private persons. Any subleases under this paragraph shall be consistent with this subsection and with whatever standards or restrictions the department of ~~natural resources~~ environmental management, acting under s. 30.11 (5), may have found at the time of execution of the original lease by the board of commissioners of public lands to the municipality. ✓

# Page 471, line 10: after that line insert:  
✓ SECTION 453. 25.293 (1) of the statutes is amended to read:

② 1119g  
25.293 (1) All gifts, grants or bequests made to the natural resources land endowment fund. The department of ~~natural resources~~ fish, wildlife, parks, and forestry may convert any noncash gift, grant or bequest into cash for deposit into the fund.

② 1119r  
SECTION 454. 25.295 (1) (b) of the statutes is amended to read:

25.295 (1) (b) Notwithstanding s. 23.15 (4), all moneys received by the department of ~~natural resources~~ fish, wildlife, parks, and forestry from utility easements on property located in the state park system, a southern state forest, as defined in s. 27.016 (1) (c), or a state recreation area under ss. 23.09 (10), 27.01 (2) (g) and 28.02 (5). ✓

# Page 472, line 19: after that line insert:  
✓ SECTION 455. 25.43 (2) (c) of the statutes is amended to read:

② 1123p  
25.43 (2) (c) The department of administration may establish and change accounts in the environmental improvement fund other than those under pars. (a), (ae), (am) and (b). The department of administration shall consult the department of ~~natural resources~~ environmental management before establishing or changing an account that is needed to administer the programs under ss. 281.58, 281.59 and 281.61.

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1123u  
Ⓟ

SECTION 456. 25.43 (3) of the statutes is amended to read:

25.43 (3) Except for the purpose of investment as provided in s. 25.17 (2) (d), the environmental improvement fund may be used only for the purposes authorized under ss. 20.320 (1) (r), (s), (sm), (t), (x), and (y), (2) (s) and (x) and (3) (q), 20.370 20.375 (4) (mt), (mx), and (nz), ~~(8) (mr) and (9) (mt), (mx) and (ny) (sr), (tt), (tx), and (ty)~~, 20.505 (1) (v), (x), and (y), 281.58, 281.59, 281.60, 281.61, and 281.62. ✓

# Page 472, line 20: after that line insert:  
SECTION 457. 25.46 (1e) of the statutes is amended to read:

Ⓟ 1124g

25.46 (1e) The moneys transferred under s. 20.370 20.375 (2) (mu) for environmental management.

Ⓟ 1124r

SECTION 458. 25.46 (1g) of the statutes is amended to read:

25.46 (1g) The moneys transferred under s. 20.370 20.375 (4) (mw) for environmental management. ✓

# Page 477, line 12: after that line insert: ^

SECTION 459. 26.01 of the statutes is amended to read:

Ⓟ 1146m

26.01 Definition. In this chapter, unless the context requires otherwise

“department” means the department of ~~natural resources~~ fish, wildlife, parks, and forestry. ✓

# Page 477, line 15: after that line insert: ^

SECTION 460. 26.11 (6) of the statutes is amended to read:

Ⓟ 1147m

26.11 (6) The department, as the director of the effort, may suppress a forest fire on lands located outside the boundaries of intensive or extensive forest fire protection districts but not within the limits of any city or village if the town responsible for suppressing fires within its boundaries spends more than \$3,000, as determined by rates established by the department, on suppressing the forest fire and if the town chairperson makes a request to the department for assistance. Persons participating in the suppression efforts shall act at the direction of the department after the department begins suppression efforts under this subsection.



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*as affected by 2001 Wisconsin Act... (this act),*

Funds expended by the state under this subsection shall be drawn from the appropriation under s. 20.370 (1) ~~(mu)~~ (3) (uu).

# Page 477, line 21: after that line insert:

SECTION 461. 26.11 (7) of the statutes is amended to read:

26.11 (7) (a) Notwithstanding s. 20.001 (3) (c), if the sum of the unencumbered

balances in the appropriation accounts under s. 20.370 (1) (3) (cs) and ~~(mz)~~ (uz) exceeds \$1,000,000 on June 30 of any fiscal year, the amount in excess of \$500,000 shall

(X)

lapse from the appropriation account under s. 20.370 (1) (3) (cs) to the conservation

fund, except as provided in par. (b).

1148r: AM; 26.11(7)(b)

26.11(7)(b) Notwithstanding s. 20.001 (3) (c), if the amount in the appropriation account under s. 20.370 (1) (3) (cs) is insufficient for the amount that must lapse under par.

(a), the remainder that is necessary for the lapse shall lapse from the appropriation

account under s. 20.370 (1) ~~(mz)~~ (3) (uz).

# Page 478, line 2: after that line insert:  
SECTION 462. 26.30 (2) of the statutes is amended to read:

26.30 (2) POWERS. The department is vested with authority and jurisdiction in

all matters relating to the prevention, detection and control of forest pests on the

forest lands of the state, and to do all things necessary in the exercise of such

authority and jurisdiction, except that this shall not be construed to grant any

powers or authority to the department for the silvicultural control of forest pests on

any land. This section shall apply only to the detection and control of forest pests on

forest lands and does not affect the authority of the department of agriculture, trade

and consumer protection under chs. 93 and 94. The action of the department under

sub. (4) shall be coordinated with the department of agriculture, trade and consumer

protection in accordance with s. 20.901. The secretaries of natural resources fish,

wildlife, parks, and forestry and agriculture, trade and consumer protection shall

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execute annually a memorandum of agreement to enable the coordination of pest control work of their departments.

<sup>(B) 1149g</sup>  
SECTION 463. 26.37 (1) (intro.) of the statutes is amended to read:

26.37 (1) (intro.) The department of ~~natural resources~~ fish, wildlife, parks, and forestry and the department of commerce shall jointly develop a plan to establish a lake states wood utilization consortium to provide research, development and demonstration grants to enhance the forest products industry in Wisconsin and other states. The plan shall do all of the following:

<sup>(B) 1149m</sup>  
SECTION 464. 26.37 (1) (b) of the statutes is amended to read:

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

<sup>(B) 1149p</sup>  
SECTION 465. 26.37 (2) of the statutes is amended to read:

26.37 (2) The department of ~~natural resources~~ fish, wildlife, parks, and forestry may not expend moneys from the appropriations under s. 20.370 (5) (ax) or (6) (bt), 1997 stats., unless the department of ~~natural resources~~ fish, wildlife, parks, and forestry and the department of commerce first submit to the joint committee on finance the plan required under sub. (1). If the cochairpersons of the joint committee on finance do not notify the department of ~~natural resources~~ fish, wildlife, parks, and forestry within 14 working days after the date of the departments' submittal of the plan that the committee has scheduled a meeting to review the plan, the plan may be implemented and moneys may be expended as proposed by the department of ~~natural resources~~ fish, wildlife, parks, and forestry. If, within 14 days after the date of the departments' submittal of the plan, the cochairpersons of the committee notify

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the department of ~~natural resources~~ fish, wildlife, parks, and forestry that the committee has scheduled a meeting to review the plan, moneys may be expended only after the plan has been approved by the committee. <sup>W</sup>⓪

Insert ✓  
105-A

# Page 480, line 22: after that line insert:  
"SECTION 466. 27.01 (11) (i) of the statutes is amended to read:

<sup>21153Lg</sup>  
27.01 (11) (i) *Cooperation with tourism.* The department of ~~natural resources~~ fish, wildlife, parks, and forestry and the department of tourism shall work jointly to establish an automated campground reservation system.

<sup>⓪1153Lm</sup>  
SECTION 467. 27.01 (12) of the statutes is amended to read:

27.01 (12) LEGAL COUNSEL. A representative of the department of justice designated by the attorney general shall act as legal counsel for said the department of ~~natural resources~~ fish, wildlife, parks, and forestry, both in proceedings and litigation, and in giving advice and counsel. The respective district attorneys of the county or counties where said park is or shall be located shall prosecute all violations of this section occurring within their respective counties as provided in s. 26.18.

<sup>⓪1153Lr</sup>  
SECTION 468. 27.011 of the statutes is amended to read:

**27.011 Copper Culture Mounds State Park.** The department of natural resources fish, wildlife, parks, and forestry shall accept a grant of lands in the city of Oconto, Oconto County, and shall develop and maintain it as a state park to be known as Copper Culture Mounds State Park. <sup>W</sup>⓪

# Page 481, line 5: after that line insert:  
"SECTION 469. 27.016 (6) of the statutes is amended to read:

<sup>⓪1153mq</sup>  
27.016 (6) Annually, on or before January 1, the department shall review all applications received under this section in the previous year and shall make the grants that it approves from the appropriation under s. 20.370 (1) ~~(eq)~~ (2) (es). If insufficient funds are available to pay all approved grants, the board shall prorate

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the available funds among the applicants in proportion to the approved grant amounts.

⑥ 1153 pm

**SECTION 470.** 27.016 (7) of the statutes is amended to read:

27.016 (7) Beginning in fiscal year 1996-97 and for each fiscal year thereafter, any moneys not encumbered or expended for grants under sub. (6) from the appropriation under s. 20.370 (1)-(eq) (2) (es) may be used by the department for the operation and maintenance of the state parks, of the southern state forests and of state recreation areas.

⑥ 1153 pm

**SECTION 471.** 27.019 (12) of the statutes is amended to read:

27.019 (12) COOPERATION OF STATE DEPARTMENTS. The department of agriculture, trade and consumer protection, the department of administration, the department of ~~natural resources~~ fish, wildlife, parks, and forestry, and the agricultural extension division of the University of Wisconsin shall cooperate with the several county rural planning committees in carrying out this section.

⑥ 1153 pm

**SECTION 472.** 28.005 of the statutes is amended to read:

**28.005 Definition.** "Department" when used in this chapter without other words of description or qualification means the department of ~~natural resources~~ fish, wildlife, parks, and forestry.

#

Page 481, line 16: after that line insert

SECTION 473. 28.035 (3) of the statutes is amended to read:

⑥ 1153 pm

28.035 (3) CAMP AMERICAN LEGION. (a) The written lease entered into between the Wisconsin state department of the American Legion and the department of natural resources dated June 15, 1944, which leases Camp American Legion for a period of 10 years commencing June 1, 1944, shall continue in full force for an additional 10 years, and may be renewed with the department of fish, wildlife, parks, and forestry for additional 10-year periods thereafter, notwithstanding the

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expiration of the term expressed therein, so long as the Wisconsin state department of the American Legion or any of the American Legion posts organized under s. 188.08 maintains on such property structures which were constructed prior to May 31, 1956, at the expense of the Wisconsin state department of the American Legion or any such post, for the purpose of the rehabilitation, restoration or recreation of veterans and their dependents of the Spanish-American war, the Philippine insurrection, the Mexican border service, World Wars I and II, the Korean conflict, the Vietnam war and Grenada, Lebanon, Panama, Somalia or a Middle East crisis under s. 45.34.

(b) The ownership of all of the buildings and equipment of the camp shall revert to the state upon the discontinuance of the use thereof for such purposes. On or before January 15 of each year the department of the American Legion shall file with the governor, the department of veterans affairs and the department of natural resources fish, wildlife, parks, and forestry a written report of the operations and the financial status of the camp.

# Page 482, line 17: after that line insert:  
SECTION 474. 28.11 (12) of the statutes is amended to read:

28.11 (12) ENFORCEMENT. If at any time it appears to the department that the lands are not being managed in accordance with this section it shall so advise the county forestry committee and the county clerk. If the condition persists the department may ~~proceed against the persons responsible for such noncompliance under s. 30.03 (4) order a hearing under ch. 227 concerning the noncompliance, and may request the hearing examiner to issue an order directing the responsible parties to perform or refrain from performing acts in order to remedy the noncompliance.~~ If any person fails or neglects to obey an order, the department may request the attorney general to institute proceedings for the enforcement of the department's

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order in the name of the state. The proceedings shall be brought in the manner and with the effect of proceedings under s. 111.07 (7). No penalty may be imposed for violation of a hearing examiner's order under this subsection, but violation of a judgment enforcing the order may be punished in civil contempt proceedings.

11  
⑥ 1156c  
SECTION 475. 29.024 (2g) (am) of the statutes is amended to read:

29.024 (2g) (am) *Social security numbers exceptions.* If an applicant who is an individual does not have a social security number, the applicant, as a condition of applying for, or applying to renew, an approval specified in par. (a) 1. to 3., shall submit a statement made or subscribed under oath or affirmation to the department that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of workforce development. An approval issued by the department of ~~natural resources~~ fish, wildlife, parks, and forestry in reliance on a false statement submitted by an applicant under this paragraph is invalid.

⑥ 1156g  
SECTION 476. 29.024 (2g) (c) of the statutes is amended to read:

29.024 (2g) (c) *Disclosure of social security numbers.* The department of ~~natural resources~~ fish, wildlife, parks, and forestry may not disclose any social security numbers received under par. (a) to any person except to the department of workforce development for the sole purpose of administering s. 49.22.

⑥ 1156m  
SECTION 477. 29.024 (2r) (am) of the statutes is amended to read:

29.024 (2r) (am) *Social security and identification numbers exceptions.* If an applicant who is an individual does not have a social security number, the applicant, as a condition of applying for, or applying to renew, any of the approvals specified in par. (a) 1. to 21., shall submit a statement made or subscribed under oath or affirmation to the department that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of

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workforce development. An approval issued by the department of ~~natural resources~~ fish, wildlife, parks, and forestry in reliance on a false statement submitted by an applicant under this paragraph is invalid.

Ⓟ 1156r

SECTION 478. 29.024 (2r) (c) of the statutes is amended to read:

29.024 (2r) (c) *Disclosure of numbers.* The department of ~~natural resources~~ fish, wildlife, parks, and forestry may not disclose any information received under par. (a) to any person except to the department of revenue for the sole purpose of making certifications required under s. 73.0301. ✓Ⓟ

Insert ✓  
109-A

# Page 483, line 20: after that line insert:

SECTION 479. 29.043 (4) of the statutes is amended to read:

Ⓟ 1160m

29.043 (4) If any other state confers upon the officers of this state reciprocal powers, the department may appoint persons who are charged with enforcing the laws of the other state relating to wild animals to act as conservation wardens of this state, but without compensation from this state. ✓Ⓟ

# Page 484, line 2: after that line insert:

SECTION 480. 29.083 (2) (b) of the statutes is amended to read:

Ⓟ 1161r

29.083 (2) (b) No person may knowingly fail to obey the order of a conservation warden or other law enforcement officer to desist from conduct in violation of par. (a) if the order is based on any of the following:

1. The conservation warden or other law enforcement officer personally observed such conduct by the person.

2. The conservation warden or other law enforcement officer has reasonable grounds to believe that the person has engaged in such conduct that day or that the person intends to engage in such conduct that day.

Ⓟ 1161t

SECTION 481. 29.083 (3) of the statutes is amended to read:

29.083 (3) EXEMPTIONS. This section does not apply to actions under sub. (2) (a)

1. to 5. performed by conservation wardens and other law enforcement officers if the

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actions are authorized by law and are necessary for the performance of their official duties.

# Page 485, line 9: after that line insert:  
✓

SECTION 482. 29.219 (3) (c) of the statutes is amended to read:

29.219 (3) (c) *Use of fees.* The department shall deposit receipts from the sale of resident 2-day sports fishing licenses under this subsection ~~in~~ into the conservation fund. The department shall credit 50% of these receipts to the appropriation under s. 20.370 (4) (1) (ku).

SECTION 483. 29.228 (7) (c) of the statutes is amended to read:

29.228 (7) (c) *Use of fees.* The department shall deposit receipts from the sale of nonresident 2-day sports fishing licenses under this subsection ~~in~~ into the conservation fund. The department shall credit 50% of these receipts to the appropriation under s. 20.370 (4) (1) (ku).

SECTION 484. 29.229 (5r) of the statutes is amended to read:

29.229 (5r) **FEEES TO THE DEPARTMENT.** The department may require that the band remit all of the fees collected under sub. (3) (a) to the department. If the department so requires, all of these fees shall be deposited in the conservation fund and credited to the appropriation account under s. 20.370 (9) (1) (hs).

SECTION 485. 29.2295 (4) (c) of the statutes is amended to read:

29.2295 (4) (c) 1. The department shall make the payments under this subsection from the appropriation under s. 20.370 (9) (~~hk~~) (1) (hg).

2. If the amount appropriated under s. 20.370 (9) (~~hk~~) (1) (hg) is insufficient to make all of the payments under this subsection, the department shall make the remaining payments from the appropriation under s. 20.370 (9) (~~ht~~) (1) (hv).

# Page 488, line 17: after that line insert:  
✓ SECTION 486. 29.347 (1) (a) of the statutes is amended to read:  
1172c



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29.347 (1) (a) "Law enforcement officer" means a conservation warden or any other law enforcement officer authorized by the department to issue tags for car kill

deer. ✓  
# Page 488, line 17: after that line insert:

SECTION 487. 29.424 (2) (b) of the statutes is amended to read:  
Ⓟ 21184c

29.424 (2) (b) The department of agriculture, trade and consumer protection has requested that the department of natural resources fish, wildlife, parks, and forestry remove the fish to address a problem affecting fish health.

Ⓟ 1184e  
SECTION 488. 29.503 (6) (b) (intro.) of the statutes is amended to read:

29.503 (6) (b) (intro.) *Inspection authority; entry; inspection.* For the purpose of enforcing this subsection, a conservation warden or a representative of the department, upon presentation of his or her credentials to a wholesale fish dealer, a person operating a vehicle or boat for a wholesale fish dealer or an employee or person acting on behalf of a wholesale fish dealer, is authorized during any time when business is being conducted on the premises:

Ⓟ 1184-g  
SECTION 489. 29.506 (7) (a) (intro.) of the statutes is amended to read:

29.506 (7) (a) *Departmental authority; limitations.* (intro.) A conservation warden may enter a taxidermist's place of business for inspection purposes as provided under par. (b) only:

Ⓟ 1184-j  
SECTION 490. 29.506 (7) (b) of the statutes is amended to read:

29.506 (7) (b) *Items subject to inspection.* All records required under subs. (5) (b) and (6) or related to the taxidermist's business are subject to departmental inspection as provided under par. (a). A taxidermist or an employee or agent of the taxidermist shall cooperate with and exhibit items subject to inspection to a conservation warden or any other agent of the department.

Ⓟ 1184-m  
SECTION 491. 29.519 (4) (b) of the statutes is amended to read:

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29.519 (4) (b) Each member of a crew engaged in the setting, lifting or pulling of nets or other devices set under authority of a commercial fishing license shall carry the crew license on his or her person while so engaged and upon demand of any conservation warden shall exhibit the license. Persons using minnow seines and dip nets used for taking smelt and minnows are exempt from this subsection.

⑧ 1184 n  
**SECTION 492.** 29.519 (4) (c) of the statutes is amended to read:

29.519 (4) (c) In case of illness or unavailability for good cause of a licensed crew member, an unlicensed person may work on a commercial fishing operation for a period not to exceed 48 hours under a temporary crew identification card, after which time he or she must obtain a crew license to engage in commercial fishing operations. Temporary crew identification cards shall be issued by the department to commercial fishing licensees for use as provided in this paragraph. Prior to use, the commercial licensee shall indicate on the temporary crew identification card the license number and name of the commercial fisher for whom the crew member will be working, the time and date the crew member commences work under the card and the crew member's name, address, description and his or her signature. The card shall be presented, upon request, to a conservation warden and must be in the possession of the crew member at all times while engaged in commercial fishing operations. The commercial fisher issuing the temporary crew identification card to an unlicensed person shall submit the card to the department with the commercial catch report submitted for the period in which work conducted under the card was performed.

⑧ 1184 p  
**SECTION 493.** 29.519 (6) (intro.) of the statutes is amended to read:

29.519 (6) **INSPECTION.** (intro.) For purposes of enforcement of this section, conservation wardens or department employees duly authorized and designated by

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the secretary, upon presenting appropriate credentials to the licensee or agent in charge, are authorized:

<sup>Ⓟ 1184r</sup>  
**SECTION 494.** 29.537 (6) (a) (intro.) of the statutes is amended to read:

29.537 (6) (a) (intro.) Except as provided in par. (d), for purposes of enforcement of this section, conservation wardens or department employees authorized and designated by the secretary, upon presenting appropriate credentials to the licensee or agent in charge, are authorized to do all of the following:

<sup>Ⓟ 1184t</sup>  
**SECTION 495.** 29.556 (3) of the statutes is amended to read:

29.556 (3) Any fees collected under this section by the department shall be credited to the appropriation account under s. 20.370 (9) ~~(hu)~~ (1) (hw). <sup>Ⓟ</sup>

# Page 488, line 20: after that line insert:  
SECTION 496. 29.564 (2) of the statutes is amended to read:

<sup>Ⓟ 1195m</sup>  
29.564 (2) All moneys collected under sub. (1) shall be deposited into the account under s. 20.370 (3) (1) (is). <sup>Ⓟ</sup>

# Page 490, line 10: after that line insert:  
SECTION 497. 29.601 (3) (b) of the statutes is amended to read:

5 <sup>Ⓟ 1199g</sup>  
29.601 (3) (b) Paragraph (a) does not apply to authorized drainage and sewage from municipalities and industrial or other wastes discharged from mines or commercial or industrial or ore processing plants or operations, through treatment and disposal facilities installed and operated in accordance with plans submitted to and approved by the department of environmental management under chs. 281, 285 or 289 to 299, except s. 281.48, or in compliance with orders of the department of environmental management. Any order is subject to modification by subsequent orders.

<sup>Ⓟ 1199m</sup>  
**SECTION 498.** 29.601 (4) of the statutes is amended to read:

29.601 (4) USE OF PESTICIDES. The department of natural resources fish, wildlife, parks, and forestry, after public hearing, may promulgate rules governing

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#, Page 490, <sup>10</sup> to: after that line insert:

the use of any pesticide which it finds is a serious hazard to wild animals other than those it is intended to control, and the making of reports about the pesticide. In promulgating the rules, the department to the extent relevant shall consider the need for pesticides to protect the well-being of the general public. "Pesticide" has the meaning given in s. 94.67.

<sup>1199r</sup>  
SECTION 499. 29.601 (5) (b) 2. of the statutes is amended to read:

29.601 (5) (b) 2. This section does not apply to toxicants placed in the waters of a preexisting fish rearing facility that is an artificial body of water if the toxicants are necessary to the operation of the fish farm and the department of environmental management has issued a permit under s. 283.31 for the preexisting fish rearing facility.

as affected by 2001 Wisconsin Act ... (this act),

"SECTION 500. 29.604 (2) (am) of the statutes is amended to read:

29.604 (2) (am) "State agency" means a board, commission, committee, department or office in the state government. "State agency" does not include the department of natural resources fish, wildlife, parks, and forestry or the office of the governor.

or the Fox River Navigational System Authority

} plain no ending

<sup>1200b</sup>  
SECTION 501. 29.604 (6r) (c) of the statutes is amended to read:

29.604 (6r) (c) The department shall notify the state agency if the department determines that there is reasonable cause for the department to determine that an activity by the state agency is not being carried out in compliance with this subsection or with any environmental protection requirements developed through interagency consultation procedures. If the secretary of natural resources fish, wildlife, parks, and forestry and the head, as defined in s. 15.01 (8), of the state agency are unable to agree upon methods or time schedules to be used to correct the

<sup>1200g</sup>

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alleged noncompliance, the department may bring any action or initiate any other proceedings to enforce compliance with this subsection.

<sup>Ⓟ 1201m</sup>  
SECTION ~~502~~. 29.705 (4) (b) of the statutes is amended to read:

29.705 (4) (b) Paragraph (a) does not authorize the department of ~~natural resources~~ fish, wildlife, parks, and forestry to remove fish or fish eggs from a self-contained fish rearing facility or from a preexisting fish rearing facility that is an artificial body of water unless the department of agriculture, trade and consumer protection has requested that the department of ~~natural resources~~ fish, wildlife, parks, and forestry remove the fish or fish eggs to address a problem affecting fish health.

# *Page 491, line 19; after that line insert:*

<sup>Ⓟ 21235b</sup>  
SECTION ~~503~~. 29.921 (7) of the statutes is amended to read:

29.921 (7) DOGS INJURING WILDLIFE. A conservation warden may kill a dog found running, injuring, causing injury to, or killing, any deer, other than farm-raised deer, or destroying game birds, their eggs or nests, if immediate action is necessary to protect the deer or game birds, their nests or eggs, from injury or death.

<sup>Ⓟ 1235m</sup>  
SECTION ~~504~~. 29.924 (2) of the statutes is amended to read:

29.924 (2) DRIVING WITHOUT HEADLIGHTS. In the performance of their law enforcement duties, conservation wardens may operate motor vehicles owned or leased by the department upon a highway, other than an interstate, a state trunk highway or any highway within the limits of any incorporated area, during hours of darkness without lighted headlamps, tail lamps or clearance lamps, contrary to s. 347.06, if the driving will aid in the accomplishment of a lawful arrest for violation of this chapter or in ascertaining whether a violation of this chapter has been or is about to be committed. Any civil action or proceeding brought against any

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conservation warden operating a motor vehicle under this subsection is subject to ss. 893.82 and 895.46.

② 1236ay  
SECTION 505. 29.931 (2) (a) of the statutes is amended to read:

29.931 (2) (a) The department and its conservation wardens shall seize and hold, subject to the order of the court for the county in which the alleged offense was committed, any vehicle, boat or object declared by this chapter to be a public nuisance, or which they have probable cause to believe is being used in violation of this chapter or s. 167.31, ~~287.81~~, 940.24, 941.20, 948.60, 948.605 or 948.61 or is being used in the commission of a crime relating to a submerged cultural resource in violation of s. 44.47. If it is proven that the vehicle, boat or object is a public nuisance or that within 6 months previous to the seizure the vehicle, boat or object was used in violation of this chapter or s. 167.31, ~~287.81~~, 940.24, 941.20, 948.60, 948.605 or 948.61 or was used in the commission of a crime relating to a submerged cultural resource in violation of s. 44.47, it shall be confiscated if the court directs in its order for judgment.

② 1237a  
SECTION 506. 29.944 of the statutes is amended to read:

**29.944 Exemption from liability.** Members of the ~~natural resources~~ fish, wildlife, parks, and forestry board, and each conservation warden, in the performance of official duties, are exempt from liability to any person for acts done or permitted or property destroyed by authority of law. No taxable costs or attorney fees shall be allowed to either party in an action against a member of the ~~natural resources~~ fish, wildlife, parks, and forestry board or a conservation warden.

② 1237m  
SECTION 507. 29.951 of the statutes is amended to read: