

1 **SECTION 2020k.** 66.0407 (5) of the statutes is amended to read:

2 66.0407 (5) This section does not apply to Canada thistle or annual noxious
3 weeds that are located on land that the department of ~~natural resources~~ fish, wildlife,
4 parks, and forestry owns, occupies or controls and that is maintained in whole or in
5 part as habitat for wild birds by the department of ~~natural resources~~ fish, wildlife,
6 parks, and forestry”.

7 **175.** Page 682, line 22: after that line insert:

8 **“SECTION 2029p.** 66.1105 (2) (k) of the statutes is amended to read:

9 66.1105 (2) (k) “Tax incremental district” means a contiguous geographic area
10 within a city defined and created by resolution of the local legislative body, consisting
11 solely of whole units of property as are assessed for general property tax purposes,
12 other than railroad rights-of-way, rivers or highways. Railroad rights-of-way,
13 rivers or highways may be included in a tax incremental district only if they are
14 continuously bounded on either side, or on both sides, by whole units of property as
15 are assessed for general property tax purposes which are in the tax incremental
16 district. “Tax incremental district” does not include any area identified as a wetland
17 on a map under s. ~~23.32~~ 278.32.

18 **SECTION 2029w.** 66.1106 (1) (c) of the statutes is amended to read:

19 66.1106 (1) (c) “Eligible costs” means capital costs, financing costs and
20 administrative and professional service costs, incurred or estimated to be incurred
21 by a political subdivision, for the investigation, removal, containment or monitoring
22 of, or the restoration of soil, air, surface water, sediments or groundwater affected by,
23 environmental pollution, including monitoring costs incurred within 2 years after
24 the date on which the department of ~~natural resources~~ environmental management

1 certifies that environmental pollution on the property has been remediated, property
2 acquisition costs, demolition costs including asbestos removal, and removing and
3 disposing of underground storage tanks or abandoned containers, as defined in s.
4 292.41 (1), except that for any parcel of land “eligible costs” shall be reduced by any
5 amounts received from persons responsible for the discharge, as defined in s. 292.01
6 (3), of a hazardous substance on the property to pay for the costs of remediating
7 environmental pollution on the property, by any amounts received, or reasonably
8 expected by the political subdivision to be received, from a local, state or federal
9 program for the remediation of contamination in the district that do not require
10 reimbursement or repayment and by the amount of net gain from the sale of the
11 property by the political subdivision. “Eligible costs” associated with groundwater
12 affected by environmental pollution include investigation and remediation costs for
13 groundwater that is located in, and extends beyond, the property that is being
14 remediated.

15 **SECTION 2030e.** 66.1106 (1) (f) of the statutes is amended to read:

16 66.1106 (1) (f) “Environmental remediation tax incremental base” means the
17 aggregate value, as equalized by the department, of a parcel of real property that is
18 certified under this section as of the January 1 preceding the date on which the
19 department of ~~natural resources~~ environmental management issues a certificate
20 certifying that environmental pollution on the property has been remediated in
21 accordance with rules promulgated by the department of ~~natural resources~~
22 environmental management.

23 **SECTION 2039b.** 66.1106 (4) (intro.) of the statutes is amended to read:

24 66.1106 (4) CERTIFICATION. (intro.) Upon written application to the department
25 of revenue by the clerk of a political subdivision on or before April 1 of the year

1 following the year in which the certification described in par. (a) is received from the
2 department of ~~natural resources~~ environmental management, the department of
3 revenue shall certify to the clerk of the political subdivision the environmental
4 remediation tax incremental base of a parcel of real property if all of the following
5 apply:

6 **SECTION 2039d.** 66.1106 (4) (a) of the statutes is amended to read:

7 66.1106 (4) (a) The political subdivision submits a statement that it has
8 incurred some eligible costs, and includes with the statement a detailed proposed
9 remedial action plan approved by the department of ~~natural resources~~
10 environmental management that contains cost estimates for anticipated eligible
11 costs and a schedule for the design, implementation and construction that is needed
12 to complete the remediation, with respect to the parcel or contiguous parcels of
13 property and the statement details the purpose and amount of the expenditures
14 already made and includes a dated certificate issued by the department of ~~natural~~
15 ~~resources~~ environmental management that certifies that the department of ~~natural~~
16 ~~resources~~ environmental management has approved the site investigation report
17 that relates to the parcel or contiguous parcels in accordance with rules promulgated
18 by the department of ~~natural resources~~ environmental management.

19 **SECTION 2041z.** 66.1106 (7) (d) of the statutes is amended to read:

20 66.1106 (7) (d) 1. The department may not authorize a positive environmental
21 remediation tax increment under par. (a) to pay otherwise eligible costs that are
22 incurred by the political subdivision after the department of ~~natural resources~~
23 environmental management certifies to the department of revenue that
24 environmental pollution on the parcel of property has been remediated unless the
25 costs are associated with activities, as determined by the department of ~~natural~~

1 ~~resources~~ environmental management, that are necessary to close the site described
2 in the site investigation report.

3 2. The department of ~~natural resources~~ environmental management shall
4 certify to the department of revenue the completion of the remediation of
5 environmental pollution at the site described in the site investigation report.”.

6 **176.** Page 702, line 2: after that line insert:

7 “**SECTION 2104b.** 70.11 (21) (a) of the statutes, as affected by 2001 Wisconsin
8 Act (this act), is amended to read:

9 70.11 (21) (a) All property purchased or constructed as a waste treatment
10 facility used for the treatment of industrial wastes, as defined in s. 281.01 (5), or air
11 contaminants, as defined in s. 285.01 (1), but not for other wastes, as defined in s
12 281.01 (7) for the purpose of abating or eliminating pollution of surface waters, the
13 air, or waters of the state if that property is not used to grow agricultural products
14 for sale and, if the property’s owner is taxed under ch. 76, if the property is approved
15 by the department of revenue. For the purposes of this subsection, “industrial waste”
16 also includes wood chips, sawdust, and other wood residue from the paper and wood
17 products manufacturing process that can be used as fuel and would otherwise be
18 considered superfluous, discarded, or fugitive material. The department of ~~natural~~
19 ~~resources~~ environmental management and department of health and family services
20 shall make recommendations upon request to the department of revenue regarding
21 such property. All property purchased or upon which construction began prior to
22 July 31, 1975, shall be subject to s. 70.11 (21), 1973 stats.

23 **SECTION 2104n.** 70.11 (21) (b) of the statutes is amended to read:

1 70.11 (21) (b) The books and records of owners of property covered by this
2 subsection shall be open to examination by representatives of the department of
3 ~~natural resources~~ environmental management, department of health and family
4 services and department of revenue.”.

5 **177.** Page 705 , line 24: after that line insert:

6 “**SECTION 2114c.** 70.113 (1) (intro.) of the statutes is amended to read:

7 70.113 (1) (intro.) As soon after April 20 of each year as is feasible the
8 department of ~~natural resources~~ fish, wildlife, parks, and forestry shall pay to the
9 city, village, or town treasurer all of the following amounts from the following
10 appropriations for each acre situated in the municipality of state forest lands, as
11 defined in s. 28.02 (1), state parks under s. 27.01 and state public shooting, trapping
12 or fishing grounds and reserves or refuges operated thereon, acquired at any time
13 under s. 29.10, 1943 stats., s. 23.09 (2) (d) or 29.749 (1) or from the appropriations
14 made by s. 20.866 (2) (tp) by the department of ~~natural resources~~ fish, wildlife, parks,
15 and forestry or leased from the federal government by the department of ~~natural~~
16 ~~resources~~ fish, wildlife, parks, and forestry:

17 **SECTION 2114e.** 70.113 (2) (a) of the statutes is amended to read:

18 70.113 (2) (a) Towns, cities or villages shall be paid for forest lands as defined
19 in s. 28.02 (1), state parks under s. 27.01 and other lands acquired under s. 23.09 (2)
20 (d), 23.27, 23.29, 23.293, 23.31 or 29.749 (1) located within such municipality and
21 acquired after June 30, 1969. Such payments shall be made from the appropriation
22 under s. 20.370 (5) (da) or (dq) and remitted by the department of ~~natural resources~~
23 fish, wildlife, parks, and forestry in the amounts certified by the department of
24 revenue according to par. (b).

1 **SECTION 2114g.** 70.114 (1) (a) of the statutes is amended to read:

2 70.114 (1) (a) “Department” means the department of ~~natural resources~~ fish,
3 wildlife, parks, and forestry.”.

4 **178.** Page 706, line 6: after that line insert:

5 “**SECTION 2114mb.** 70.32 (2) (c) 4. of the statutes is amended to read:

6 70.32 (2) (c) 4. “Swampland or wasteland” means bog_; marsh_; lowland brush_;
7 uncultivated land zoned as shoreland under s. 59.692 and shown as a wetland on a
8 final map under s. ~~23.32~~ 278.32; undeveloped land that is not classified under this
9 subsection as agricultural or as productive forest land and that is part of a parcel that
10 is designated as managed forest land under subch. VI of ch. 77; or other
11 nonproductive lands not otherwise classified under this subsection.

12 **SECTION 2114mg.** 70.375 (4) (o) of the statutes is amended to read:

13 70.375 (4) (o) Actual and necessary reclamation and restoration costs
14 associated with a mine in this state, including payments for future reclamation and
15 postmining costs which are required by law or by department of ~~natural resources~~
16 environmental management order and fees and charges under chs. 281, 285 or 289
17 to 299, except s. 281.48, not otherwise deductible under this section. Any refunds of
18 escrowed or reserve fund payments allowed as a deduction under this paragraph
19 shall be taxed as net proceeds at the average effective tax rate for the years the
20 deduction was taken.

21 **SECTION 2114mj.** 70.395 (2) (dc) 1. of the statutes is amended to read:

22 70.395 (2) (dc) 1. Each person intending to submit an application for a mining
23 permit shall pay \$50,000 to the department of revenue for deposit in the investment

1 and local impact fund at the time that the person notifies the department of ~~natural~~
2 ~~resources~~ environmental management under s. 293.31 (1) of that intent.

3 **SECTION 2114mn.** 70.395 (2) (j) of the statutes is amended to read:

4 70.395 (2) (j) Prior to the beginning of a fiscal year, the board shall certify to
5 the department of administration for payment from the investment and local impact
6 fund any sum necessary for the department of ~~natural resources~~ environmental
7 management to make payments under s. 289.68 (3) for the long-term care of mining
8 waste sites, if moneys in the waste management fund are insufficient to make
9 complete payments during that fiscal year, but this sum may not exceed the balance
10 in the waste management fund at the beginning of that fiscal year or 50% of the
11 balance in the investment and local impact fund at the beginning of that fiscal year,
12 whichever amount is greater.

13 **SECTION 2114mq.** 70.395 (2) (k) of the statutes is amended to read:

14 70.395 (2) (k) Prior to the beginning of each fiscal year, the board shall certify
15 to the department of administration for payment from the investment and local
16 impact fund any sum necessary for the department of ~~natural resources~~
17 environmental management to make payments under s. 292.31 for the
18 environmental repair of mining waste sites, if moneys in the environmental fund
19 that are available for environmental repair are insufficient to make complete
20 payments during that fiscal year. This sum may not exceed the balance in the
21 environmental fund at the beginning of that fiscal year or 50% of the balance in the
22 investment and local impact fund at the beginning of that fiscal year, whichever
23 amount is greater.”.

24 **179.** Page 728, line 23: after that line insert:

1 **“SECTION 2143v.** 71.05 (11) (a) of the statutes is amended to read:

2 71.05 (11) (a) The federal adjusted basis at the end of the calendar year 1968
3 or corresponding fiscal year of waste treatment plant or pollution abatement
4 equipment acquired pursuant to order or recommendation of the committee on water
5 pollution, state board of health, city council, village board or county board pursuant
6 to s. 59.07 (53) or (85), 1971 stats., may be treated as a subtraction modification on
7 the return of the calendar year 1969 or corresponding fiscal year but not in later
8 years. In case of such subtraction an add modification shall be made in 1969 and
9 later taxable years to reverse federal depreciation or amortization of such basis or
10 to correct gain or loss on disposition. The cost of such plant or equipment acquired
11 in 1969 or thereafter pursuant to order, recommendation or approval of the
12 committee on water pollution, department of resource development, department of
13 natural resources fish, wildlife, parks, and forestry, department of environmental
14 management, state board of health, city council, village board, or county board
15 pursuant to s. 59.07 (53) or (85), 1971 stats., (less any federal depreciation or
16 amortization taken) may be deducted as a subtraction modification or as subtraction
17 modifications in the year or years in which paid or accrued, dependent on the method
18 of accounting employed. In case of such election, appropriate add modifications shall
19 be made in subsequent years to reverse federal depreciation or amortization or to
20 correct gain or loss on disposition. This paragraph is intended to apply only to
21 depreciable property except that where wastes are disposed of through a lagoon
22 process, lagooning costs and the cost of land containing such lagoons may be treated
23 as depreciable property for purposes of this paragraph. In no event may any amount
24 in excess of cost be deducted. The taxpayer shall file with the department copies of

1 all recommendations, orders or approvals relating to installation of such property
2 and such other documents or data relating thereto as the department requests.”.

3 **180.** Page 738, line 6: after that line insert:

4 “SECTION 2153d. 71.10 (5) (h) (intro.) of the statutes is amended to read:

5 71.10 (5) (h) *Certification of amounts.* (intro.) Annually, on or before
6 September 15, the secretary of revenue shall certify to the department of ~~natural~~
7 ~~resources~~ fish, wildlife, parks, and forestry, the department of administration and
8 the state treasurer.”.

9 **181.** Page 799, line 2: after that line insert:

10 “SECTION 2181f. 71.30 (10) (h) (intro.) of the statutes is amended to read:

11 71.30 (10) (h) *Certification of amounts.* (intro.) Annually, on or before
12 September 15, the secretary of revenue shall certify to the department of ~~natural~~
13 ~~resources~~ fish, wildlife, parks, and forestry, the department of administration and
14 the state treasurer.”.

15 **182.** Page 831, line 23: after that line insert:

16 “SECTION 2195t. 71.59 (1m) of the statutes is amended to read:

17 71.59 (1m) PERMITTED USES. The designation by the department of ~~natural~~
18 ~~resources~~ fish, wildlife, parks, and forestry of any farmland in this state, for which
19 a claim under this section may be filed, as part of the ice age trail, under s. 23.17, is
20 a permitted use under a farmland preservation agreement, or a certificate of a zoning
21 authority, under sub. (1) (b).”.

22 **183.** Page 833, line 16: after that line insert:

23 “SECTION 2200w. 73.01 (3) (a) of the statutes is amended to read:

1 73.01 (3) (a) The time and place of meetings and hearings of the commission
2 shall be designated by the chairperson. Rooms for hearings outside the city of
3 Madison shall be provided under s. 73.07. All hearings held in Milwaukee shall be
4 held in the southeast district office of the department of ~~natural resources~~ fish,
5 wildlife, parks, and forestry. The commission shall maintain permanent hearing
6 rooms in Madison.”.

7 **184.** Page 836, line 24: after that line insert:

8 “**SECTION 2206d.** 73.0301 (1) (e) of the statutes is amended to read:

9 73.0301 (1) (e) “Licensing department” means the department of
10 administration; the board of commissioners of public lands; the department of
11 commerce; the ethics board; the department of financial institutions; the department
12 of health and family services; the department of ~~natural resources~~ fish, wildlife,
13 parks, and forestry; the department of environmental management; the department
14 of public instruction; the department of regulation and licensing; the department of
15 workforce development; the office of the commissioner of insurance; or the
16 department of transportation.”.

17 **185.** Page 838, line 18: after that line insert:

18 “**SECTION 2227p.** 75.105 (1) (a) of the statutes is amended to read:

19 75.105 (1) (a) “Department” means the department of ~~natural resources~~
20 environmental management.

21 **SECTION 2227t.** 75.106 (1) (b) of the statutes is amended to read:

22 75.106 (1) (b) “Department” means the department of ~~natural resources~~
23 environmental management.”.

24 **186.** Page 843, line 5: after that line insert:

1 “SECTION 2243c. 77.02 of the statutes is amended to read:

2 **77.02 Forest croplands. (1) PETITION.** The owner of an entire quarter quarter
3 section, fractional lot or government lot as determined by U.S. government survey
4 plat, excluding public roads and railroad rights-of-way that may have been sold,
5 may file with the department of ~~natural resources~~ fish, wildlife, parks, and forestry
6 a petition stating that the owner believes the lands therein described are more useful
7 for growing timber and other forest crops than for any other purpose, that the owner
8 intends to practice forestry thereon, that all persons holding encumbrances thereon
9 have joined in the petition and requesting that such lands be approved as “Forest
10 Croplands” under this subchapter. Whenever any such land is encumbered by a
11 mortgage or other indenture securing any issue of bonds or notes, the trustee named
12 in such mortgage or indenture or any amendment thereto may join in such petition,
13 and such action shall for the purpose of this section be deemed the action of all
14 holders of such bonds or notes.

15 **(2) NOTICE OF HEARING, ADJOURNMENT.** Upon receipt of such petition the
16 department of ~~natural resources~~ fish, wildlife, parks, and forestry shall investigate
17 the same and shall file a listing of descriptions with the town chairperson. For
18 petitions received prior to May 1, the department shall within the same calendar
19 year cause a notice that such petition has been filed to be published as a class 3 notice,
20 under ch. 985, in the newspaper having the largest general circulation in the county
21 in which the lands are located, and notice by registered mail shall be given to the
22 town clerk of any town in which the lands are located. Such notice shall contain the
23 name of the petitioner, a description of the lands and a statement that any resident
24 of or taxpayer in the town may within 15 days from the date of publication of the
25 notice file a request with the department that it conduct a public hearing on the

1 petition. Upon receipt of such a request the department shall conduct a public
2 hearing on the petition. The department may conduct a public hearing on any
3 petition without a request, if it deems it advisable to do so. Notice of the time and
4 place of such hearing and a description, in specific or general terms, as the
5 department deems advisable, of the property requested to be approved as “Forest
6 Croplands” shall be given to persons making the request, the owner of such land and
7 to the assessor of towns in which it is situated, by mail, at least one week before the
8 day of hearing. The notice also shall be published as a class 1 notice, under ch. 985,
9 in a newspaper having general circulation in the county in which such land is located,
10 at least one week before the day of the hearing. Such hearing may be adjourned and
11 no notice of the time and place of such adjourned hearing need be given, excepting
12 the announcement thereof by the presiding officer at the hearing at which the
13 adjournment is had.

14 (3) DECISION, COPIES. After receiving all the evidence offered at any hearing
15 held on the petition and after making such independent investigation as it sees fit
16 the department shall make its findings of fact and make and enter an order
17 accordingly. If it finds that the facts give reasonable assurance that a stand of
18 merchantable timber will be developed on such descriptions within a reasonable
19 time, and that such descriptions are then held permanently for the growing of timber
20 under sound forestry practices, rather than for agricultural, mineral, shoreland
21 development of navigable waters, recreational, residential or other purposes, and
22 that all persons holding encumbrances against such descriptions have in writing
23 agreed to the petition, the order entered shall grant the request of the petitioner on
24 condition that all unpaid taxes against said descriptions be paid within 30 days
25 thereafter; otherwise the department of ~~natural resources~~ fish, wildlife, parks, and

1 forestry shall deny the request of the petitioner. If the request of the petitioner is
2 granted, a copy of such order shall be filed with the department of revenue, the
3 supervisor of equalization and the clerk of each town, and the order shall be recorded
4 with the register of deeds of each county, in which any of the lands affected by the
5 order are located. The register of deeds shall record the entry, transfer or withdrawal
6 of all forest croplands in a suitable manner on the county records. The register of
7 deeds may collect recording fees under s. 59.43 (2) from the owner. Any order of the
8 department relating to the entry of forest croplands issued on or before November
9 20 of any year shall take effect on January 1 of the following calendar year, but all
10 orders issued after November 20 shall take effect on January 1 of the calendar year
11 following the calendar year in which orders issued on or before November 20 would
12 have been effective.

13 **SECTION 2243d.** 77.03 of the statutes is amended to read:

14 **77.03 Taxation of forest croplands.** After the filing and recording of the
15 order with the officers under s. 77.02 (3) the lands described therein shall be “Forest
16 Croplands”, on which taxes shall thereafter be payable only as provided under this
17 subchapter. The enactment of ss. 77.01 to 77.14, petition by the owner and the
18 making of the order under s. 77.02 (3) shall constitute a contract between the state
19 and the owner, running with the lands, for a period of 25 or 50 years at the election
20 of the applicant at the time the petition is filed, unless withdrawn under s. 77.10,
21 with privilege of renewal by mutual agreement between the owner and the state,
22 whereby the state as an inducement to owners and prospective purchasers of forest
23 croplands to come under ss. 77.01 to 77.14 agrees that, unless withdrawn under s.
24 77.10, no change in or repeal of ss. 77.01 to 77.14 shall apply to any land then
25 accepted as forest croplands, except as the department of ~~natural resources~~ fish,

1 wildlife, parks, and forestry, and the owner may expressly agree in writing and
2 except as provided in s. 77.17. If at the end of the contract period the land is not
3 designated as managed forest land under subch. VI, the merchantable timber on the
4 land shall be estimated by an estimator jointly agreed upon by the department of
5 ~~natural resources~~ fish, wildlife, parks, and forestry and the owner, and if the
6 department and the owner fail to agree on an estimator, the judge of the circuit court
7 of the district in which the lands lie shall appoint a qualified forester, whose estimate
8 shall be final, and the cost thereof shall be borne jointly by the department of ~~natural~~
9 ~~resources~~ fish, wildlife, parks, and forestry and the owner; and the 10% severance
10 tax paid on the stumpage thereon in the same manner as if the stumpage had been
11 cut. The owners by such contract consent that the public may hunt and fish on the
12 lands, subject to such rules as the department of ~~natural resources~~ fish, wildlife,
13 parks, and forestry prescribes regulating hunting and fishing.

14 **SECTION 2243e.** 77.04 (2) of the statutes is amended to read:

15 77.04 (2) TAX PER ACRE; PAYMENT; PENALTY. The “acreage share” shall be
16 computed at the rate of 10 cents per acre on all lands entered prior to 1972. On all
17 lands entered after December 31, 1971, the “acreage share” shall be computed every
18 10 years to the nearest cent by the department of revenue at the rate of 20 cents per
19 acre multiplied by a ratio using the equalized value of the combined residential,
20 commercial, manufacturing, agricultural, swamp, or waste and productive forest
21 land classes under s. 70.32 (2) within the state in 1972 as the denominator, and using
22 equalized value for these combined land classes in 1982 and every 10th year
23 thereafter as the numerator. All owners shall pay to the taxation district treasurer
24 the acreage share on each description on or before January 31. If the acreage share
25 is not paid when due to the taxation district treasurer it shall be subject to interest

1 and penalty as provided under ss. 74.11 (11), 74.12 (10) and 74.47. These lands shall
2 be returned as delinquent and a tax certificate under subch. VII of ch. 74 shall be
3 issued on them. After 2 years from the date of the issuance of a tax certificate, the
4 county clerk shall promptly take a tax deed under ch. 75. On taking such deed the
5 county clerk shall certify that fact and specify the descriptions to the department of
6 ~~natural resources~~ fish, wildlife, parks, and forestry.

7 **SECTION 2243f.** 77.05 of the statutes is amended to read:

8 **77.05 State contribution.** The department of ~~natural resources~~ fish, wildlife,
9 parks, and forestry shall pay before June 30 annually to the town treasurer, from the
10 appropriation under s. 20.370 (5) (bv), 20 cents for each acre of land in the town that
11 is described as forest croplands under this subchapter.

12 **SECTION 2243g.** 77.06 of the statutes is amended to read:

13 **77.06 Forestation. (1) CUTTING TIMBER REGULATED.** No person shall cut any
14 merchantable wood products on any forest croplands where the forest crop taxes are
15 delinquent nor until 30 days after the owner has filed with the department of ~~natural~~
16 ~~resources~~ fish, wildlife, parks, and forestry a notice of intention to cut, specifying by
17 descriptions and the estimated amount of wood products to be removed and the
18 proportion of present volume to be left as growing stock in the area to be cut. The
19 department of ~~natural resources~~ fish, wildlife, parks, and forestry may require a
20 bond executed by some surety company licensed in this state or other surety for such
21 amount as may reasonably be required for the payment to the department of ~~natural~~
22 ~~resources~~ fish, wildlife, parks, and forestry of the severance tax hereinafter provided.
23 The department, after examination of the lands specified, may prescribe the amount
24 of forest products to be removed. Cutting in excess of the amount prescribed shall
25 render the owner liable to double the severance tax prescribed in s. 77.06 (5) and

1 subject to cancellation under s. 77.10. Merchantable wood products include all wood
2 products except wood used for fuel by the owner.

3 (2) APPRAISAL OF TIMBER, ZONES. Each year the department of ~~natural resources~~
4 fish, wildlife, parks, and forestry, at the time and place it shall fix and after such
5 public notice as it deems reasonable, shall hold a public hearing. After the hearing
6 the department shall make and file, open to public inspection, a determination of the
7 reasonable stumpage values of the wood products usually grown in the several towns
8 in which any forest croplands lie. A public hearing under this section shall be held
9 prior to August 1 of each year and the determination of stumpage values made by the
10 department of ~~natural resources~~ fish, wildlife, parks, and forestry shall take effect
11 on November 1 of that year. If the department of ~~natural resources~~ fish, wildlife,
12 parks, and forestry finds there is a material variance in the stumpage values in the
13 different localities, it may fix separate zones and determine the values for each zone.

14 (3) REVALUATION. As to any locality or zone in which the department of ~~natural~~
15 ~~resources~~ fish, wildlife, parks, and forestry deems there has been no material
16 variance from the preceding year in stumpage values, it may omit to make any new
17 valuation in any year, in which event the last preceding valuation shall continue in
18 force until changed in a succeeding year.

19 (4) CUTTING REPORTED. Within 30 days after completion of cutting on any land
20 description, but not more than one year after filing of the notice of intention to cut,
21 the owner shall transmit to the department of ~~natural resources~~ fish, wildlife, parks,
22 and forestry on forms provided by the department a written statement of the
23 products so cut, specifying the variety of wood, kind of product, and quantity of each
24 variety and kind as shown by the scale or measurement thereof made on the ground
25 as cut, skidded, loaded, delivered, or by tree scale certified by a qualified forester

1 when stumpage is sold by tree measurement. The department of ~~natural resources~~
2 fish, wildlife, parks, and forestry may accept such reports as sufficient evidence of
3 the facts, or may either with or without hearing and notice of time and place thereof
4 to such owner, investigate and determine the fact of the quantity of each variety and
5 kind of product so cut during said periods preceding such reports.

6 (5) TAX LEVY ON RIGHT TO CUT TIMBER. The department of ~~natural resources~~ fish,
7 wildlife, parks, and forestry shall assess and levy against the owner a severance tax
8 on the right to cut and remove wood products covered by reports under this section,
9 at the rate of 10% of the value of the wood products based upon the stumpage value
10 then in force. Upon making the assessment, the department of ~~natural resources~~
11 fish, wildlife, parks, and forestry shall mail a duplicate of the certificate by registered
12 mail to the owner who made the report of cutting at the owner's last-known
13 post-office address. The tax assessed is due and payable to the department of
14 ~~natural resources~~ fish, wildlife, parks, and forestry on the last day of the next
15 calendar month after mailing the certificate. The proceeds of the tax shall be paid
16 into the forestry account of the conservation fund for distribution under s. 77.07 (3).

17 **SECTION 2243h.** 77.07 (2) of the statutes is amended to read:

18 77.07 (2) PENALTY, COLLECTIONS. If any severance tax ~~remain~~ remains unpaid
19 for 30 days after it becomes due, there shall then be added a penalty of 10%, and such
20 tax and penalty shall thereafter draw interest at the rate of one ~~per cent~~ percent per
21 month until paid. At the expiration of said 30 days the department of ~~natural~~
22 ~~resources~~ fish, wildlife, parks, and forestry shall report to the attorney general any
23 unpaid severance tax, adding said penalty, and the attorney general shall thereupon
24 proceed to collect the same with penalty and interest by suit against the owner and

1 by attachment or other legal means to enforce the lien and by action on the bond
2 mentioned in s. 77.06 (1), or by any or all such means.

3 **SECTION 2243i.** 77.08 of the statutes is amended to read:

4 **77.08 Supplemental severance tax.** At any time within one year after any
5 cutting should have been reported, the department of ~~natural resources~~ fish, wildlife,
6 parks, and forestry after due notice to the owner and opportunity to be heard, and
7 on evidence duly made a matter of record, may determine whether the quantity of
8 wood products cut from any such land, did in fact substantially exceed the amount
9 on which the severance tax theretofore levied was based, and if so shall assess a
10 supplemental severance tax which, in all respects, shall have the same force and
11 effect as the former severance tax, except only it shall not be a lien on any property
12 the title of which has passed to a purchaser for value without notice.

13 **SECTION 2243j.** 77.09 (1) of the statutes is amended to read:

14 **77.09 (1)** Any person who fails to report or shall intentionally make any false
15 statement or report to the department of ~~natural resources~~ fish, wildlife, parks, and
16 forestry required by s. 77.06 shall forfeit not more than \$1,000. An action under this
17 section shall not be a bar to a cancellation of entry and order of withdrawal under s.
18 77.10.

19 **SECTION 2243k.** 77.10 (1) of the statutes is amended to read:

20 **77.10 (1) INVESTIGATIONS, CANCELLATIONS, CONVEYANCES.** (a) The department of
21 ~~natural resources~~ fish, wildlife, parks, and forestry shall on the application of the
22 department of revenue or the owner of any forest croplands or the town board of the
23 town in which said lands lie and may on its own motion at any time cause an
24 investigation to be made and hearing to be had as to whether any forest croplands
25 shall continue under this subchapter. If on such hearing after due notice to and

1 opportunity to be heard by the department of revenue, the town and the owner, the
2 department of ~~natural resources~~ fish, wildlife, parks, and forestry finds that any
3 such lands are not meeting the requirements set forth in s. 77.02 or that the owner
4 has made use of the land for anything other than forestry or has failed to practice
5 sound forestry on the land, the department of ~~natural resources~~ fish, wildlife, parks,
6 and forestry shall cancel the entry of such description and issue an order of
7 withdrawal, and the owner shall be liable for the tax and penalty under sub. (2).
8 Copies of the order of withdrawal specifying the description shall be filed by the
9 department of ~~natural resources~~ fish, wildlife, parks, and forestry with all officers
10 designated to receive copies of the order of entry and withdrawal and this subchapter
11 shall not thereafter apply to the lands withdrawn, except s. 77.07 so far as it may be
12 needed to collect any previously levied severance or supplemental severance tax. If
13 the owner shall not repay the amounts on or before the last day of February next
14 succeeding the return of such lands to the general property tax roll as provided in
15 sub. (4), the department of ~~natural resources~~ fish, wildlife, parks, and forestry shall
16 certify to the county treasurer the descriptions and the amounts due, and the county
17 treasurer shall sell such lands as delinquent as described in s. 77.04 (2). Whenever
18 any county clerk has certified to the taking of a tax deed under s. 77.04 (2) the
19 department of ~~natural resources~~ fish, wildlife, parks, and forestry shall issue an
20 order of withdrawal as to the lands covered in such tax deed. Such order may also
21 be issued when examination of tax records reveals prolonged delinquency and
22 noncompliance with the requirements of s. 77.04 (2).

23 (b) Whenever any owner of forest croplands conveys such land the owner shall,
24 within 10 days of the date of the deed, file with the department of ~~natural resources~~
25 fish, wildlife, parks, and forestry on forms prepared by the department a transfer of

1 ownership signed by the owner and an acceptance of transfer signed by the grantee
2 certifying that the grantee intends to continue the practice of forestry on such land.
3 The department of ~~natural resources~~ fish, wildlife, parks, and forestry shall
4 immediately issue a notice of transfer to all officers designated to receive copies of
5 orders of entry and withdrawal. Whenever a purchaser of forest croplands declines
6 to certify his or her intention to continue the practice of forestry thereon, such action
7 shall constitute cause for cancellation of entry under par. (a) without hearing.

8 **SECTION 2243n.** 77.10 (2) (a) of the statutes is amended to read:

9 77.10 (2) (a) 1. Any owner of forest croplands may elect to withdraw all or any
10 of such lands from under this subchapter, by filing with the department of ~~natural~~
11 ~~resources~~ fish, wildlife, parks, and forestry a declaration withdrawing from this
12 subchapter any description owned by such person which he or she specified, and by
13 payment by such owner to the department of ~~natural resources~~ fish, wildlife, parks,
14 and forestry within 60 days the amount of tax due from the date of entry or the most
15 recent date of renewal, whichever is later, as determined by the department of
16 revenue under s. 77.04 (1) with simple interest thereon at 12% per year, less any
17 severance tax and supplemental severance tax or acreage share paid thereon, with
18 interest computed according to the rule of partial payments at the rate of 12% per
19 year.

20 2. The amount of the tax shall be determined by the department of revenue and
21 furnished to the department of ~~natural resources~~ fish, wildlife, parks, and forestry,
22 which shall determine the exact amount of payment. When the tax rate or assessed
23 value ratio of the current year has not been determined the rate of the preceding tax
24 year may be used. On receiving such payment the department of ~~natural resources~~
25 fish, wildlife, parks, and forestry shall issue an order of withdrawal and file copies

1 thereof with the department of revenue, the supervisor of equalization and the clerk
2 of the town, and shall record the order with the register of deeds of the county, in
3 which the land lies. The land shall then cease to be forest croplands.

4 **SECTION 2243p.** 77.10 (2) (b) of the statutes is amended to read:

5 77.10 (2) (b) Upon receipt of any taxes under this section by the state, the
6 department of ~~natural resources~~ fish, wildlife, parks, and forestry shall first deduct
7 all moneys paid by the state on account of the lands under s. 77.05 with interest on
8 the moneys computed according to the rule of partial payments at the rate of interest
9 paid under par. (a) by the person withdrawing such lands. The department shall
10 within 20 days remit the balance to the town treasurer who shall pay 20% to the
11 county treasurer and retain the remainder.

12 **SECTION 2243q.** 77.10 (4) of the statutes is amended to read:

13 77.10 (4) TAXATION AFTER WITHDRAWAL. When any description ceases to be a part
14 of the forest croplands, by virtue of any order of withdrawal issued by the department
15 of ~~natural resources~~ fish, wildlife, parks, and forestry, taxes thereafter levied thereon
16 shall be payable and collectible as if such description had never been under this
17 subchapter.

18 **SECTION 2243r.** 77.11 of the statutes is amended to read:

19 **77.11 Accounts of department of ~~natural resources~~ fish, wildlife,**
20 **parks, and forestry.** The department of ~~natural resources~~ fish, wildlife, parks, and
21 forestry shall keep a set of forest croplands books in which shall always appear as
22 to each description in each town containing any forest croplands, the amount of taxes
23 paid by the state to the town and received by the state from the owner. All tax
24 payments shall be paid out of and receipts credited to the forestry account of the
25 conservation fund.

1 **SECTION 2243s.** 77.13 of the statutes is amended to read:

2 **77.13 Termination of forest croplands program.** (1) On and after July
3 20, 1985, no person may petition the department of ~~natural resources~~ fish, wildlife,
4 parks, and forestry requesting it to approve any land as forest croplands under this
5 subchapter.

6 (2) On and after January 1, 1986, the department of ~~natural resources~~ fish,
7 wildlife, parks, and forestry may not act on any petition requesting the designation
8 of land as forest croplands, issue any order entering land as forest croplands or enter
9 into a renewal of any forest croplands contract under this subchapter.

10 **SECTION 2243t.** 77.14 of the statutes is amended to read:

11 **77.14 Forest croplands information, protection, appropriation.** The
12 department of ~~natural resources~~ fish, wildlife, parks, and forestry shall publish and
13 distribute information regarding the method of taxation of forest croplands under
14 this subchapter, and may employ a fire warden in charge of fire prevention in forest
15 croplands. All actual and necessary expenses incurred by the department of ~~natural~~
16 ~~resources~~ fish, wildlife, parks, and forestry or by the department of revenue in the
17 performance of their duties under this subchapter shall be paid from the
18 appropriation made in s. 20.370 ~~(1) (mu)~~ (3) (uu) upon certification by the department
19 incurring such expenses.

20 **SECTION 2243u.** 77.16 (1) of the statutes is amended to read:

21 **77.16 (1)** In this section “department” means the department of ~~natural~~
22 ~~resources~~ fish, wildlife, parks, and forestry.

23 **SECTION 2243v.** 77.54 (38) of the statutes is amended to read:

24 **77.54 (38)** The gross receipts from the sale of and the storage, use or other
25 consumption of snowmobile trail groomers and attachments for them that are

1 purchased, stored, used or consumed by a snowmobile club that meets at least 3
2 times a year, that has at least 10 members, that promotes snowmobiling and that
3 participates in the ~~department of natural resources'~~ snowmobile program under s.
4 350.12 (4) (b)."

5 **187.** Page 847, line 15: after that line insert:

6 "SECTION 2247at. 77.76 (1) of the statutes is amended to read:

7 77.76 (1) The department of revenue shall have full power to levy, enforce and
8 collect county and special district sales and use taxes and may take any action,
9 conduct any proceeding, impose interest and penalties and in all respects proceed as
10 it is authorized to proceed for the taxes imposed by subch. III. The department of
11 transportation and the department of ~~natural resources~~ fish, wildlife, parks, and
12 forestry may administer the county and special district sales and use taxes in regard
13 to items under s. 77.61 (1)."

14 **188.** Page 848, line 9: after that line insert:

15 "SECTION 2247c. 77.81 (1) of the statutes is amended to read:

16 77.81 (1) "Department" means the department of ~~natural resources~~ fish,
17 wildlife, parks, and forestry."

it is not bolded
this shouldn't be bold

18 **189.** Page 848, line 25: after that line insert:

19 "SECTION 2247re. 77.82 (2) (intro.) of the statutes is amended to read:

20 77.82 (2) PETITION. (intro.) Any owner of land may petition the department to
21 designate any eligible parcel of land as managed forest land. A petition may include
22 any number of eligible parcels under the same ownership in a single municipality.
23 Each petition shall be submitted on a form provided by the department and shall be
24 accompanied by a nonrefundable \$10 application fee unless a different amount of the

1 fee is established by the department by rule at an amount equal to the average
2 expense to the department of recording an order issued under this subchapter. The
3 fee shall be deposited ~~in~~ into the conservation fund and credited to the appropriation
4 under s. 20.370 ~~(1)~~ (3) (cr). Each petition shall include all of the following:

5 **SECTION 2247rm.** 77.82 (4) of the statutes is amended to read:

6 77.82 (4) ADDITIONS TO MANAGED FOREST LAND. An owner may petition the
7 department to designate as managed forest land an additional parcel of land in the
8 same municipality if the additional parcel is at least 3 acres in size and is contiguous
9 to any of the owner's designated land. The petition shall be accompanied by a
10 nonrefundable \$10 application fee unless a different amount of the fee is established
11 in the same manner as the fee under sub. (2). The fee shall be deposited ~~in~~ into the
12 conservation fund and credited to the appropriation under s. 20.370 ~~(1)~~ (3) (cr). The
13 petition shall be submitted on a department form and shall contain any additional
14 information required by the department.

15 **SECTION 2247rs.** 77.82 (4m) (bn) of the statutes is amended to read:

16 77.82 (4m) (bn) A petition under this subsection shall be accompanied by a
17 nonrefundable \$100 application fee which shall be deposited ~~in~~ into the conservation
18 fund and credited to the appropriation under s. 20.370 ~~(1)~~ (3) (cr).”.

19 **190.** Page 849, line 3: after that line insert:

20 **“SECTION 2247v.** 77.88 (2) (d) of the statutes is amended to read:

21 77.88 (2) (d) Within 10 days after a transfer of ownership, the former owner
22 shall, on a form provided by the department, file with the department a report of the
23 transfer signed by the former owner and the transferee. The report shall be
24 accompanied by a \$20 fee which shall be deposited ~~in~~ into the conservation fund and

1 credited to the appropriation under s. 20.370 ~~(1)~~ (3) (cr). The department shall
2 immediately notify each person entitled to notice under s. 77.82 (8).

3 **SECTION 2247w.** 77.91 (4) of the statutes is amended to read:

4 77.91 (4) EXPENSES. Except as provided in sub. (5), the department's expenses
5 for the administration of this subchapter shall be paid from the appropriation under
6 s. 20.370 ~~(1)~~ ~~(mu)~~ (3) (uu).

7 **SECTION 2247x.** 77.91 (5) of the statutes is amended to read:

8 77.91 (5) RECORDING. Each register of deeds who receives notice of an order
9 under this subchapter shall record the action as provided under s. 59.43 (1). The
10 department shall pay the register of deeds the fee specified under s. 59.43 (2) (ag) 1.
11 from the appropriation under s. 20.370 ~~(1)~~ (3) (cr). If the amount in the appropriation
12 under s. 20.370 ~~(1)~~ (3) (cr) in any fiscal year is insufficient to pay the full amount
13 required under this subsection in that fiscal year, the department shall pay the
14 balance from the appropriation under s. 20.370 ~~(1)~~ ~~(mu)~~ (3) (uu).”.

15 **191.** Page 856, line 3: after that line insert:

16 “**SECTION 2294c.** 80.05 (2) (b) of the statutes is amended to read:

17 80.05 (2) (b) Give notice by registered mail to the department of ~~natural~~
18 ~~resources~~ fish, wildlife, parks, and forestry, the department of environmental
19 management, and to the county land conservation committee in each county through
20 which the highway may pass.

21 **SECTION 2294g.** 80.39 (2) of the statutes is amended to read:

22 80.39 (2) NOTICE. Upon such petition the county board or the commissioners
23 appointed by the board shall give notice of the time and place they will meet to decide
24 on the petition. The notice shall be published as a class 2 notice, under ch. 985. The

1 notice shall also be given to the department of ~~natural resources~~ fish, wildlife, parks,
2 and forestry by serving a copy upon the secretary of ~~natural resources~~ fish, wildlife,
3 parks, and forestry either by registered mail or personally and to the department of
4 environmental management by serving a copy upon the secretary of environmental
5 management. If the board appoints a committee to act, the notice shall state the fact
6 and the notice shall be signed by the commissioners, otherwise by the chairperson
7 of the board.

8 **SECTION 2294n.** 80.41 of the statutes is amended to read:

9 **80.41 Discontinuing ways to waters.** No resolution, ordinance, order or
10 similar action of any town board or county board or committee thereof discontinuing
11 any highway, street, alley or right-of-way that provides public access to any
12 navigable lake or stream shall be effective until such resolution, ordinance, order or
13 similar action is approved by the department of ~~natural resources~~ fish, wildlife,
14 parks, and forestry and the department of environmental management.

15 **SECTION 2294r.** 84.01 (17) of the statutes is amended to read:

16 **84.01 (17) IMPROVEMENTS FOR NEXT 6 YEARS.** In each odd-numbered year, the
17 department shall determine, as far as possible, what improvements will be made
18 during the following 6-year period, and shall notify the county clerks prior to
19 February 1 of each even-numbered year, as to the improvements in their respective
20 counties. Such notice shall also be given to the department of ~~natural resources,~~ fish,
21 wildlife, parks, and forestry, to the department of environmental management, and
22 to the department of agriculture, trade and consumer protection.

23 **SECTION 2294w.** 84.01 (23) of the statutes is amended to read:

24 **84.01 (23) BRIDGE STANDARDS.** The department shall adopt standards and
25 specifications for the design and construction of county, town, village and city

1 bridges, arches or culverts. The standards shall be developed after consultation with
2 the department of ~~natural resources fish, wildlife, parks, and forestry~~ and the
3 department of environmental management, and shall be directed at preventing
4 undue impairment of public rights in navigable waters.”.

5 **192.** Page 861, line 17: after that line insert:

6 “**SECTION 2304t.** 84.02 (3) (a) of the statutes is amended to read:

7 84.02 (3) (a) Changes may be made in the state trunk system by the
8 department, if it deems that the public good is best served by making the changes.
9 The department, in making the changes, may lay out new highways by the procedure
10 under this subsection. Due notice shall be given to the localities concerned of the
11 intention to make changes or discontinuances, and if the change proposes to lay a
12 highway via a new location and the distance along such deviation from the existing
13 location exceeds 2 1/2 miles, then a hearing in or near the region affected by the
14 proposed change shall be held prior to making the change effective. The notice shall
15 also be given to the secretary of ~~natural resources fish, wildlife, parks, and forestry~~
16 and to the secretary of environmental management either by registered mail or
17 personally. Whenever the department decides to thus change more than 2 1/2 miles
18 of the system the change shall not be effective until the decision of the department
19 has been referred to and approved by the county board of each county in which any
20 part of the proposed change is situated. A copy of the decision shall be filed in the
21 office of the clerk of each county in which a change is made or proposed. Where the
22 distance along the deviation from the existing location exceeds 5 miles the change
23 shall constitute an addition to the state trunk highway system. The preexisting
24 route shall continue to be a state trunk highway unless the county board of each

1 county in which any part of the relocation lies and the department mutually agree
2 to its discontinuance as a state trunk highway. Whenever such county board or
3 boards and the department cannot so agree the department shall report the problem
4 to the next ensuing session of the legislature for determination.”.

5 **193.** Page 865, line 20: after that line insert:

6 “**SECTION 2307g.** 84.078 (1) (am) of the statutes is amended to read:

7 84.078 (1) (am) “High-volume industrial waste” means fly ash, bottom ash,
8 paper mill sludge or foundry process waste, or any other waste with similar
9 characteristics specified by the department of ~~natural resources~~ environmental
10 management by rule.

11 **SECTION 2307h.** 84.078 (3) (a) 2. of the statutes is amended to read:

12 84.078 (3) (a) 2. The department of ~~natural resources~~ environmental
13 management certifies to the department of transportation, before the time that the
14 department of transportation advertises for bids for the improvement, that the
15 high-volume industrial waste intended to be used and the design for the use of the
16 high-volume industrial waste comply with all applicable state requirements or
17 standards administered by the department of ~~natural resources~~ environmental
18 management.

19 **SECTION 2307i.** 84.078 (3) (b) (intro.) of the statutes is amended to read:

20 84.078 (3) (b) (intro.) The exemption under par. (a) extends to the
21 transportation of high-volume industrial waste to or from the site of a highway
22 improvement and to the storage of high-volume industrial waste at the site of a
23 highway improvement. The exemption provided under par. (a) continues to apply
24 after the date of certification by the department of ~~natural resources~~ environmental

1 management under par. (a) 2., notwithstanding the occurrence of any of the
2 following:

3 **SECTION 2307j.** 84.078 (3) (c) of the statutes is amended to read:

4 84.078 (3) (c) The department of transportation and the department of ~~natural~~
5 ~~resources~~ environmental management may enter into agreements establishing
6 standard lists of high-volume industrial waste that may be used in highway
7 improvements and designs for the use of high-volume industrial waste in highway
8 improvements that comply with rules of the department of ~~natural resources~~
9 environmental management applicable at the time of the design of the highway
10 improvement in order to simplify certification under par. (a) 2. to the greatest extent
11 possible.”.

12 **194.** Page 866, line 7: after that line insert:

13 **“SECTION 2307u.** 84.11 (3) of the statutes is amended to read:

14 84.11 (3) HEARING. Within 60 days of the receipt of a petition under sub. (2),
15 the department shall fix a time and place for a hearing and give notice of the hearing
16 by publication of a class 2 notice, under ch. 985, in the vicinity of the proposed bridge
17 project. Notice shall also be given by registered letter addressed to the clerks of the
18 counties, cities, villages and towns in which any part of the bridge project will be
19 located. The notice shall also be given to the secretary of ~~natural resources~~ fish,
20 wildlife, parks, and forestry and the secretary of environmental management either
21 by registered mail or personally. The hearing may be held in any county, city, village
22 or town in which any part of the bridge project will be located.

23 **SECTION 2307w.** 84.11 (7m) of the statutes is amended to read:

1 **84.11 (7m) EXECUTION AND CONTROL OF WORK.** Subject to the control and
2 supervision over the navigable waters of the state conferred by law upon the
3 department of ~~natural resources~~ environmental management, and the control
4 exercised by the United States, the construction under this section of any bridge
5 project shall be wholly under the supervision and control of the department. The
6 secretary shall make and execute all contracts and have complete supervision over
7 all matters pertaining to such construction and shall have the power to suspend or
8 discontinue proceedings or construction relative to any bridge project at any time in
9 the event any county, city, village or town fails to pay the amount required of it as to
10 any project under sub. (1m), or in the event the secretary determines that sufficient
11 funds to pay the state's part of the cost of the bridge project are not available. All
12 moneys provided by counties, cities, villages and towns shall be deposited in the state
13 treasury, when required by the secretary, and paid out on order of the secretary. Any
14 of such moneys deposited for a project eligible for construction under sub. (1m) which
15 remain in the state treasury after the completion of the project shall be repaid to the
16 respective counties, cities, villages and towns in such amounts as to result in the
17 distribution provided in sub. (5m).

18 **SECTION 2307y.** 84.12 (7) of the statutes is amended to read:

19 **84.12 (7) EXECUTION AND CONTROL OF WORK.** Subject to the control and
20 supervision over the navigable waters of the state conferred upon the department of
21 ~~natural resources~~ environmental management, and the control exercised by the
22 United States, the construction under this section of any bridge project shall be
23 under the joint supervision and control of the department and of the transportation
24 department of the other state concerned. If the transportation department of the
25 other state is not authorized to act jointly with this state in such bridge project

1 arrangements may be made with such subdivisions of the other state as may have
2 proper authority, represented by their proper officers. Control shall be exercised in
3 the manner deemed most expedient by the secretary and such department or by the
4 secretary and the officers of the subdivisions of the other state concerned in the
5 construction. Contracts for the construction of said bridge projects may be made and
6 executed by the secretary and the transportation department of the other state
7 jointly, or jointly by the secretary and such subdivisions of the other state as may
8 participate in the construction, or by appropriate agreement between the parties
9 with respect to financing and control of the work, the authority of either state may
10 contract for all or part of the construction. The secretary may suspend or discontinue
11 proceedings or construction relative to any bridge project at any time in the event any
12 county, city, village or town fails to pay the amount required of it as to any project
13 eligible to construction under sub. (1) (a) or offered by it as to any project eligible to
14 construction under sub. (1) (b), or in the event the secretary determines that
15 sufficient funds to pay the state's part of the cost of the bridge project are not
16 available. All moneys available from this state, or its subdivisions, shall be deposited
17 in the state treasury when required by the secretary and shall be paid out only upon
18 the order of the secretary. Moneys deposited by such subdivisions which remain in
19 the state treasury after the completion of such project shall be repaid to the
20 respective subdivisions in the proportion paid in.”

21 **195.** Page 868, line 2: after that line insert:

22 “SECTION 2308t. 84.28 of the statutes is amended to read:

23 **84.28 State park, forest and riverway roads.** (1) Moneys from the
24 appropriation under s. 20.370 (7) (mc) may be expended for the renovation, marking

1 and maintenance of a town or county highway located within the boundaries of any
2 state park, state forest or other property under the jurisdiction of the department of
3 ~~natural resources~~ fish, wildlife, parks, and forestry. Moneys from the appropriation
4 under s. 20.370 (7) (mc) may be expended for the renovation, marking and
5 maintenance of a town or county highway located in the lower Wisconsin state
6 riverway as defined in s. 30.40 (15). Outside the lower Wisconsin state riverway as
7 defined in s. 30.40 (15), or outside the boundaries of these parks, forests or property,
8 moneys from the appropriation under s. 20.370 (7) (mc) may be expended for the
9 renovation, marking and maintenance of roads which the department of ~~natural~~
10 ~~resources~~ fish, wildlife, parks, and forestry certifies are utilized by a substantial
11 number of visitors to state parks, state forests or other property under the
12 jurisdiction of the department of ~~natural resources~~ fish, wildlife, parks, and forestry.
13 The department of ~~natural resources~~ fish, wildlife, parks, and forestry shall
14 authorize expenditures under this subsection. The department of ~~natural resources~~
15 fish, wildlife, parks, and forestry shall rank projects eligible for assistance under a
16 priority system and funding may be restricted to those projects with highest priority.

17 (2) The department may administer a program for the construction,
18 maintenance and marking of roads, including fire roads, service areas, trailer or
19 vehicle parking stalls or parking areas and other facilities consistent with highway
20 construction and for the marking of scenic routes in the state parks, state forests, the
21 ~~lower~~ Lower Wisconsin state riverway State Riverway as defined under s. 30.40 (15),
22 state fish hatcheries, other public used areas under the jurisdiction of the
23 department of ~~natural resources~~ fish, wildlife, parks, and forestry and other public
24 lands as defined in ch. 24, for highways or fire roads leading from the most
25 convenient state trunk highways to such lands, and for the relocation and

1 construction of state trunk highways in or near state parks when required in the
2 interests of public safety. Within the limitations and for the purposes of this section,
3 work may be performed by or under the supervision or authority or with the approval
4 of the department, upon the request for such work filed by the department of ~~natural~~
5 ~~resources~~ fish, wildlife, parks, and forestry as to the ~~lower~~ Lower Wisconsin state
6 ~~riverway~~ State Riverway, as defined in s. 30.40 (15), or as to state park or forest lands,
7 or by the board of commissioners of the public lands as to other classes of public lands.
8 Outside the ~~lower~~ Lower Wisconsin state ~~riverway~~ State Riverway, as defined in s.
9 30.40 (15), and outside the limits of the park, state forest and public land areas, direct
10 connections to the most convenient state trunk highway may be built or maintained
11 under this section. Roads in unincorporated areas within 5 miles of the boundaries
12 of the Horicon national wildlife refuge or the Horicon ~~marsh~~ Marsh wildlife area may
13 be built or maintained under this section upon request of the town board, if the
14 department of transportation certifies that such roads are or will be used by a
15 substantial number of visitors to such area. Costs incurred under this section shall
16 be the responsibility of the department of ~~natural resources~~ fish, wildlife, parks, and
17 forestry, commissioners of public lands or town board, as appropriate.”.

18 **196.** Page 870, line 22: after that line insert:

19 “**SECTION 2321mb.** 85.12 (4) of the statutes, as created by 2001 Wisconsin Act
20 (this act), is amended to read:

21 85.12 (4) Beginning with fiscal year 2001–02, if the department of
22 transportation provides radio services under this section to the department of
23 ~~natural resources~~ fish, wildlife, parks, and forestry in any fiscal year, the department
24 of ~~natural resources~~ fish, wildlife, parks, and forestry shall make quarterly

1 payments from the appropriation under s. 20.370 ~~(8)~~ ~~(mu)~~ (1) (su) of \$111,450 to the
2 department of transportation.

3 **SECTION 2321p.** 85.19 (1) of the statutes is amended to read:

4 85.19 (1) STANDARDS. The department, in consultation with the department of
5 natural resources environmental management, shall, by rule, establish standards
6 for the control of soil erosion related to highway and bridge construction that is
7 funded in whole or in part with state or federal funds. At a minimum, the standards
8 shall require the use of best management practices.

9 **SECTION 2321q.** 85.19 (2) (c) of the statutes is amended to read:

10 85.19 (2) (c) The department shall establish the training program in
11 consultation with the department of natural resources environmental
12 management.”.

13 **197.** Page 875, line 21: after that line insert:

14 “**SECTION 2337c.** 85.245 (1) of the statutes is renumbered 85.245.

15 **SECTION 2337d.** 85.245 (2) of the statutes is repealed.

16 **SECTION 2337f.** 86.255 (2) (a) of the statutes is amended to read:

17 86.255 (2) (a) The purchase of any land that is acquired as compensatory
18 mitigation for another wetland, as defined in s. ~~23.32~~ 278.32 (1), that will suffer an
19 adverse impact by degradation or destruction as part of a highway project.”.

20 **198.** Page 881, line 4: after that line insert:

21 “**SECTION 2349c.** 86.315 (1) of the statutes is amended to read:

22 86.315 (1) From the appropriation under s. 20.395 (1) (fu), the department
23 shall annually, on March 10, pay to counties having county forests established under
24 ch. 28, for the improvement of public roads within the county forests which are open

1 and used for travel and which are not state or county trunk highways or town roads
2 and for which no aids are paid under s. 86.30, the amount of \$336 per mile of road
3 designated in the comprehensive county forest land use plan as approved by the
4 county board and the department of ~~natural resources~~ fish, wildlife, parks, and
5 forestry. If the amount appropriated under s. 20.395 (1) (fu) is insufficient to make
6 the payments required under this subsection, the department shall prorate the
7 amount appropriated in the manner it considers desirable.

8 **SECTION 2349g.** 87.01 (1) of the statutes is amended to read:

9 87.01 (1) "Department" means the department of ~~natural resources~~
10 environmental management.

11 **SECTION 2349n.** 87.02 (intro.) of the statutes is amended to read:

12 **87.02 Powers of department.** (intro.) To accomplish the purposes of ss. 87.01
13 to 87.17, the department of ~~natural resources~~ is hereby authorized and empowered:

14 **SECTION 2349r.** 87.14 of the statutes is amended to read:

15 **87.14 Operation and maintenance.** The flood control board is authorized
16 to sell, lease, or lease with power to purchase, any reservoir proposed to be
17 constructed, in the process of construction or completed, to a duly organized river
18 improvement company as defined by s. 182.016, on such terms and conditions as are
19 approved by the department of ~~natural resources~~ as hereinafter provided. Unless so
20 leased or sold it shall be the duty of the flood control board to maintain and operate
21 said improvement. The cost of operation and maintenance during the period
22 intervening between the completion of said improvement and the date when funds
23 provided under this section become available shall be paid from the funds provided
24 for maintenance pursuant to the estimate made by the department as provided in s.
25 87.07 (3). Prior to the first day of November in each year the flood control board shall

1 certify to the clerk of each town, village and city in which lands to be benefited by the
2 improvement are located an estimated budget, detailed as far as practicable, of the
3 cost of operation and maintenance of said improvement for the succeeding calendar
4 year, together with the amount due upon any judgments outstanding against the
5 board, except those judgments from which the board has appealed or intends to
6 appeal, and shall certify at the same time the portion of such cost to be borne by each
7 such town, village and city. This shall be determined in the same manner and
8 according to the same proportions as provided in s. 87.10 (1) (c). It shall thereupon
9 become the duty of each such town, village and city to include in its next succeeding
10 tax levy the amount so certified and to forward such amount, on or before March 15
11 following, to the flood control board.

12 **SECTION 2349w.** 87.18 of the statutes is amended to read:

13 **87.18 Lease, sale and lease with option to purchase the project.**

14 Whenever the flood control project consists of a storage reservoir and authority to
15 create, operate and maintain a reservoir on the river affected by such storage
16 reservoir is vested in a duly organized river improvement company as defined by s.
17 182.016, and the petitioners file with the department of natural resources a petition
18 and a proposed contract with such improvement company for a lease, sale, or lease
19 with option to purchase said reservoir, and the department finds the terms and
20 conditions of such contract are sufficient to assure the payment of the amount the
21 board will be obligated to pay for the cost of the reservoir and the maintenance and
22 operation of the same, and the project will secure effective flood control and
23 promotion of the public welfare, then notices, proceedings and assessments provided
24 by ss. 87.04 to 87.12 are not required. The department, however, shall make findings
25 as required by s. 87.05 and shall order that the flood control board be appointed and

1 shall so certify to the governor as provided by s. 87.12. The governor shall thereupon
2 appoint the board as provided in said s. 87.12. The proposed contract filed with the
3 department by petitioners for the sale, lease, or lease with option to purchase said
4 reservoir property shall not be binding upon the board so appointed unless the board
5 approves such contract. Upon approval the board shall so report to the department
6 and file with it a final contract executed by the board and lessee or purchaser. The
7 department has authority to approve or disapprove such contract. If the department
8 approves such contract, then it shall be final and the department shall thereupon
9 order the board to proceed with the work. When such reservoir property is sold and
10 the purchase price has been fully paid and any indebtedness assumed by the
11 purchaser has been paid and discharged, including the fees and expenses of the
12 board, and the department so finds, the said board shall thereupon be dissolved by
13 order of the department.

14 **SECTION 2350e.** 88.05 (4) (a) of the statutes is amended to read:

15 88.05 (4) (a) The chairperson of the county highway committee except in a
16 county with a highway commissioner appointed under s. 83.01 (1) (c), the highway
17 commissioner; the chairperson of the county land conservation committee in the
18 county involved; the secretary of ~~natural resources~~ environmental management; the
19 state drainage engineer; and, where a railroad company is involved, the person
20 specified in sub. (6).

21 **SECTION 2350v.** 88.11 (1) (e) of the statutes is amended to read:

22 88.11 (1) (e) Coordinate district activities with the department of ~~natural~~
23 ~~resources~~ environmental management.

24 **SECTION 2351c.** 88.11 (1) (i) of the statutes is amended to read:

1 88.11 (1) (i) Establish, by rule, performance standards for drainage district
2 structures, ditches, maintenance and operations, in order to minimize adverse
3 effects on water quality. The performance standards shall be consistent with any
4 requirements imposed by the department of ~~natural resources~~ environmental
5 management under s. 88.31.

6 **SECTION 2351e.** 88.11 (2) of the statutes is amended to read:

7 88.11 (2) The state drainage engineer shall provide technical assistance to
8 improve district operations on the request of the department of ~~natural resources~~
9 environmental management, drainage board, landowners in the district or the
10 judge.”.

11 **199.** Page 881, line 10: after that line insert:

12 **“SECTION 2353b.** 88.31 (1) of the statutes is amended to read:

13 88.31 (1) If it is necessary to enter upon any waters that may be navigable, or
14 to acquire and remove any dam or obstruction from the waters, or to clean out, widen,
15 deepen or straighten any stream that may be navigable, the board shall file with the
16 department of ~~natural resources~~ environmental management an application for a
17 permit to do the work. The board shall file with the application any information that
18 the board or the department of ~~natural resources~~ environmental management
19 considers necessary. The department shall specify by rule the information to be
20 included in an application. The application shall state that the public health or
21 welfare will be promoted by the removal of the dam or other obstruction or by the
22 straightening, cleaning out, deepening or widening of the waters and that other
23 public rights in and public uses of the waters will not be materially impaired. The
24 application shall be duly verified.

1 **SECTION 2353d.** 88.31 (2) of the statutes is amended to read:

2 88.31 (2) Upon receipt of the application the department of ~~natural resources~~
3 environmental management shall fix a time and place for a hearing on the
4 application, not less than 3 nor more than 8 weeks from the date of filing, at a place
5 convenient to the interested parties. If the application is for a permit to remove a
6 dam, notice of the hearing shall be given to all interested persons as provided by s.
7 31.06. In all other cases, the department shall direct the applicant to give notice
8 under s. 88.05 (2) (b) to the persons specified in s. 88.05 (4) (b).

9 **SECTION 2353f.** 88.31 (4) (intro.) of the statutes is amended to read:

10 88.31 (4) (intro.) Upon the conclusion of the hearing and investigation, the
11 department of ~~natural resources~~ environmental management shall grant the permit
12 if it finds:

13 **SECTION 2353h.** 88.31 (4m) of the statutes is amended to read:

14 88.31 (4m) The department of ~~natural resources~~ environmental management
15 shall grant or deny the permit within 6 weeks after the conclusion of the hearing on
16 the application.

17 **SECTION 2353j.** 88.31 (5) of the statutes is amended to read:

18 88.31 (5) When granting a permit under this section the department of ~~natural~~
19 ~~resources~~ environmental management also shall establish the minimum level at
20 which the affected waters may be maintained.

21 **SECTION 2353L.** 88.31 (6) of the statutes is amended to read:

22 88.31 (6) The department of ~~natural resources~~ environmental management
23 may require the applicant for the permit to submit a plan for the work to be done in
24 the waters in question and may amend or modify such plan before approving it. The
25 department may at any time, on the application of any interested person, further

1 amend such plan when the same can be done without materially impairing the
2 navigability of any such waters and without materially impairing any other public
3 right.

4 **SECTION 2357b.** 88.62 (3) of the statutes is amended to read:

5 88.62 (3) (a) If drainage work is undertaken in navigable waters, the drainage
6 board shall obtain a permit under s. 30.20 or 88.31 or ch. 31, as directed by the
7 department of ~~natural resources~~ environmental management, except as provided in
8 par. (b).

9 (b) If drainage work is undertaken in navigable waters located in the Duck
10 Creek Drainage District, the board for that district shall obtain a permit under s.
11 30.20 or ch. 31, as directed by the department of ~~natural resources~~ environmental
12 management.

13 **SECTION 2360b.** 88.72 (4) of the statutes is amended to read:

14 88.72 (4) Within 30 days after the department of ~~natural resources~~
15 environmental management has issued all of the permits as required under this
16 chapter and chs. 30 and 31, the board shall proceed to estimate the cost of the work,
17 including the expenses of the proceeding together with the damages that will result
18 from the work, and shall, within a reasonable time, award damages to all lands
19 damaged by the work and assess the cost of the work against the lands in the district
20 in proportion to the assessment of benefits then in force.

21 **SECTION 2360f.** 91.01 (6) of the statutes is amended to read:

22 91.01 (6) "Eligible farmland" means a parcel of 35 or more acres of contiguous
23 land which is devoted primarily to agricultural use, including land designated by the
24 department of ~~natural resources~~ fish, wildlife, parks, and forestry as part of the ice
25 age trail under s. 23.17, which during the year preceding application for a farmland

1 preservation agreement produced gross farm profits, as defined in s. 71.58 (4), of not
2 less than \$6,000 or which, during the 3 years preceding application produced gross
3 farm profits, as defined in s. 71.58 (4), of not less than \$18,000, or a parcel of 35 or
4 more acres of which at least 35 acres, during part or all of the year preceding
5 application, were enrolled in the conservation reserve program under 16 USC 3831
6 to 3836.

7 **SECTION 2378e.** 92.04 (2) (e) of the statutes is amended to read:

8 92.04 (2) (e) *Review joint evaluation plan.* The board shall review the
9 evaluation plan prepared under s. 92.14 (13). After its review, the board shall make
10 recommendations on the plan to the department and to the department of ~~natural~~
11 ~~resources~~ environmental management.

12 **SECTION 2378h.** 92.05 (1) of the statutes is amended to read:

13 92.05 (1) **CENTRAL AGENCY.** The department is the central agency of this state
14 responsible for setting and implementing statewide soil and water conservation
15 policies and administering the state's soil and water conservation programs. The
16 department shall coordinate its soil and water conservation program with the
17 nonpoint source water pollution abatement program established under s. 281.65, the
18 inland lake protection and rehabilitation program established under ch. 33 and other
19 programs with objectives related to soil and water conservation administered by the
20 department of ~~natural resources~~ environmental management or by other state or
21 federal agencies.

22 **SECTION 2379k.** 92.10 (6) (a) 1. of the statutes is amended to read:

23 92.10 (6) (a) 1. Includes an assessment of water quality and soil erosion
24 conditions throughout the county, including any assessment available from the
25 department of ~~natural resources~~ environmental management.

1 **SECTION 2379n.** 92.10 (8) of the statutes is amended to read:

2 92.10 (8) DUTIES OF THE DEPARTMENT OF ~~NATURAL RESOURCES~~ ENVIRONMENTAL
3 MANAGEMENT. The department of ~~natural resources~~ environmental management
4 shall provide counties with assistance in land and water resource management
5 planning, including providing available water quality data and information,
6 providing training and support for water resource assessments and appraisals and
7 providing related program information.

8 **SECTION 2379t.** 92.14 (2) (j) of the statutes is amended to read:

9 92.14 (2) (j) Enhancing the administration and coordination of state nonpoint
10 source water pollution abatement activities by the department and the department
11 of ~~natural resources~~ environmental management, including providing a single
12 process for grant application, funding allocation, reporting and evaluation.”.

13 **200.** Page 882, line 11: after that line insert:

14 **“SECTION 2380c.** 92.14 (6) (b) of the statutes is amended to read:

15 92.14 (6) (b) The department and the department of ~~natural resources~~
16 environmental management shall prepare an annual grant allocation plan
17 identifying the amounts to be provided to counties under this section and ss. 281.65
18 and 281.66. In the allocation plan, the departments shall attempt to provide funding
19 under this section for an average of 3 staff persons per county with full funding for
20 the first staff person, 70% funding for the 2nd staff person and 50% funding for any
21 additional staff persons and to provide an average of \$100,000 per county for
22 cost-sharing grants. The department shall submit that plan to the board.

23 **SECTION 2380d.** 92.14 (6) (d) of the statutes is amended to read:

1 92.14 (6) (d) The board shall review the annual allocation plan submitted to
2 it under par. (b) and make recommendations to the department of agriculture, trade
3 and consumer protection and the department of ~~natural resources~~ environmental
4 management on approval, modification or disapproval of the plan.

5 **SECTION 2380e.** 92.14 (6) (h) 3. of the statutes is amended to read:

6 92.14 (6) (h) 3. Nothing in this paragraph affects the authority of the
7 department of ~~natural resources~~ environmental management to act under ch. 283.

8 **SECTION 2380f.** 92.14 (6) (m) of the statutes is amended to read:

9 92.14 (6) (m) The department of agriculture, trade and consumer protection
10 and the department of ~~natural resources~~ environmental management shall assist
11 counties in conducting the activities for which grants under sub. (3) may be used.

12 **SECTION 2380g.** 92.14 (8) of the statutes is amended to read:

13 92.14 (8) RULES. In consultation with the department of ~~natural resources~~
14 environmental management, the department shall promulgate rules to administer
15 this section and the department's duties under s. 281.65.

16 **SECTION 2380h.** 92.14 (12) of the statutes is amended to read:

17 92.14 (12) ANNUAL REPORT. Annually, the department, in cooperation with the
18 department of ~~natural resources~~ environmental management, shall submit a report
19 on the progress of the program under this section and s. 281.65 to the board.

20 **SECTION 2380j.** 92.14 (13) of the statutes is amended to read:

21 92.14 (13) EVALUATION PLAN. The department, jointly with the department of
22 ~~natural resources~~ environmental management, shall prepare a plan, which includes
23 water quality monitoring and analysis, for evaluating the program administered
24 under this section and s. 281.65 and submit the plan to the board. The board shall
25 make recommendations to the department and the department of ~~natural resources~~

1 environmental management on the plan. The department shall review and approve
2 or disapprove the plan and shall notify the board of its final action on the plan. The
3 department shall implement any part of the plan for which the plan gives it
4 responsibility.

5 **SECTION 2380k.** 92.14 (14) of the statutes is amended to read:

6 92.14 (14) APPLICATION, ALLOCATION, REPORTING AND EVALUATION. The
7 department, jointly with the department of ~~natural resources~~ environmental
8 management, shall develop a single set of grant application, reporting and
9 evaluation forms for use by counties receiving grants under this section and ss.
10 281.65 and 281.66. The department, jointly with the department of ~~natural~~
11 ~~resources~~ environmental management, shall implement a single process for grant
12 application, funding allocation, reporting and evaluation for counties receiving
13 grants under this section and ss. 281.65 and 281.66.

14 **SECTION 2380L.** 92.14 (14m) of the statutes is amended to read:

15 92.14 (14m) COORDINATION. The department of agriculture, trade and
16 consumer protection and the department of ~~natural resources~~ environmental
17 management, jointly, shall review applications from counties for grants under sub.
18 (5r) and, for projects and activities selected to receive funding shall determine
19 whether to provide funding under this section or under s. 281.65 or 281.66.

20 **SECTION 2380n.** 92.14 (15) of the statutes is amended to read:

21 92.14 (15) FINANCIAL INFORMATION. The department shall consult with the
22 department of ~~natural resources~~ environmental management when it prepares the
23 information which it submits to the department of administration under s. 16.42.

24 **SECTION 2380p.** 92.15 (3) of the statutes is amended to read:

1 92.15 (3) (a) Notwithstanding ss. 92.11 and 92.17, a local governmental unit
2 may enact regulations of livestock operations that exceed the performance
3 standards, prohibitions, conservation practices and technical standards under s.
4 281.16 (3) only if the local governmental unit demonstrates to the satisfaction of the
5 department of agriculture, trade and consumer protection or the department of
6 ~~natural resources~~ environmental management that the regulations are necessary to
7 achieve water quality standards under s. 281.15.

8 (b) The department of agriculture, trade and consumer protection and the
9 department of ~~natural resources~~ environmental management shall, by rule, specify
10 procedures for review and approval of proposed local governmental unit regulations
11 under par. (a).

12 **SECTION 2380r.** 92.18 (4) of the statutes is amended to read:

13 92.18 (4) The department shall promulgate rules under this section in
14 consultation with the department of ~~natural resources~~ environmental management.

15 **SECTION 2380s.** 92.18 (5) of the statutes is amended to read:

16 92.18 (5) Any training required under this section may be conducted by the
17 department or the department of ~~natural resources~~ environmental management or
18 by another person with the approval of the department.”.

19 **201.** Page 882, line 16: after that line insert:

20 **“SECTION 2384g.** 93.12 (5) of the statutes is amended to read:

21 93.12 (5) The department shall establish uniform minimum standards to be
22 used in the evaluation and certification of laboratory examinations. The department
23 shall submit any rules proposed under this subsection which affect the laboratory
24 certification program under s. 299.11 to the department of ~~natural resources~~

1 environmental management and to the state laboratory of hygiene for review and
2 comment. These rules may not take effect unless they are approved by the
3 department of ~~natural resources~~ environmental management within 6 months after
4 submission.

5 **SECTION 2384j.** 93.12 (8) of the statutes is amended to read:

6 93.12 (8) The department shall enter into a memorandum of understanding
7 with the department of ~~natural resources~~ environmental management setting forth
8 the responsibilities of each department in administering the laboratory certification
9 programs under sub. (5) and s. 299.11. The memorandum of understanding shall
10 include measures to be taken by each department to avoid duplication of application
11 and compliance procedures for laboratory certification.

12 **SECTION 2384L.** 93.12 (9) of the statutes is amended to read:

13 93.12 (9) The department shall recognize the certification or registration of a
14 laboratory by the department of ~~natural resources~~ environmental management
15 under s. 299.11 and shall accept the results of any test conducted by a laboratory
16 certified or registered to conduct that category of test under that section.”

17 **202.** Page 882, line 17: after that line insert:

18 **“SECTION 2390p.** 93.46 (1m) (a) 2. of the statutes is amended to read:

19 93.46 (1m) (a) 2. Coordinating the aquaculture activities of the department
20 with the aquaculture activities of the department of ~~natural resources~~ fish, wildlife,
21 parks, and forestry and the University of Wisconsin System.

22 **SECTION 2390q.** 93.46 (1m) (a) 3. of the statutes is amended to read:

23 93.46 (1m) (a) 3. Conducting meetings on a quarterly basis between
24 representatives of the department, the department of ~~natural resources~~ fish,

1 wildlife, parks, and forestry and the University of Wisconsin System to exchange
2 information regarding the progress of their efforts to promote commercial
3 aquaculture in this state.

4 **SECTION 2390t.** 93.46 (1m) (b) of the statutes is amended to read:

5 93.46 (1m) (b) The department of natural resources fish, wildlife, parks, and
6 forestry and the department of environmental management shall assist persons in
7 obtaining any license or approval required by any state or federal agency to conduct
8 a commercial aquaculture operation.”.

9 **203.** Page 882, line 24: after that line insert:

10 “**SECTION 2395b.** 94.02 (4) of the statutes is amended to read:

11 94.02 (4) This section pertains to the abatement of pests on agricultural lands
12 and on agricultural business premises. This section does not affect the authority of
13 the department of ~~natural resources~~ fish, wildlife, parks, and forestry under ch. 26.

14 **SECTION 2395t.** 94.65 (3) (a) 3. of the statutes is amended to read:

15 94.65 (3) (a) 3. No permit is required for the landspreading of sewage sludge
16 under a pollutant discharge elimination system permit issued by the department of
17 ~~natural resources~~ environmental management under s. 283.31 or 283.35.”.

18 **204.** Page 888, line 10: after that line insert:

19 “**SECTION 2397c.** 94.73 (1) (b) of the statutes is amended to read:

20 94.73 (1) (b) “Corrective action” means action that is taken in response to a
21 discharge and that is necessary to restore the environment to the extent practicable
22 and to minimize the harmful effects of the discharge to the air, lands or waters of this
23 state. “Corrective action” includes action taken or ordered by the department of
24 ~~natural resources~~ environmental management under s. 292.11 (7) in response to a

1 discharge, but does not include action ordered by the department of ~~natural~~
2 ~~resources~~ environmental management under s. 291.37 (2) or 291.95. “Corrective
3 action” does not include action taken, or ordered to be completed, before
4 January 1, 1989.

5 **SECTION 2397e.** 94.73 (2) (a) of the statutes is amended to read:

6 94.73 (2) (a) The department may issue an order requiring a responsible person
7 to take corrective action. Except as provided in a memorandum of understanding
8 under sub. (12), if a discharge involves a hazardous substance that may also become
9 a hazardous waste, the department and the department of ~~natural resources~~
10 environmental management shall consult to determine whether corrective action
11 should be taken under this section or s. 291.37 (2), 291.95 (1) or 292.31 (3).

12 **SECTION 2397f.** 94.73 (2m) (intro.) of the statutes is amended to read:

13 94.73 (2m) **CORRECTIVE ACTION ORDERED BY THE DEPARTMENT OF NATURAL**
14 **RESOURCES** ENVIRONMENTAL MANAGEMENT. (intro.) The department of ~~natural~~
15 ~~resources~~ environmental management may take action under s. 292.11 (7) (a) or may
16 issue an order under s. 292.11 (7) (c) in response to a discharge only if one or more
17 of the following apply:

18 **SECTION 2397g.** 94.73 (2m) (b) of the statutes is amended to read:

19 94.73 (2m) (b) The department of agriculture, trade and consumer protection
20 requests the department of ~~natural resources~~ environmental management to take
21 the action or issue the order.

22 **SECTION 2397h.** 94.73 (2m) (c) of the statutes is amended to read:

23 94.73 (2m) (c) The secretary of ~~natural resources~~ environmental management
24 approves the action or order in advance after notice to the secretary of agriculture,
25 trade and consumer protection.