

1           **SECTION 2397i.** 94.73 (2m) (d) of the statutes is amended to read:

2           94.73 (2m) (d) The department of ~~natural resources~~ environmental  
3 management takes action under s. 292.11 (7) (a) after the responsible person fails to  
4 comply with an order that was issued under s. 292.11 (7) (c) in compliance with this  
5 subsection.

6           **SECTION 2397j.** 94.73 (2m) (e) of the statutes is amended to read:

7           94.73 (2m) (e) The department of ~~natural resources~~ environmental  
8 management takes the action or issues the order in compliance with a memorandum  
9 of understanding under sub. (12) between the department of agriculture, trade and  
10 consumer protection and the department of ~~natural resources~~ environmental  
11 management

12           **SECTION 2397k.** 94.73 (3) (d) of the statutes is amended to read:

13           94.73 (3) (d) The applicant has complied with every corrective action order  
14 issued to the applicant by the department under sub. (2) or the department of ~~natural~~  
15 ~~resources~~ environmental management under s. 292.11 (7) (c).

16           **SECTION 2397L.** 94.73 (3) (f) of the statutes is amended to read:

17           94.73 (3) (f) The applicant, upon discovery of the discharge, promptly reported  
18 the discharge to the department or, if the applicant was required to report the  
19 discharge under s. 292.11 (2), to the department of ~~natural resources~~ environmental  
20 management.

21           **SECTION 2397n.** 94.73 (3m) (a) of the statutes is amended to read:

22           94.73 (3m) (a) Costs for corrective action taken in response to a discharge that  
23 is an intentional use of an agricultural chemical for agricultural purposes, unless the  
24 corrective action is ordered by the department under sub. (2) or by the department  
25 of ~~natural resources~~ environmental management under s. 292.11 (7) (c).

1           **SECTION 2397p.** 94.73 (3m) (b) of the statutes is amended to read:

2           94.73 (3m) (b) Costs of reimbursing the department of ~~natural resources~~  
3           environmental management for action taken under s. 292.11 (7) (a) or 292.31 (1), (3)  
4           or (7) because the applicant failed to respond adequately to a discharge.

5           **SECTION 2397q.** 94.73 (3m) (e) of the statutes is amended to read:

6           94.73 (3m) (e) Costs for corrective action taken in response to a discharge from  
7           a facility that is required to be licensed under s. 289.31 or that would be required to  
8           be licensed except that the department of ~~natural resources~~ environmental  
9           management has issued a specific exemption under s. 289.43 or rules promulgated  
10          under s. 289.05 (1) or (2).

11          **SECTION 2397r.** 94.73 (3m) (r) of the statutes is amended to read:

12          94.73 (3m) (r) The cost of providing alternative sources of drinking water,  
13          except that, subject to sub. (6) (b) to (f), the department may reimburse a responsible  
14          person who applies for reimbursement a total of not more than \$20,000 for the  
15          replacement of private wells if the department or the department of ~~natural~~  
16          ~~resources~~ environmental management orders the well replacement in response to a  
17          discharge.

18          **SECTION 2397s.** 94.73 (4) (b) of the statutes is amended to read:

19          94.73 (4) (b) Except as agreed under sub. (12), the department of agriculture,  
20          trade and consumer protection shall promptly furnish the department of ~~natural~~  
21          ~~resources~~ environmental management with a copy of each work plan submitted to  
22          the department of agriculture, trade and consumer protection under par. (a) for  
23          comment by the department of ~~natural resources~~ environmental management.  
24          Within 14 days after it receives a copy of a work plan or within a different time period  
25          agreed to under sub. (12), the department of ~~natural resources~~ environmental

1 management may provide the department of agriculture, trade and consumer  
2 protection with any comments of the department of ~~natural resources~~ environmental  
3 management on the work plan. If the department of ~~natural resources~~  
4 environmental management timely submits written comments on a proposed work  
5 plan, the department of agriculture, trade and consumer protection shall either  
6 incorporate those comments into the approved work plan or give the department of  
7 ~~natural resources~~ environmental management a written explanation of why the  
8 comments were not incorporated.

9 **SECTION 2397t.** 94.73 (9) of the statutes is amended to read:

10 94.73 (9) SAMPLING REQUIREMENTS. The department, in cooperation with the  
11 department of ~~natural resources~~ environmental management, shall establish a  
12 program for the collection and analysis of soil and other environmental samples at  
13 sites where discharges may have occurred, including sites required to be registered  
14 according to rules promulgated by the department of agriculture, trade and  
15 consumer protection under sub. (11).

16 **SECTION 2397u.** 94.73 (12) of the statutes is amended to read:

17 94.73 (12) MEMORANDUM OF UNDERSTANDING. The department and the  
18 department of ~~natural resources~~ environmental management shall enter into a  
19 memorandum of understanding establishing their respective functions in the  
20 administration of this section. The memorandum of understanding shall establish  
21 procedures to ensure that corrective actions taken under this section are consistent  
22 with actions taken under s. 292.11 (7). The department and the department of  
23 ~~natural resources~~ environmental management may request that the secretary of  
24 administration provide assistance in accomplishing the memorandum of  
25 understanding.”.

1           **205.** Page 888, line 11: after that line insert:

2           “**SECTION 2398g.** 95.60 (2) (d) of the statutes is amended to read:

3           95.60 (2) (d) The department of ~~natural resources~~ fish, wildlife, parks, and  
4 forestry is exempt from par. (a).

5           **SECTION 2398h.** 95.60 (4s) (a) of the statutes is amended to read:

6           95.60 (4s) (a) In consultation with the department of ~~natural resources~~ fish,  
7 wildlife, parks, and forestry, promulgate rules specifying requirements for the  
8 labeling and identification, in commerce, of fish reared in fish farms.

9           **SECTION 2398i.** 95.60 (4s) (b) of the statutes is amended to read:

10          95.60 (4s) (b) In consultation with the department of ~~natural resources~~ fish,  
11 wildlife, parks, and forestry, promulgate rules specifying fish health standards and  
12 requirements for certifying that fish meet those standards for the purpose of s.  
13 29.736.

14          **SECTION 2398j.** 95.60 (4s) (c) of the statutes is amended to read:

15          95.60 (4s) (c) In consultation with the department of ~~natural resources~~ fish,  
16 wildlife, parks, and forestry, promulgate rules specifying the qualifications that a  
17 person who is not a veterinarian must satisfy in order to issue fish health certificates.

18          **SECTION 2398k.** 95.60 (4s) (d) of the statutes is amended to read:

19          95.60 (4s) (d) In consultation with the department of ~~natural resources~~ fish,  
20 wildlife, parks, and forestry, promulgate rules specifying diseases and requirements  
21 for certifying that fish are free of those diseases for the purposes of sub. (2) (b).

22          **SECTION 2398L.** 95.60 (6) of the statutes is amended to read:

23          95.60 (6) (a) No person, except the department of ~~natural resources~~ fish,  
24 wildlife, parks, and forestry, may rear lake sturgeon in a fish farm.

1 (c) The department, in consultation with the department of ~~natural resources~~  
2 fish, wildlife, parks, and forestry, shall study regulatory options that would enable  
3 commercial rearing of lake sturgeon while protecting the wild lake sturgeon  
4 population. The department shall submit the results of the study to the legislature  
5 under s. 13.172 (2) no later than December 31, 2000.”.

6 **206.** Page 888, line 15: after that line insert:

7 “SECTION 2402g. 97.34 (2) (b) of the statutes is amended to read:

8 97.34 (2) (b) No person may manufacture or bottle bottled drinking water for  
9 sale or distribution in this state unless the bottled drinking water complies with  
10 state drinking water standards adopted by the department of ~~natural resources~~  
11 environmental management under s. 280.11, 281.15 or 281.17 (8) and with  
12 health-related enforcement standards adopted by the department of ~~natural~~  
13 ~~resources~~ environmental management under ch. 160.

14 SECTION 2402i. 97.34 (2) (d) of the statutes is amended to read:

15 97.34 (2) (d) No person may manufacture or bottle bottled drinking water for  
16 sale or distribution in this state unless the water system used by the manufacturer  
17 or bottler complies with ch. 280 and rules promulgated by the department of ~~natural~~  
18 ~~resources~~ environmental management under that chapter.”.

19 **207.** Page 890, line 16: after that line insert:

20 “SECTION 2429n. 100.27 (5) (d) of the statutes is amended to read:

21 100.27 (5) (d) Informs the department and the department of ~~natural resources~~  
22 environmental management of the collection site identified under par. (a) and the  
23 telephone number under par. (c).

24 SECTION 2430k. 100.295 (1) of the statutes is amended to read:

1           100.295 (1) LABELING STANDARDS. The department shall establish standards  
2 that must be met by products in order for any person to represent that the products  
3 are recycled, recyclable or degradable. The department shall establish standards  
4 that are consistent, to the greatest extent practicable, with nationwide industry  
5 consensus standards. In developing standards, the department shall consult with  
6 the department of ~~natural resources~~ environmental management and the council on  
7 recycling and consider purchasing specifications under s. 16.72 (2) (e) and (f) and any  
8 existing federal standards. The department shall give priority to establishing  
9 standards for specific products commonly represented as being recycled, recyclable  
10 or degradable.”.

11           **208.** Page 891, line 4: after that line insert:

12           “SECTION 2449d. 101.1205 (1) of the statutes is amended to read:

13           101.1205 (1) The department, in consultation with the department of ~~natural~~  
14 ~~resources~~ environmental quality, shall establish statewide standards for erosion  
15 control at building sites for the construction of public buildings and buildings that  
16 are places of employment.”.

17           **209.** Page 892, line 24: after that line insert:

18           “SECTION 2463t. 101.143 (1) (am) of the statutes is amended to read:

19           101.143 (1) (am) “Case closure letter” means a letter provided by the  
20 department of ~~natural resources~~ environmental management that states that, based  
21 on information available to the department of ~~natural resources~~ environmental  
22 management, no further remedial action is necessary with respect to a discharge.”.

23           **210.** Page 893, line 2: after that line insert:

24           “SECTION 2464g. 101.143 (2) (h) (intro.) of the statutes is amended to read:

1           101.143 (2) (h) (intro.) The department of commerce and the department of  
2 ~~natural resources~~ environmental management, jointly, shall promulgate rules  
3 designed to facilitate effective and cost-efficient administration of the program  
4 under this section that specify all of the following:

5           **SECTION 2464j.** 101.143 (2) (h) 3. of the statutes is amended to read:

6           101.143 (2) (h) 3. Review procedures that must be followed by employees of the  
7 department of ~~natural resources~~ environmental management and the department  
8 of commerce in reviewing the information submitted under subd. 1.

9           **SECTION 2464L.** 101.143 (2) (i) (intro.) of the statutes is amended to read:

10           101.143 (2) (i) (intro.) The department of commerce and the department of  
11 ~~natural resources~~ environmental management, jointly, shall promulgate rules  
12 specifying procedures for evaluating remedial action plans and procedures to be used  
13 by employees of the department of commerce and the department of ~~natural~~  
14 ~~resources~~ environmental management while remedial actions are being conducted.  
15 The departments shall specify procedures that include all of the following:

16           **SECTION 2464n.** 101.143 (2) (j) (intro.) of the statutes is amended to read:

17           101.143 (2) (j) (intro.) The department of commerce and the department of  
18 ~~natural resources~~ environmental management, jointly, shall promulgate rules  
19 specifying all of the following:

20           **SECTION 2464p.** 101.143 (2) (j) 1. of the statutes is amended to read:

21           101.143 (2) (j) 1. The conditions under which employees of the department of  
22 commerce and the department of ~~natural resources~~ environmental management  
23 must issue approvals under sub. (3) (c) 4.

24           **SECTION 2464q.** 101.143 (2) (k) of the statutes is amended to read:

1           101.143 (2) (k) In promulgating rules under pars. (h) to (j), the department of  
2 commerce and the department of ~~natural resources~~ environmental management  
3 shall attempt to reach an agreement that is consistent with those provisions. If the  
4 department of commerce and the department of ~~natural resources~~ environmental  
5 management are unable to reach an agreement, they shall refer the matters on  
6 which they are unable to agree to the secretary of administration for resolution. The  
7 secretary of administration shall resolve any matters on which the departments  
8 disagree in a manner that is consistent with pars. (h) to (j). The department of  
9 commerce and the department of ~~natural resources~~ environmental management,  
10 jointly, shall promulgate rules incorporating any agreement between the  
11 department of commerce and the department of ~~natural resources~~ environmental  
12 management under this paragraph and any resolution of disagreements between the  
13 departments by the secretary of administration under this paragraph.

14           **SECTION 2465b.** 101.143 (2e) of the statutes is amended to read:

15           101.143 (2e) RISK-BASED ANALYSIS. (a) The department of commerce and the  
16 department of ~~natural resources~~ environmental management shall attempt to agree  
17 on a method, which shall include individualized consideration of the routes for  
18 migration of petroleum product contamination at each site, for determining the risk  
19 to public health, safety and welfare and to the environment posed by discharges for  
20 which the department of commerce receives notification under sub. (3) (a) 3.

21           (b) If the department of commerce and the department of ~~natural resources~~  
22 environmental management are unable to reach an agreement under par. (a), they  
23 shall refer the matters on which they are unable to agree to the secretary of  
24 administration for resolution. The secretary of administration shall resolve any  
25 matters on which the departments disagree in a manner that is consistent with par.



1 (a). The department of commerce and the department of ~~natural resources~~  
2 environmental management, jointly, shall promulgate rules incorporating any  
3 agreement between the department of commerce and the department of ~~natural~~  
4 ~~resources~~ environmental management under par. (a) and any resolution of  
5 disagreements between the departments by the secretary of administration under  
6 this paragraph.

7 (c) The department of ~~natural resources~~ environmental management or, if the  
8 discharge is covered under s. 101.144 (2) (b), the department of commerce shall apply  
9 the method in the rules promulgated under par. (b) to determine the risk posed by  
10 a discharge for which the department of commerce receives notification under sub.  
11 (3) (a) 3.

12 **SECTION 2465e.** 101.143 (2m) of the statutes is amended to read:

13 101.143 (2m) INTERDEPARTMENTAL COORDINATION. Whenever the department of  
14 commerce receives a notification under sub. (3) (a) 3. or the department of ~~natural~~  
15 ~~resources~~ environmental management receives a notification of a petroleum product  
16 discharge under s. 292.11, the department receiving the notification shall contact the  
17 other department and shall schedule a meeting of the owner or operator or person  
18 owning a home oil tank system and representatives of both departments.

19 **SECTION 2465g.** 101.143 (3) (a) 5. of the statutes is amended to read:

20 101.143 (3) (a) 5. The owner or operator or the person reports the discharge in  
21 a timely manner to the division of emergency management in the department of  
22 military affairs or to the department of ~~natural resources~~ environmental  
23 management, according to the requirements under s. 292.11.

24 **SECTION 2465k.** 101.143 (3) (a) 9. of the statutes is amended to read:

1           101.143 (3) (a) 9. The owner or operator or the person follows standards for  
2 groundwater restoration in the groundwater standards in the rules promulgated by  
3 the department of ~~natural resources~~ environmental management under ss. 160.07  
4 and 160.09 and restores the environment, to the extent practicable, according to  
5 those standards at the site of the discharge from a petroleum product storage system  
6 or home oil tank system.

7           **SECTION 2466b.** 101.143 (3) (c) 4. of the statutes is amended to read:

8           101.143 (3) (c) 4. Receive written approval from the department of ~~natural~~  
9 ~~resources~~ environmental management or, if the discharge is covered under s. 101.144  
10 (2) (b), from the department of commerce that the remedial action activities  
11 performed under subd. 3. meet the requirements of s. 292.11.

12           **SECTION 2467b.** 101.143 (3) (cm) of the statutes is amended to read:

13           101.143 (3) (cm) *Monitoring as remedial action.* An owner or operator or person  
14 owning a home oil tank system may, with the approval of the department of ~~natural~~  
15 ~~resources~~ environmental management or, if the discharge is covered under s. 101.144  
16 (2) (b), the department of commerce, satisfy the requirements of par. (c) 2. and 3. by  
17 proposing and implementing monitoring to ensure the effectiveness of natural  
18 attenuation of petroleum product contamination.

19           **SECTION 2467d.** 101.143 (3) (cp) 1. of the statutes is amended to read:

20           101.143 (3) (cp) 1. Except as provided in subds. 2. to 5., if the department of  
21 ~~natural resources~~ environmental management or, if the site is covered under s.  
22 101.144 (2) (b), the department of commerce estimates that the cost to complete a site  
23 investigation, remedial action plan and remedial action for an occurrence exceeds  
24 \$60,000, the department of commerce shall implement a competitive public bidding  
25 process to obtain information to assist in making the determination under par. (cs).

1           **SECTION 2467e.** 101.143 (3) (cp) 2. of the statutes is amended to read:

2           101.143 (3) (cp) 2. The department of commerce or the department of natural  
3 resources environmental management may waive the requirement under subd. 1. if  
4 an enforcement standard is exceeded in groundwater within 1,000 feet of a well  
5 operated by a public utility, as defined in s. 196.01 (5), or within 100 feet of any other  
6 well used to provide water for human consumption.

7           **SECTION 2467g.** 101.143 (3) (cp) 5. of the statutes is amended to read:

8           101.143 (3) (cp) 5. The department of commerce or the department of natural  
9 resources environmental management may waive the requirement under subd. 1.  
10 after providing notice to the other department.

11           **SECTION 2467k.** 101.143 (3) (cs) 2. of the statutes is amended to read:

12           101.143 (3) (cs) 2. The department of ~~natural resources~~ environmental  
13 management and the department of commerce shall review the remedial action plan  
14 for a site that is classified as high risk under s. 101.144 and shall jointly determine  
15 the least costly method of complying with par. (c) 3. and with enforcement standards.  
16 The departments shall notify the owner or operator of their determination of the  
17 least costly method and shall notify the owner or operator that reimbursement for  
18 remedial action under this section is limited to the amount necessary to implement  
19 that method.

20           **SECTION 2467L.** 101.143 (3) (cs) 3. of the statutes is amended to read:

21           101.143 (3) (cs) 3. In making determinations under subds. 1. and 2., the  
22 department of ~~natural resources~~ environmental management and the department  
23 of commerce shall determine whether natural attenuation will achieve compliance  
24 with par. (c) 3. and with enforcement standards.

25           **SECTION 2467n.** 101.143 (3) (cs) 4. of the statutes is amended to read:

1           101.143 (3) (cs) 4. The department of commerce may review and modify an  
2 amount established under subd. 1. if the department determines that new  
3 circumstances, including newly discovered contamination at a site, warrant those  
4 actions. The department of commerce and the department of ~~natural resources~~  
5 environmental management may review and modify an amount established under  
6 subd. 2. if the departments determine that new circumstances, including newly  
7 discovered contamination at a site, warrant those actions.

8           **SECTION 2467q.** 101.143 (3) (cw) 2. of the statutes is amended to read:

9           101.143 (3) (cw) 2. The department of ~~natural resources~~ environmental  
10 management and the department of commerce shall conduct the annual review  
11 required under sub. (2) (i) 1. for a site that is classified as high risk under s. 101.144  
12 and shall jointly determine the least costly method of completing remedial action at  
13 the site in order to comply with par. (c) 3. and with enforcement standards. The  
14 departments shall notify the owner or operator of their determination of the least  
15 costly method and shall notify the owner or operator that reimbursement under this  
16 section for remedial action conducted after the date of the notice is limited to the  
17 amount necessary to implement that method.

18           **SECTION 2467r.** 101.143 (3) (cw) 3. of the statutes is amended to read:

19           101.143 (3) (cw) 3. In making determinations under subds. 1. and 2., the  
20 department of ~~natural resources~~ environmental management and the department  
21 of commerce shall determine whether natural attenuation will achieve compliance  
22 with par. (c) 3. and with enforcement standards.

23           **SECTION 2467s.** 101.143 (3) (cw) 4. of the statutes is amended to read:

24           101.143 (3) (cw) 4. The department of commerce may review and modify an  
25 amount established under subd. 1. if the department determines that new

1 circumstances, including newly discovered contamination at a site, warrant those  
2 actions. The department of commerce and the department of ~~natural resources~~  
3 environmental management may review and modify an amount established under  
4 subd. 2. if the departments determine that new circumstances, including newly  
5 discovered contamination at a site, warrant those actions.

6 **SECTION 2468b.** 101.143 (3) (d) of the statutes is amended to read:

7 101.143 (3) (d) *Final review of remedial action activities.* The department of  
8 ~~natural resources~~ environmental management or, if the discharge is covered under  
9 s. 101.144 (2) (b), the department of commerce shall complete a final review of the  
10 remedial action activities within 60 days after the claimant notifies the appropriate  
11 department that the remedial action activities are completed.

12 **SECTION 2468d.** 101.143 (3) (e) of the statutes is amended to read:

13 101.143 (3) (e) *Notifications.* The department of ~~natural resources~~  
14 environmental management shall notify the department when it gives a claimant  
15 written approval under par. (c) 4.

16 **SECTION 2468f.** 101.143 (3) (f) 5. of the statutes is amended to read:

17 101.143 (3) (f) 5. The written approval of the department of ~~natural resources~~  
18 environmental management or the department of commerce under par. (c) 4.

19 **SECTION 2468h.** 101.143 (3) (g) of the statutes is amended to read:

20 101.143 (3) (g) *Emergency situations.* Notwithstanding pars. (a) 3. and (c) 1.  
21 and 2., an owner or operator or the person may submit a claim for an award under  
22 sub. (4) after notifying the department under par. (a) 3., without completing an  
23 investigation under par. (c) 1. and without preparing a remedial action plan under  
24 par. (c) 2. if an emergency existed which made the investigation under par. (c) 1. and  
25 the remedial action plan under par. (c) 2. inappropriate, and, before conducting

1 remedial action, the owner or operator or person notified the department of  
2 commerce and the department of ~~natural resources~~ environmental management of  
3 the emergency and the department of commerce and the department of ~~natural~~  
4 ~~resources~~ environmental management authorized emergency action.”

5 **211.** Page 896, line 22: after that line insert:

6 “SECTION 2478b. 101.143 (4) (ei) 1. a. of the statutes, as affected by 2001  
7 Wisconsin Act .... (this act), is amended to read:

8 101.143 (4) (ei) 1. a. The owner or operator of the farm tank owns a parcel of  
9 35 or more acres of contiguous land, on which the farm tank is located, which is  
10 devoted primarily to agricultural use, as defined in s. 91.01 (1), including land  
11 designated by the department of ~~natural resources~~ fish, wildlife, parks, and forestry  
12 as part of the ice age trail under s. 23.17, which during the year preceding submission  
13 of a first claim under sub. (3) produced gross farm profits, as defined in s. 71.58 (4),  
14 of not less than \$6,000 or which, during the 3 years preceding that submission  
15 produced gross farm profits, as defined in s. 71.58 (4), of not less than \$18,000, or a  
16 parcel of 35 or more acres, on which the farm tank is located, of which at least 35  
17 acres, during part or all of the year preceding that submission, were enrolled in the  
18 conservation reserve program under 16 USC 3831 to 3836.”

19 **212.** Page 897, line 4: after that line insert:

20 “SECTION 2481b. 101.143 (4) (ei) 1m. b. of the statutes, as created by 2001  
21 Wisconsin Act .... (this act), is amended to read:

22 101.143 (4) (ei) 1m. b. The claim is submitted by a person who, at the time that  
23 the notification was made under sub. (3) (a) 3., was the owner of the farm tank and  
24 owned a parcel of 35 or more acres of contiguous land, on which the farm tank is or

1 was located, which was devoted primarily to agricultural use, as defined in s. 91.01  
2 (1), including land designated by the department of ~~natural resources~~ fish, wildlife,  
3 parks, and forestry as part of the ice age trail under s. 23.17, which during the year  
4 preceding that notification produced gross farm profits, as defined in s. 71.58 (4), of  
5 not less than \$6,000 or which, during the 3 years preceding that notification,  
6 produced gross farm profits, as defined in s. 71.58 (4), of not less than \$18,000, or a  
7 parcel of 35 or more acres, on which the farm tank is located, of which at least 35  
8 acres, during part or all of the year preceding that notification, were enrolled in the  
9 conservation reserve program under 16 USC 3831 to 3836.”

10 **213.** Page 897, line 20: after that line insert:

11 “**SECTION 2482d.** 101.143 (4) (ei) 2m. of the statutes, as affected by 2001  
12 Wisconsin Act .... (this act), is amended to read:

13 101.143 (4) (ei) 2m. The owner or operator of the farm tank has received a letter  
14 or notice from the department of commerce or department of ~~natural resources~~  
15 environmental management indicating that the owner or operator must conduct a  
16 site investigation or remedial action because of a discharge from the farm tank or an  
17 order to conduct such an investigation or remedial action.

18 **SECTION 2482h.** 101.143 (4) (es) 1. of the statutes is amended to read:

19 101.143 (4) (es) 1. The department shall issue an award for a claim filed after  
20 August 9, 1989, for eligible costs, under par. (b), incurred on or after August 1, 1987,  
21 by an owner or operator or a person owning a home oil tank system in investigating  
22 the existence of a discharge or investigating the presence of petroleum products in  
23 soil or groundwater if the investigation is undertaken at the written direction of the

1 department of commerce or the department of ~~natural resources~~ environmental  
2 management and no discharge or contamination is found.”.

3 **214.** Page 898, line 11: after that line insert:

4 “**SECTION 2484b.** 101.143 (8) (b) of the statutes is amended to read:

5 101.143 (8) (b) Review and advise the secretary and the secretary of ~~natural~~  
6 ~~resources~~ environmental management on the implementation of the petroleum  
7 product remedial action program established under this section.”.

8 **215.** Page 898, line 20: after that line insert:

9 “**SECTION 2485v.** 101.143 (11) (intro.) of the statutes is amended to read:

10 101.143 (11) **REPORTS.** (intro.) No later than each January 1 and July 1, the  
11 department of commerce and the department of ~~natural resources~~ environmental  
12 management shall submit to the governor, to the joint legislative audit committee,  
13 to the joint committee on finance and to the appropriate standing committees of the  
14 legislature, under s. 13.172 (3), a report on the program under this section. The  
15 departments shall include all of the following information in the report:

16 **SECTION 2487b.** 101.144 (2) (a) of the statutes is amended to read:

17 101.144 (2) (a) The department shall administer a program under which  
18 responsible persons investigate, and take remedial action in response to, those  
19 discharges of petroleum products from petroleum storage tanks that are covered  
20 under par. (b). The department may issue an order requiring a responsible person  
21 to take remedial action in response to a discharge of a petroleum product from a  
22 petroleum storage tank if the discharge is covered under par. (b). In administering  
23 this section, the department shall follow rules promulgated by the department of



1 ~~natural resources~~ environmental management for the cleanup of discharges of  
2 hazardous substances.

3 **SECTION 2489b.** 101.144 (3) (intro.) of the statutes is amended to read:

4 101.144 (3) (intro.) The department of ~~natural resources~~ environmental  
5 management may take action under s. 292.11 (7) (a) or may issue an order under s.  
6 292.11 (7) (c) in response to a discharge that is covered under sub. (2) (b) only if one  
7 or more of the following apply:

8 **SECTION 2489d.** 101.144 (3) (b) of the statutes is amended to read:

9 101.144 (3) (b) The department of commerce requests the department of  
10 ~~natural resources~~ environmental management to take the action or issue the order.

11 **SECTION 2489f.** 101.144 (3) (c) of the statutes is amended to read:

12 101.144 (3) (c) The secretary of ~~natural resources~~ environmental management  
13 approves the action or order in advance after notice to the secretary of commerce.

14 **SECTION 2489h.** 101.144 (3) (d) of the statutes is amended to read:

15 101.144 (3) (d) The department of ~~natural resources~~ environmental  
16 management takes action under s. 292.11 (7) (a) after the responsible person fails to  
17 comply with an order that was issued under s. 292.11 (7) (c) in compliance with this  
18 subsection.

19 **SECTION 2489j.** 101.144 (3) (c) of the statutes is amended to read:

20 101.144 (3) (e) The department of ~~natural resources~~ environmental  
21 management takes the action under s. 292.11 (7) (a) because the identity of the  
22 responsible person is unknown.

23 **SECTION 2489L.** 101.144 (3g) (a) of the statutes is amended to read:

24 101.144 (3g) (a) If, on December 1, 1999, more than 35% of sites classified  
25 under this section, excluding sites that are contaminated by a hazardous substance

1 other than a petroleum product or an additive to a petroleum product, are classified  
2 as high-risk sites, the department of commerce and the department of ~~natural~~  
3 ~~resources~~ environmental management shall attempt to reach an agreement that  
4 specifies standards for determining whether the site of a discharge of a petroleum  
5 product from a petroleum storage tank is classified as high risk. The standards shall  
6 be designed to classify no more than 35% of those sites as high-risk sites and may  
7 not classify all sites at which an enforcement standard is exceeded as high-risk sites.  
8 If the department of commerce and the department of ~~natural resources~~  
9 environmental management are unable to reach an agreement, they shall refer the  
10 matters on which they are unable to agree to the secretary of administration for  
11 resolution. The secretary of administration shall resolve any matters on which the  
12 departments disagree in a manner that is consistent with this paragraph. The  
13 department of commerce shall promulgate rules incorporating any agreement  
14 between the department of commerce and the department of ~~natural resources~~  
15 environmental management under this paragraph and any resolution of  
16 disagreements between the departments by the secretary of administration under  
17 this paragraph.

18 **SECTION 2489n.** 101.144 (3m) (a) (intro.) of the statutes is amended to read:

19 101.144 (3m) (a) (intro.) The department of commerce and the department of  
20 ~~natural resources~~ environmental management shall enter into a memorandum of  
21 understanding that does all of the following:

22 **SECTION 2489p.** 101.144 (3m) (b) of the statutes is amended to read:

23 101.144 (3m) (b) The department of commerce and the department of ~~natural~~  
24 ~~resources~~ environmental management shall submit a memorandum of  
25 understanding under this subsection to the secretary of administration for review.

1 A memorandum of understanding under this subsection does not take effect until it  
2 is approved by the secretary of administration.”.

3 **216.** Page 901, line 9: after that line insert:

4 “SECTION 2518j. 101.653 (6m) of the statutes is amended to read:

5 101.653 (6m) REVIEW. The department and the department of ~~natural~~  
6 ~~resources~~ environmental management shall enter into a memorandum of agreement  
7 that establishes a process for reviewing the standards established under sub. (2),  
8 periodically updating those standards and reviewing the training program. The  
9 memorandum of understanding shall ensure that local officials and other persons  
10 interested in the standards established under sub. (2) and the training program may  
11 participate in the process.”.

12 **217.** Page 912, line 11: after that line insert:

13 “SECTION 2603g. 107.15 (2) (b) of the statutes is amended to read:

14 107.15 (2) (b) “Licensee” means any person licensed to conduct exploration  
15 activities by the department of ~~natural resources~~ environmental management under  
16 s. 293.21. If the person is a corporation or limited liability company, “licensee”  
17 includes the parent and any subsidiary or affiliates of the corporation or limited  
18 liability company engaged in mining or activities related to mining in this state.

19 SECTION 2603j. 107.15 (6) (c) 2. of the statutes is amended to read:

20 107.15 (6) (c) 2. By the secretary of ~~the department of natural resources~~  
21 environmental management for purposes of specific environmental analysis and  
22 permit application evaluation and by the secretary of ~~the department of revenue~~  
23 provided that the confidential information shall not be released by either the  
24 department of revenue or the department of ~~natural resources~~ environmental

1 management, that the departments of revenue and ~~natural resources~~ environmental  
2 management shall establish procedures to keep any confidential information  
3 confidential, and that the responsible person or persons in each department shall be  
4 subject to the penalty specified under this paragraph for the unauthorized release  
5 of confidential information.

6 **SECTION 2604t.** 110.20 (4) of the statutes is amended to read:

7 110.20 (4) DEPARTMENTAL COOPERATION. The department shall consult and  
8 cooperate with the department of ~~natural resources~~ environmental management in  
9 order to efficiently and fairly establish and administer the program established  
10 under this section.”.

11 **218.** Page 912, line 17: after that line insert:

12 “**SECTION 2605p.** 110.20 (8) (d) of the statutes is amended to read:

13 110.20 (8) (d) No inspection station may be established within 0.5 mile of an  
14 air monitoring station which reported a violation during the period from 1976 to 1979  
15 of the carbon monoxide primary national ambient air quality standard as defined by  
16 the department of ~~natural resources~~ environmental management.”.

17 **219.** Page 912, line 20: after that line insert:

18 “**SECTION 2605d.** 110.20 (13) (b) of the statutes is amended to read:

19 110.20 (13) (b) The department of ~~natural resources~~ environmental  
20 management shall, by rule, establish the amount of the repair cost limit to equal the  
21 amount required under 42 USC 7511a (b) 4. or (c) (3) (C).”.

22 **220.** Page 917, line 22: after that line insert:

23 “**SECTION 1678s.** 118.025 of the statutes is amended to read:

1           **118.025 Arbor day observance.** A school principal may request one free tree  
2 provided from state forest nurseries by the department of ~~natural resources~~ fish,  
3 wildlife, parks, and forestry under s. 28.06 for each 4th grade pupil in the school for  
4 planting in conjunction with an annual observance and celebration of arbor day.”.

5           **221.** Page 939, line 16: after that line insert:

6           “**SECTION 2812k.** 125.52 (2) of the statutes is amended to read:

7           **125.52 (2) LIMITED MANUFACTURER'S PERMIT.** The department shall issue a  
8 limited manufacturer's permit which authorizes the use or sale of the intoxicating  
9 liquor produced only if it is rendered unfit for use as a beverage and is used or sold  
10 for use as fuel. The department shall notify the department of ~~natural resources~~  
11 environmental management of the name and address of any person to whom a  
12 limited manufacturer's permit is issued.

13           **SECTION 2814e.** 134.60 of the statutes is amended to read:

14           **134.60 Cutting or transportation of evergreens.** No person may cut for  
15 sale in its natural condition and untrimmed, with or without roots, any evergreen or  
16 coniferous tree, branch, bough, bush, sapling or shrub, from the lands of another  
17 without the written consent of the owner, whether such land is publicly or privately  
18 owned. The written consent shall contain the legal description of the land where the  
19 tree, branch, bough, bush, sapling or shrub was cut, as well as the name of the legal  
20 owner. The written consent or a certified copy of the consent shall be carried by every  
21 person in charge of the cutting or removing of the trees, branches, boughs, bushes,  
22 saplings or shrubs, and shall be exhibited to any officer of the law, forest ranger,  
23 forest patrol officer, conservation warden, or other officer of the department of  
24 ~~natural resources~~ fish, wildlife, parks, and forestry at the officer's request at any

1 time. The officer may inspect the trees, branches, boughs, bushes, saplings or shrubs  
2 when being transported in any vehicle or other means of conveyance and may  
3 investigate to determine whether or not this section has been complied with. The  
4 officer may stop any vehicle or means of conveyance found carrying any trees,  
5 branches, boughs, bushes, saplings or shrubs upon any public highway of this state  
6 for the purpose of making such inspection and investigation, and may seize and hold,  
7 subject to the order of the court, any such trees, bushes, saplings or shrubs found  
8 being cut, removed or transported in violation of this section. No person may ship  
9 or transport any such trees, bushes, saplings or shrubs outside the county where they  
10 were cut unless the person attaches to the outside of each package, box, bale,  
11 truckload or carload shipped a tag or label on which appears the person's name and  
12 address. No common carrier or truck hauler may receive for shipment or  
13 transportation any such trees, bushes, saplings or shrubs unless the tag or label is  
14 attached. Any person who violates this section shall be fined not less than \$10 nor  
15 more than \$100. Any person who signs any such written consent or certified copy  
16 under this section who is not authorized to do so, and any person who lends or  
17 transfers or offers to lend or transfer any such written consent or certified copy to  
18 another person who is not entitled to use it, and any person not entitled to use any  
19 such written consent or certified copy, or who borrows, receives or solicits from  
20 another any such written consent or certified copy thereof shall be fined not less than  
21 \$100 nor more than \$500.”.

22 **222.** Page 942, line 9: after that line insert:

23 “SECTION 2841n. 138.09 (7) (i) 3. of the statutes is amended to read:

1           138.09 (7) (i) 3. On motor vehicle loans, the actual filing fee required for filing  
2 with the department of transportation under ch. 342 or, on boat loans, the filing fee  
3 required for filing with the department of ~~natural resources~~ fish, wildlife, parks, and  
4 forestry under subch. V of ch. 30.”.

5           **223.** Page 945, line 8: after that line insert:

6           “SECTION 2848q. 145.245 (3) of the statutes is amended to read:

7           145.245 (3) MAINTENANCE. The department shall establish a maintenance  
8 program to be administered by governmental units. The maintenance program is  
9 applicable to all new or replacement private sewage systems constructed in a  
10 governmental unit after the date on which the governmental unit adopts this  
11 program. The maintenance program shall include a requirement of inspection or  
12 pumping of the private sewage system at least once every 3 years. Inspections may  
13 be conducted by a master plumber, journeyman plumber or restricted plumber  
14 licensed under this chapter, a person licensed under s. 281.48 or by an employee of  
15 the state or governmental unit designated by the department. The department of  
16 ~~natural resources~~ environmental management may suspend or revoke a license  
17 issued under s. 281.48 or a certificate issued under s. 281.17 (3) to the operator of a  
18 septage servicing vehicle if the department of ~~natural resources~~ environmental  
19 management finds that the licensee or operator falsified information on inspection  
20 forms. The department of commerce may suspend or revoke the license of a plumber  
21 licensed under this chapter if the department finds that the plumber falsified  
22 information on inspection forms.”.

23           **224.** Page 946, line 6: after that line insert:

24           “SECTION 2850ag. 146.60 (1) (c) of the statutes is amended to read:

1           146.60 (1) (c) "Departments" means the department of agriculture, trade and  
2 consumer protection and the department of ~~natural resources~~ environmental  
3 management.

4           **SECTION 2850ah.** 146.60 (2) (a) of the statutes is amended to read:

5           146.60 (2) (a) The department of ~~natural resources~~ environmental  
6 management shall be the reviewing department for any regulated release subject to  
7 15 USC 2601 to 2629.

8           **SECTION 2850ai.** 146.60 (3) (c) 1. of the statutes is amended to read:

9           146.60 (3) (c) 1. If the department of ~~natural resources~~ environmental  
10 management receives information under this subsection or sub. (4) (c), it shall  
11 provide the department of agriculture, trade and consumer protection with a copy of  
12 the information.

13           **SECTION 2850aj.** 146.60 (3) (c) 2. of the statutes is amended to read:

14           146.60 (3) (c) 2. If the department of agriculture, trade and consumer  
15 protection receives information under this subsection or sub. (4) (c), it shall provide  
16 the department of ~~natural resources~~ environmental management with a copy of the  
17 information.

18           **SECTION 2850ak.** 146.60 (5) of the statutes is amended to read:

19           146.60 (5) MEMORANDUM OF UNDERSTANDING. Within 6 months after June 13,  
20 1989, the department of ~~natural resources~~ environmental management shall enter  
21 into a memorandum of understanding with the department of agriculture, trade and  
22 consumer protection setting forth the procedures and responsibilities of the  
23 departments in the administration of this section. The memorandum shall establish  
24 procedures that minimize the duplication of effort between the departments and for  
25 the person providing information under sub. (3).".



1           **225.** Page 958, line 24: after that line insert:

2           “**SECTION 2853g.** 160.001 (6) of the statutes is amended to read:

3           160.001 (6) Where necessary to comply with federal statutes or regulations, the  
4 department of ~~natural resources~~ environmental management may adopt rules in  
5 regulatory programs administered by it which are more stringent than the  
6 enforcement standards and preventive action limits adopted under this chapter.

7           **SECTION 2853h.** 160.001 (7) of the statutes is amended to read:

8           160.001 (7) A regulatory agency may take any actions within the context of  
9 regulatory programs established in statutes outside of this chapter, if those actions  
10 are necessary to protect public health and welfare or prevent a significant damaging  
11 effect on groundwater or surface water quality for present or future consumptive or  
12 nonconsumptive uses, whether or not an enforcement standard and preventive  
13 action limit for a substance has been adopted under this chapter. Nothing in this  
14 chapter requires the department of health and family services or the department of  
15 ~~natural resources~~ environmental management to establish an enforcement  
16 standard for a substance if a federal number or state drinking water standard has  
17 not been adopted for the substance and if there is not sufficient scientific information  
18 to establish the standard.

19           **SECTION 2853i.** 160.01 (1) of the statutes is amended to read:

20           160.01 (1) “~~Department~~”, “Department,” when used without qualification,  
21 means the department of ~~natural resources~~ environmental management.

22           **SECTION 2853j.** 160.01 (7) of the statutes is amended to read:

23           160.01 (7) “Regulatory agency” means the department of agriculture, trade and  
24 consumer protection, the department of commerce, the department of environmental

1 management, the department of transportation, the department of natural  
2 resources fish, wildlife, parks, and forestry and other state agencies ~~which that~~  
3 regulate activities, facilities, or practices ~~which that~~ are related to substances ~~which~~  
4 that have been detected in or have a reasonable probability of entering the  
5 groundwater resources of the state.

6 **SECTION 2853L.** 160.07 (5) of the statutes is amended to read:

7 160.07 (5) Within 9 months after transmitting the name of a substance to the  
8 department of health and family services under sub. (2), the department of ~~natural~~  
9 resources environmental management shall propose rules establishing the  
10 recommendation of the department of health and family services as the enforcement  
11 standard for that substance and publish the notice required under s. 227.16 (2) (e),  
12 227.17, or 227.24 (3).

13 **SECTION 2853n.** 160.07 (6) of the statutes is amended to read:

14 160.07 (6) If a federal number is established or changed for a substance after  
15 an enforcement standard is recommended by the department of health and family  
16 services, and if any person or regulatory agency submits a request, the department  
17 of ~~natural resources~~ environmental management shall determine whether the  
18 enforcement standard needs revision based on recommendations under sub. (4).

19 **SECTION 2853q.** 160.13 (2) (b) 4. of the statutes is amended to read:

20 160.13 (2) (b) 4. If no acceptable daily intake or equivalent value for an oncogen  
21 is established by the federal environmental protection agency, or if an acceptable  
22 daily intake is established but oncogenic potential at the established acceptable daily  
23 intake presents an unacceptable probability of risk, the department shall provide the  
24 department of ~~natural resources~~ environmental management with an evaluation of  
25 the oncogenic potential of the substance. This evaluation of oncogenic potential shall

1 indicate an acceptable daily intake for the substance which, if ingested daily over an  
2 entire human lifetime, appears to present an acceptable probability of risk ~~which~~  
3 that is presumed to be a risk level equal to a ratio of one to 1,000,000. A risk level  
4 equal to a ratio of one to 1,000,000 is the expectation that no more than one excess  
5 death will occur in a population of 1,000,000 over a 70-year period. The department  
6 shall base the evaluation of oncogenic potential on a review of the most recent and  
7 scientifically valid information available.”.

8 **226.** Page 959, line 7: after that line insert:

9 “SECTION 2854w. 165.25 (4) (a) of the statutes is amended to read:

10 165.25 (4) (a) The department of justice shall furnish all legal services required  
11 by the investment board, the lottery division in the department of revenue, the public  
12 service commission, the department of transportation, the department of natural  
13 resources, the department of environmental management, the department of  
14 tourism and the department of employee trust funds, together with any other  
15 services, including stenographic and investigational, as are necessarily connected  
16 with the legal work.”.

17 **227.** Page 959, line 14: after that line insert:

18 “SECTION 2856c. 165.25 (6) (e) of the statutes is amended to read:

19 165.25 (6) (e) The department of justice may appear for and defend the state  
20 or any state department, agency, official or employee in any civil action arising out  
21 of or relating to the assessment or collection of costs concerning environmental  
22 cleanup or natural resources damages including actions brought under 42 USC 9607.

23 The action may be compromised and settled in the same manner as provided in par.

24 (a). At the request of the department of ~~natural resources~~ environmental

1 management, the department of justice may provide legal representation to the state  
2 or to the department of ~~natural resources~~ environmental management in the same  
3 matter in which the department of justice provides defense counsel, if the attorneys  
4 representing those interests are assigned from different organizational units within  
5 the department of justice. This paragraph may not be construed as a consent to sue  
6 the state or any department, agency, official or employee of the state or as a waiver  
7 of sovereign immunity.”.

8 **228.** Page 960, line 10: after that line insert:

9 “**SECTION 2858p.** 165.85 (4) (b) 1. of the statutes is amended to read:

10 165.85 (4) (b) 1. No person may be appointed as a law enforcement or tribal law  
11 enforcement officer, except on a temporary or probationary basis, unless the person  
12 has satisfactorily completed a preparatory program of law enforcement training  
13 approved by the board and has been certified by the board as being qualified to be  
14 a law enforcement or tribal law enforcement officer. The program shall include 400  
15 hours of training, except the program for law enforcement officers who serve as  
16 rangers for the department of ~~natural resources~~ fish, wildlife, parks, and forestry  
17 includes 240 hours of training. The board shall promulgate a rule under ch. 227  
18 providing a specific curriculum for a 400-hour conventional program and a 240-hour  
19 ranger program. The rule shall ensure that there is an adequate amount of training  
20 for each program to enable the person to deal effectively with domestic abuse  
21 incidents. The training under this subdivision shall include training on emergency  
22 detention standards and procedures under s. 51.15, emergency protective placement  
23 standards and procedures under s. 55.06 (11) and information on mental health and  
24 developmental disabilities agencies and other resources that may be available to

1 assist the officer in interpreting the emergency detention and emergency protective  
2 placement standards, making emergency detentions and emergency protective  
3 placements and locating appropriate facilities for the emergency detentions and  
4 emergency protective placements of persons. The training under this subdivision  
5 shall include training on police pursuit standards, guidelines and driving techniques  
6 established under par. (cm) 2. b. The period of temporary or probationary  
7 employment established at the time of initial employment shall not be extended by  
8 more than one year for an officer lacking the training qualifications required by the  
9 board. The total period during which a person may serve as a law enforcement and  
10 tribal law enforcement officer on a temporary or probationary basis without  
11 completing a preparatory program of law enforcement training approved by the  
12 board shall not exceed 2 years, except that the board shall permit part-time law  
13 enforcement and tribal law enforcement officers to serve on a temporary or  
14 probationary basis without completing a program of law enforcement training  
15 approved by the board to a period not exceeding 3 years. For purposes of this section,  
16 a part-time law enforcement or tribal law enforcement officer is a law enforcement  
17 or tribal law enforcement officer who routinely works not more than one-half the  
18 normal annual work hours of a full-time employee of the employing agency or unit  
19 of government. Law enforcement training programs including municipal, county  
20 and state programs meeting standards of the board are acceptable as meeting these  
21 training requirements.”.

22 **229.** Page 961, line 11: after that line insert:

23 “SECTION 2867d. 166.20 (4) (title) and (intro.) of the statutes are amended to  
24 read:

1           166.20 (4) (title) DUTIES OF THE DEPARTMENT OF NATURAL RESOURCES  
2           ENVIRONMENTAL MANAGEMENT (intro.) The department of ~~natural resources~~  
3           environmental quality shall:

4           **SECTION 2867f.** 166.20 (4) (b) of the statutes is amended to read:

5           166.20 (4) (b) Have the same powers and duties at the time of a release of a  
6           hazardous substance as are given to it under s. 292.11, including the investigation  
7           of releases of hazardous substances, the repair of any environmental damage which  
8           results from the release and the recovery of costs from responsible parties. The  
9           department of ~~natural resources~~ environmental management may also, at the time  
10          of a release of a hazardous substance, identify and recommend to the division and  
11          the committee measures to lessen or mitigate anticipated environmental damage  
12          resulting from the release.

13          **SECTION 2867h.** 166.20 (5) (a) 2. of the statutes is amended to read:

14          166.20 (5) (a) 2. All facilities in this state covered under 42 USC 11004 shall  
15          comply with the notification requirements of 42 USC 11004. Notification of the  
16          department of ~~natural resources~~ environmental management of the discharge of a  
17          hazardous substance under s. 292.11 (2) shall constitute the notification of the  
18          division required under 42 USC 11004 if the notification contains the information  
19          specified in 42 USC 11004 (b) (2) or (c).

20          **SECTION 2867j.** 166.20 (5) (a) 4. (intro.) of the statutes is amended to read:

21          166.20 (5) (a) 4. (intro.) The following facilities shall comply with the toxic  
22          chemical release form requirements under 42 USC 11023 and shall submit copies of  
23          all toxic chemical release forms to the department of ~~natural resources~~  
24          environmental management:".

1           **230.** Page 963, line 18: after that line insert:

2           “**SECTION 2877b.** 166.22 (3) of the statutes, as created by 2001 Wisconsin Act  
3     ... (this act), is amended to read:

4           166.22 (3) If action required under sub. (2) is not being adequately taken or the  
5     identity of the person responsible for an emergency involving a release or potential  
6     release of a hazardous substance is unknown and the emergency involving a release  
7     or potential release threatens public health or safety or damage to property, a local  
8     agency may take any emergency action that is consistent with the contingency plan  
9     for the undertaking of emergency actions in response to the release or potential  
10    release of hazardous substances established by the department of ~~natural resources~~  
11    environmental management under s. 292.11 (5) and that it considers appropriate  
12    under the circumstances.”.

13           **231.** Page 965, line 4: after that line insert:

14           “**SECTION 2881ad.** 167.10 (3) (b) 3. of the statutes is amended to read:

15           167.10 (3) (b) 3. The disposal of hazardous substances in accordance with rules  
16     adopted by the department of ~~natural resources~~ environmental management.

17           **SECTION 2881ah.** 167.31 (4m) of the statutes is amended to read:

18           167.31 (4m) RULES. The department of ~~natural resources~~ fish, wildlife, parks,  
19     and forestry may further restrict hunting from stationary vehicles on county or town  
20     highways by promulgating rules designating certain county and town highways, or  
21     portions thereof, upon which a holder of a Class A or Class B permit issued under s.  
22     29.193 (2) may not discharge a firearm or shoot a bolt or an arrow from a bow or  
23     crossbow under sub. (4) (cg). For each restriction of hunting from a county or town  
24     highway contained in a rule to be promulgated under this subsection, the

1 department shall submit a specific justification for the restriction with the rule  
2 submitted to legislative council staff for review under s. 227.15 (1).

3 **SECTION 2881ai.** 167.31 (5) (d) of the statutes is amended to read:

4 167.31 (5) (d) The clerk of the circuit court shall collect and transmit to the  
5 county treasurer the weapons assessment as required under s. 59.40 (2) (m). The  
6 county treasurer shall then pay the state treasurer as provided in s. 59.25 (3) (f) 2.  
7 The state treasurer shall deposit all amounts received under this paragraph ~~in~~ into  
8 the conservation fund to be appropriated under s. 20.370 (3) ~~(mu)~~ (1) (pu).

9 **SECTION 2881aL.** 170.12 (4) (intro.) of the statutes is amended to read:

10 170.12 (4) REVIEW BY OTHER AGENCIES. (intro.) Upon receipt of an application  
11 under sub. (3), the board shall immediately transmit copies of the application to the  
12 department of ~~natural resources~~ fish, wildlife, parks, and forestry, the department  
13 of environmental management, and to the historical society for review. The  
14 department of natural resources and the historical society shall, as appropriate,  
15 within 30 days after their receipt of the application, notify the board whether any of  
16 the following apply:

17 **SECTION 2881am.** 170.12 (4) (c) of the statutes is amended to read:

18 170.12 (4) (c) The proposed project may affect public rights in navigable waters.  
19 The department of ~~natural resources~~ fish, wildlife, parks, and forestry, and the  
20 department of environmental management shall recommend to the board  
21 requirements and conditions to be attached to the permit which shall protect those  
22 rights.

23 **SECTION 2881ap.** 170.12 (5) of the statutes is amended to read:

24 170.12 (5) RESERVATION OF VALUE. The state reserves to itself 30% of the  
25 stumpage value, established by the department of ~~natural resources~~ fish, wildlife,



1 parks, and forestry by rule promulgated under s. 77.91 (1), of any log raised pursuant  
2 to a permit issued under this section.”.

3 **232.** Page 985, line 2: after that line insert:

4 **“SECTION 2924p.** 182.70 (1) (d) of the statutes is amended to read:

5 182.70 (1) (d) “Department” means the department of ~~natural resources~~  
6 environmental management.

7 **SECTION 2924r.** 182.70 (3) (a) 1. of the statutes is amended to read:

8 182.70 (3) (a) 1. The company may create, acquire or lease an entire reservoir  
9 project or otherwise maintain, operate or control a system of water reservoirs located  
10 in or along the Wisconsin ~~river~~ River. These reservoirs shall be located north of  
11 township 37 north in or along the Wisconsin River, and in or along any tributary of  
12 the Wisconsin River that discharges into the river at any point north of the south line  
13 of township 23 north. The company may create, acquire, maintain and operate  
14 waterways to divert flood waters from or to the Wisconsin River to or from reservoirs  
15 on other rivers. Diversion of flood waters shall be subject to approval by the  
16 department, in consultation with the department of fish, wildlife, parks, and  
17 forestry. The company may construct, acquire and maintain dams, booms and other  
18 structures in, along or across this portion of the Wisconsin River and its tributaries  
19 to accomplish the purposes of this section. The company may clean out, straighten,  
20 deepen or otherwise improve any tributary to improve navigation of the tributary or  
21 of the Wisconsin River, or to prevent injury to property bordering on the rivers.

22 **SECTION 2924t.** 182.71 (1) (c) of the statutes is amended to read:

23 182.71 (1) (c) “Department” means the department of ~~natural resources~~  
24 environmental management.

1           **SECTION 2924v.** 182.71 (7) of the statutes is amended to read:

2           182.71 (7) (a) The commission shall appraise and fix the price of any dam, land  
3 or flowage rights to be purchased by the company under this section. The  
4 commission shall approve any lease of property by the company prior to the payment  
5 of rent. The commission may require the department or the department of fish,  
6 wildlife, parks, and forestry to aid in appraising the value of the land.

7           (b) If the company intends to acquire and overflow property, the commission  
8 shall approve the need to overflow the property. The department, in consultation  
9 with the department of fish, wildlife, parks, and forestry shall mark the height to  
10 which any dam may raise the water level by permanent monuments and bench  
11 marks, shall supervise and control the time and extent of the drawing of water from  
12 the reservoirs, and may compel the maintenance of all reservoirs established. The  
13 commission and the department may employ, at the expense of the company,  
14 hydraulic engineers and other persons to assist in obtaining information necessary  
15 to enforce this section. The cost of hiring the engineers shall be included as a part  
16 of the cost of construction or maintenance and operation of the reservoir system.”.

17           **233.** Page 992, line 12: after that line insert:

18           “**SECTION 3001j.** 196.491 (1) (c) of the statutes is amended to read:

19           196.491 (1) (c) “Department” means the department of ~~natural resources~~  
20 environmental management.

21           **SECTION 2001k.** 196.491 (2) (b) 5. of the statutes is amended to read:

22           196.491 (2) (b) 5. Department of ~~natural resources~~ environmental  
23 management.”.

24           **234.** Page 1003, line 6: after that line insert:

1           **“SECTION 3019d.** 196.86 (1) (a) of the statutes is amended to read:

2           196.86 (1) (a) “Department” means the department of ~~natural resources~~  
3           environmental management.

4           **SECTION 3019f.** 196.86 (1) (d) of the statutes is amended to read:

5           196.86 (1) (d) “Initial compliance date” means the date specified in a notice by  
6           the department of ~~natural resources~~ environmental management under s. 285.48 (2)  
7           by which electric generating facilities in the midcontinent area of this state are  
8           required to comply with initial nitrogen oxide emission reduction requirements.

9           **SECTION 3019h.** 196.86 (2) of the statutes is amended to read:

10          196.86 (2) If the department of ~~natural resources~~ environmental management  
11          makes a notification to the commission under s. 285.48 (2), the commission shall  
12          assess against electric public utility affiliates a total of \$2,400,000, or a decreased  
13          amount specified in a notice by the department of ~~natural resources~~ environmental  
14          management under s. 285.48 (3) (d) 3., in each fiscal year of the 10-year period that  
15          commences on July 1 of the fiscal year ending before the initial compliance date. An  
16          assessment in a fiscal year against an electric public utility affiliate under this  
17          subsection shall be in an amount that is proportionate to the electric public utility  
18          affiliate’s heat throughput ratio for the prior fiscal year.

19          **SECTION 3019k.** 196.98 of the statutes is amended to read:

20          **196.98 Water reporting required.** The commission shall ensure that each  
21          public utility to which s. 281.35 applies shall comply with the requirements of that  
22          section and shall report its volume and rate of withdrawal, as defined under s. 281.35  
23          (1) (m), and its volume and rate of water loss, as defined under s. 281.35 (1) (L), if any,  
24          to the commission in the form and at the times specified by the department of ~~natural~~  
25          ~~resources~~ environmental management. The commission shall provide the

1 information reported under this section to the department of ~~natural resources~~  
2 environmental management.

3 **SECTION 3020c.** 198.22 (7) of the statutes is amended to read:

4 198.22 (7) BOUNDARIES. Immediately upon the organization of the board of  
5 directors the clerk shall cause to be recorded in the office of the register of deeds of  
6 each county in which any part of said district is located, and shall file with the  
7 secretary of state, the department of ~~natural resources~~ environmental management,  
8 the governor and the clerk of each town, city or village, wholly or partly within the  
9 district, a certified copy of the boundaries of the district as set forth in the notice of  
10 election pursuant to sub. (3) or as thereafter amended. Thereafter, in any proceeding  
11 wherein the boundaries of the district are concerned, it shall be sufficient in  
12 describing said boundaries to refer to such record of such description.

13 **SECTION 3020d.** 198.22 (13) of the statutes is amended to read:

14 198.22 (13) DISTRIBUTION SYSTEM STANDARDS IN MILWAUKEE COUNTY. When any  
15 such district is established in any county having a population of 500,000 or more and  
16 containing a city of the 1st class, no municipality in such district shall construct any  
17 part of its distribution system except according to the standard of sizes and grades  
18 of materials as used by such city of the 1st class, or the standards of the American  
19 waterworks association and the department of ~~natural resources~~ environmental  
20 management.

21 **SECTION 3020e.** 200.01 (2) of the statutes is amended to read:

22 200.01 (2) "Department" means the department of ~~natural resources~~  
23 environmental management.

24 **SECTION 3020f.** 200.11 (1) (e) of the statutes is amended to read:

1           200.11 (1) (e) *Annual report.* The commission shall prepare annually a full and  
2 detailed report of its official transactions and expenses and of all presently planned  
3 additions and major changes in district facilities and services and shall file a copy  
4 of such report with the department of ~~natural resources~~ environmental  
5 management, the department of health and family services and the governing bodies  
6 of all cities, villages and towns having territory in such district.

7           **SECTION 3020g.** 200.27 (9) of the statutes is amended to read:

8           200.27 (9) ANNUAL REPORT. The commission shall prepare annually a full report  
9 of its official transactions and expenditures and shall mail the report to the governor,  
10 to the secretary of ~~natural resources~~ environmental management and to the  
11 governing body of each municipality.

12           **SECTION 3020h.** 200.29 (1) (c) 4. b. of the statutes is amended to read:

13           200.29 (1) (c) 4. b. Any area not included within the redefined boundary under  
14 subd. 1. or 2. ceases to be a part of the district for all purposes upon the filing of a  
15 certified copy of the resolution describing the area not within the district with the  
16 clerk of each county in which the district is located. The commission shall also record  
17 the resolution with the register of deeds for each county in which the district is  
18 located, and file a certified copy of the resolution with the clerk of each city, village  
19 and town in the district and with the department of ~~natural resources~~ environmental  
20 management.

21           **SECTION 3020i.** 200.29 (1) (d) 3. of the statutes is amended to read:

22           200.29 (1) (d) 3. Any arca added to the district under this paragraph becomes  
23 a part of the district for all purposes upon the filing of a certified copy of the resolution  
24 describing the area being added with the clerk of each county in which the district  
25 is located. The commission shall also record the resolution with the register of deeds

1 for each county in which the district is located, and file certified copies with the clerk  
2 of each city, village and town in the district and with the department of ~~natural~~  
3 ~~resources~~ environmental management.

4 **SECTION 3020j.** 200.35 (4) of the statutes is amended to read:

5 200.35 (4) DELIVERY OF DEEDS; ~~DNR STATE PERMITS~~. Upon application of the  
6 commission the proper officers of this state shall execute, acknowledge and deliver  
7 to the proper officers of the district any deed or other instrument as may be proper  
8 for the purpose of fully confirming the grants under subs. (2) and (3).  
9 Notwithstanding s. 30.05, the district may not commence an action under sub. (2) or  
10 (3) without obtaining all of the necessary permits from the department of ~~natural~~  
11 ~~resources~~ environmental management under ch. 30.

12 **SECTION 3020k.** 200.35 (8) (a) of the statutes is amended to read:

13 200.35 (8) (a) Subject to s. 30.20 and to any applicable rule of the department  
14 of ~~natural resources~~ environmental management, the commission may improve any  
15 river or stream within the district by deepening, widening or otherwise changing it  
16 as the commission finds necessary ~~in order~~ to carry off surface or drainage water.

17 **SECTION 3020L.** 200.35 (9) (b) of the statutes is amended to read:

18 200.35 (9) (b) The commission shall apply to the department of ~~natural~~  
19 ~~resources~~ environmental management for a permit for the diversion. Upon receipt  
20 of an application for a permit, the department shall fix a time, not more than 8 weeks  
21 after receiving the application, and a convenient place for a public hearing on the  
22 application. The department shall notify the commission of the time and place and  
23 the commission shall publish a notice of the time and place of the hearing once each  
24 week for 3 successive weeks before the hearing in at least one newspaper designated

1 by the department of ~~natural resources~~ environmental management and published  
2 in the district.

3 **SECTION 3020n.** 200.35 (9) (c) of the statutes is amended to read:

4 200.35 (9) (c) In addition to the publication required under par. (b) the  
5 commission, not less than 20 days prior to the hearing, shall mail a notice of the  
6 hearing to every person who has recorded an interest in any lands that are likely to  
7 be affected by the proposed diversion and whose post-office address can be  
8 ascertained by due diligence. The notice shall specify the time and place of the  
9 hearing, shall be accompanied by a general statement of the nature of the application  
10 and shall be forwarded to these persons by registered mail in a sealed and postpaid  
11 envelope properly addressed. The commission shall file proof of the publication and  
12 mailing of notice with the department of ~~natural resources~~ environmental  
13 management. At the hearing or any adjournment thereof, the department of ~~natural~~  
14 ~~resources~~ environmental management shall consider the application and shall take  
15 evidence offered by the commission and other persons in support of or in opposition  
16 to the application. The department may require that the application be amended.  
17 If the department finds after the hearing that the application is in the public interest,  
18 will not violate public rights and will not pose an unreasonable risk to life, health or  
19 property, the department shall issue a permit to the commission.

20 **SECTION 3020p.** 200.35 (12) of the statutes is amended to read:

21 200.35 (12) DISPOSAL OF TREATED SEWAGE. Subject to any applicable rule of the  
22 department of ~~natural resources~~ environmental management, the commission may  
23 dispose of treated sewage by commercial or charitable means and may expend an  
24 amount reasonably necessary for this purpose.

25 **SECTION 3020q.** 200.35 (14) (d) 1. of the statutes is amended to read:

1           200.35 (14) (d) 1. The commission shall pay for the portion of the cost of a project  
2 constructed by the commission under this subsection which equals the difference  
3 between the cost of disposing of the waste rock at a disposal site which is approved  
4 by the department of ~~natural resources~~ environmental management and which is  
5 outside of the district's service area and the cost of disposing of the waste rock in the  
6 project.

7           **SECTION 3020r.** 200.47 (2) (a) of the statutes is amended to read:

8           200.47 (2) (a) Except as provided in par. (b), all work done and all purchases  
9 of supplies and materials by the commission shall be by contract awarded to the  
10 lowest responsible bidder complying with the invitation to bid, if the work or  
11 purchase involves an expenditure of \$20,000 or more. If the commission decides to  
12 proceed with construction of any sewer after plans and specifications for the sewer  
13 are completed and approved by the commission and by the department of ~~natural~~  
14 ~~resources~~ environmental management under ch. 281, the commission shall  
15 advertise by a class 2 notice under ch. 985 for construction bids. All contracts and  
16 the awarding of contracts are subject to s. 66.0901.

17           **SECTION 3020s.** 200.49 (7) (b) of the statutes is amended to read:

18           200.49 (7) (b) The executive director shall submit the plan to the secretary of  
19 ~~natural resources~~ environmental management for review and comment. The  
20 secretary of ~~natural resources~~ environmental management shall provide the  
21 executive director with comments or recommendations for changes in the plan, if any,  
22 within 30 days after the plan is submitted. No contracts may be awarded under sub.  
23 (5) until 30 days after the date the plan is submitted to the secretary of ~~natural~~  
24 ~~resources~~ environmental management or until the date the executive director  
25 receives the secretary's comments or recommendations, whichever is earlier.”



1           **235.** Page 1003, line 12: after that line insert:

2           “**SECTION 3035c.** 227.42 (5) of the statutes is amended to read:

3           227.42 (5) Except as provided under s. 289.27 (1), this section does not apply  
4 to any part of the process for approving a feasibility report, plan of operation or  
5 license under subch. III of ch. 289 or s. 291.23, 291.25, 291.29 or 291.31, any decision  
6 by the department of ~~natural resources~~ environmental management relating to the  
7 environmental impact of a proposed action under ch. 289 or 291 or ss. 292.31 and  
8 292.35, or any part of the process of negotiation and arbitration under s. 289.33.

9           **SECTION 3035d.** 227.43 (1) (b) of the statutes is amended to read:

10           227.43 (1) (b) Assign a hearing examiner to preside over any hearing of a  
11 contested case which is required to be conducted by the department of ~~natural~~  
12 ~~resources~~ fish, wildlife, parks, and forestry and which is not conducted by the  
13 secretary of ~~natural resources~~ fish, wildlife, parks, and forestry.

14           **SECTION 3035e.** 227.43 (1) (bd) of the statutes is created to read:

15           227.43 (1) (bd) Assign a hearing examiner to preside over any hearing of a  
16 contested case which is required to be conducted by the department of environmental  
17 management and which is not conducted by the secretary of environmental  
18 management.

19           **SECTION 3035f.** 227.43 (2) (a) of the statutes is amended to read:

20           227.43 (2) (a) The department of ~~natural resources~~ fish, wildlife, parks, and  
21 forestry shall notify the division of hearings and appeals of every pending hearing  
22 to which the administrator of the division is required to assign a hearing examiner  
23 under sub. (1) (b) after the department of ~~natural resources~~ fish, wildlife, parks, and  
24 forestry is notified that a hearing on the matter is required.

1           **SECTION 3035g.** 227.43 (2) (am) of the statutes is created to read:

2           227.43 (2) (am) The department of environmental management shall notify the  
3 division of hearings and appeals of every pending hearing to which the administrator  
4 of the division is required to assign a hearing examiner under sub. (1) (bd) after the  
5 department of environmental management is notified that a hearing on the matter  
6 is required.

7           **SECTION 3035h.** 227.43 (3) (a) of the statutes is amended to read:

8           227.43 (3) (a) The administrator of the division of hearings and appeals may  
9 set the fees to be charged for any services rendered to the department of ~~natural~~  
10 ~~resources~~ fish, wildlife, parks, and forestry by a hearing examiner under this section.  
11 The fee shall cover the total cost of the services less any costs covered by the  
12 appropriation under s. 20.505 (4) (f).

13           **SECTION 3035i.** 227.43 (3) (am) of the statutes is created to read:

14           227.43 (3) (am) The administrator of the division of hearings and appeals may  
15 set the fees to be charged for any services rendered to the department of  
16 environmental management by a hearing examiner under this section. The fees  
17 shall cover the total cost of the services less any costs covered by the appropriation  
18 under s. 20.505 (4) (f).

19           **SECTION 3035j.** 227.43 (4) (a) of the statutes is amended to read:

20           227.43 (4) (a) The department of ~~natural resources~~ fish, wildlife, parks, and  
21 forestry shall pay all costs of the services of a hearing examiner assigned to the  
22 department under sub. (1) (b), according to the fees set under sub. (3) (a).

23           **SECTION 3035k.** 227.43 (4) (am) of the statutes is created to read:

1           227.43 (4) (am) The department of environmental management shall pay all  
2 costs of the services of a hearing examiner assigned to the department under sub. (1)  
3 (bd), according to the fees set under sub. (3) (am).

4           **SECTION 3035L.** 227.46 (8) of the statutes is amended to read:

5           227.46 (8) If the hearing examiner assigned under s. 227.43 (1) (b) renders the  
6 final decision in a contested case, and the decision is subject to judicial review under  
7 s. 227.52, the department of ~~natural resources~~ fish, wildlife, parks, and forestry may  
8 petition for judicial review. If the hearing examiner assigned under s. 227.43 (1) (bd)  
9 renders the final decision in a contested case and the decision is subject to judicial  
10 review under s. 227.52, the department of environmental management may petition  
11 for judicial review. If the hearing examiner assigned under s. 227.43 (1) (br) renders  
12 the final decision in a contested case, and the decision is subject to judicial review  
13 under s. 227.52, the department of transportation may petition for judicial review.”.

14           **236.** Page 1004, line 20: after that line insert:

15           “**SECTION 3050c.** 230.08 (2) (e) 4c. of the statutes is created to read:

16           230.08 (2) (e) 4c. Environmental management — 2.

17           **SECTION 3050d.** 230.08 (2) (e) 4m. of the statutes is created to read:

18           230.08 (2) (e) 4m. Fish, wildlife, parks, and forestry — 3.

19           **SECTION 3050g.** 230.08 (2) (e) 8. of the statutes is repealed.”.

20           **237.** Page 1008, line 16: after that line insert:

21           “**SECTION 3080t.** 230.36 (1m) (b) 1. (intro.) of the statutes is amended to read:

22           230.36 (1m) (b) 1. (intro.) A forest ranger or field employee of the department  
23 of ~~natural resources~~ fish, wildlife, parks, and forestry who is subject to call for forest  
24 fire control duty or fire watcher employed at the Wisconsin Veterans Home at King

1 or at the facilities operated by the department of veterans affairs under s. 45.385, and  
2 lifeguard, at all times while.”.

3 **238.** Page 1008, line 23: after that line insert:

4 “SECTION 3081b. 230.36 (1m) (b) 2. (intro.) of the statutes, as affected by 2001  
5 Wisconsin Act .... (this act), is amended to read:

6 230.36 (1m) (b) 2. (intro.) A conservation warden, conservation patrol boat  
7 captain, conservation patrol boat engineer, environmental warden, member of the  
8 state patrol, state motor vehicle inspector, University of Wisconsin System police  
9 officer, security officer, or security person, other state facilities police officer, special  
10 tax agent, excise tax investigator employed by the department of revenue and special  
11 criminal investigation agent employed by the department of justice at all times  
12 while:

13 SECTION 3081g. 230.36 (2m) (a) 5. of the statutes is amended to read:

14 230.36 (2m) (a) 5. A conservation field employee of the department of ~~natural~~  
15 resources fish, wildlife, parks, and forestry who is subject to call for fire control duty.

16 SECTION 3081h. 230.36 (2m) (a) 5m. of the statutes is created to read:

17 230.36 (2m) (a) 5m. An environmental warden.”.

18 **239.** Page 1014, line 7: after that line insert:

19 “SECTION 3111k. 234.86 (1) (b) of the statutes is amended to read:

20 234.86 (1) (b) “Department” means the department of ~~natural resources~~  
21 environmental management.”.

22 **240.** Page 1015, line 8: after that line insert:

23 “SECTION 3117p. 234.907 (2) (h) of the statutes is amended to read:

1           234.907 (2) (h) The loan results in new or more viable methods for the  
2 processing or marketing of a product from a raw agricultural commodity or enables  
3 the borrower to comply with the rules promulgated by the department of ~~natural~~  
4 ~~resources~~ fish, wildlife, parks, and forestry for the commercial fishing of whitefish  
5 in Lake Superior.”.

6           **241.** Page 1018, line 11: after that line insert:

7           “**SECTION 3127g.** 236.13 (2m) of the statutes is amended to read:

8           236.13 (2m) As a further condition of approval when lands included in the plat  
9 lie within 500 feet of the ordinary high-water mark of any navigable stream, lake  
10 or other body of navigable water or if land in the proposed plat involves lake or stream  
11 shorelands referred to in s. 236.16, the department of ~~natural resources~~  
12 environmental management, to prevent pollution of navigable waters, or the  
13 department of commerce, to protect the public health and safety, may require  
14 assurance of adequate drainage areas for private sewage disposal systems and  
15 building setback restrictions, or provisions by the owner for public sewage disposal  
16 facilities for waters of the state, as defined in s. 281.01 (18), industrial wastes, as  
17 defined in s. 281.01 (5), and other wastes, as defined in s. 281.01 (7). The public  
18 sewage disposal facilities may consist of one or more systems as the department of  
19 ~~natural resources~~ environmental management or the department of commerce  
20 determines on the basis of need for prevention of pollution of the waters of the state  
21 or protection of public health and safety.

22           **SECTION 3127j.** 236.16 (3) (a) of the statutes is amended to read:

23           236.16 (3) (a) All subdivisions abutting on a navigable lake or stream shall  
24 provide public access at least 60 feet wide providing access to the low watermark so

1 that there will be public access, which is connected to existing public roads, at not  
2 more than one-half mile intervals as measured along the lake or stream shore except  
3 where greater intervals and wider access is agreed upon by the department of  
4 ~~natural resources fish, wildlife, parks, and forestry, the department of~~  
5 environmental management, and the department, and excluding shore areas where  
6 public parks or open-space streets or roads on either side of a stream are provided.

7 **SECTION 3127L.** 236.16 (3) (d) (intro.) of the statutes is amended to read:

8 236.16 (3) (d) (intro.) All of the owners of all of the land adjacent to a public  
9 access established under par. (a) to an inland lake, as defined in s. 30.92 (1) (bk), may  
10 petition the city, village, town or county that owns the public access to construct  
11 shoreline erosion control measures. Subject to par. (e), the city, village, town or  
12 county shall construct the requested shoreline erosion control measures or request  
13 the department of ~~natural resources~~ environmental management to determine the  
14 need for shoreline erosion control measures. Upon receipt of a request under this  
15 paragraph from a city, village, town or county, the department of ~~natural resources~~  
16 environmental management shall follow the procedures in s. 30.02 (3) and (4).  
17 Subject to par. (e), the city, village, town or county shall construct shoreline erosion  
18 control measures as required by the department of ~~natural resources~~ environmental  
19 management if the department of ~~natural resources~~ environmental management  
20 determines all of the following:".

21 **242.** Page 1027, line 24: after that line insert:

22 "SECTION 3128ab. 237.02 (1) (b) of the statutes, as created by 2001 Wisconsin  
23 Act .... (this act), is amended to read:

1           237.02 (1) (b) The secretary of ~~natural resources~~ fish, wildlife, parks, and  
2 forestry, or his or her designee.

3           **SECTION 3128af.** 237.07 (3) (a) of the statutes, as created by 2001 Wisconsin  
4 Act ... (this act), is amended to read:

5           237.07 (3) (a) For each fiscal year, the authority shall submit to the department  
6 of administration an audited financial statement of the funding received by the  
7 authority from the department of ~~natural resources~~ fish, wildlife, parks, and forestry  
8 under s. 237.08 (2) and by the authority from contributions and other funding  
9 accepted by the authority under s. 237.08 (3).

10           **SECTION 3128ak.** 237.07 (4) of the statutes, as created by 2001 Wisconsin Act  
11 ... (this act), is amended to read:

12           237.07 (4) For each fiscal year in which moneys are to be released to the  
13 authority by the department of ~~natural resources~~ fish, wildlife, parks, and forestry  
14 under s. 237.08, each corporation specified in s. 237.09 shall submit to the authority  
15 an audited financial statement of the amount raised by the corporation under s.  
16 237.09 (2) (b) for that fiscal year.

17           **SECTION 3128ap.** 237.08 (2) of the statutes, as created by 2001 Wisconsin Act  
18 ... (this act), is amended to read:

19           237.08 (2) STATE FUNDING. From the appropriation under s. 20.370 (5) (cq) and  
20 before applying the percentages under s. 30.92 (4) (b) 6., the department of ~~natural~~  
21 ~~resources~~ fish, wildlife, parks, and forestry shall set aside for the rehabilitation and  
22 repair of the navigational system \$400,000 in each fiscal year to be matched by the  
23 moneys raised under s. 237.09 (2) (b). The funding shall be set aside beginning with  
24 the first fiscal year beginning after the submittal of the initial management plan  
25 submitted under s. 237.07 (1) and shall continue to be set aside in each of the next

1 6 consecutive fiscal years. From the funding that is set aside, the department shall  
2 release to the authority for each fiscal year an amount equal to the total amount  
3 raised by each corporation under s. 237.09 (2) (b) for which matching funding has not  
4 been previously released.

5 **SECTION 3128as.** 237.10 of the statutes, as created by 2001 Wisconsin Act ....  
6 (this act), is amended to read:

7 **237.10 Rapide Croche lock.** (1) Upon entering into the lease under s.  
8 237.06, the authority shall maintain the sea lamprey barrier at the Rapide Croche  
9 lock according to specifications of the department of ~~natural resources~~ fish, wildlife,  
10 parks, and forestry in order to prevent sea lampreys and other aquatic nuisance from  
11 moving upstream.

12 (2) If the authority decides to construct a means to transport watercraft around  
13 the Rapide Croche lock, the authority shall develop a plan for the construction that  
14 includes steps to be taken to control sea lampreys and other aquatic nuisance species.  
15 The authority shall submit the plan to the department of ~~natural resources~~ fish,  
16 wildlife, parks, and forestry and may not implement the plan unless it has been  
17 approved by the department.

18 **SECTION 3128aw.** 237.14 of the statutes, as created by 2001 Wisconsin Act ....  
19 (this act), is amended to read:

20 **237.14 Abandonment.** If the authority determines the operation of the  
21 navigational system is no longer feasible, the authority shall submit a plan to the  
22 department of administration and to the department of natural resources fish,  
23 wildlife, parks, and forestry describing the steps the authority will take in  
24 abandoning the navigational system. The navigational system may not be  
25 abandoned unless both the department of administration and the department of



1 ~~natural resources~~ fish, wildlife, parks, and forestry determine that the plan for  
2 abandonment will preserve the public rights in the Fox River, will ensure safety, and  
3 will protect life, health, and property.

4 **SECTION 3128ay.** 237.15 (1) of the statutes, as created by 2001 Wisconsin Act  
5 .... (this act), is amended to read:

6 237.15 (1) FUNDING. The department of administration shall transfer the  
7 unencumbered balances in the appropriation accounts under s. 20.370 ~~(9)~~ (1) (jL) and  
8 (ju) to the authority on the day after the date on which the state and the authority  
9 enter into the lease agreement specified in s. 237.06.”.

10 **243.** Page 1035, line 24: after that line insert:

11 “**SECTION 3143g.** 254.02 (3) (a) of the statutes is amended to read:

12 254.02 (3) (a) The department of agriculture, trade and consumer protection,  
13 the department of corrections, the department of commerce, and the department of  
14 ~~natural resources~~ environmental management shall enter into memoranda of  
15 understanding with the department to establish protocols for the department to  
16 review proposed rules of those state agencies relating to air and water quality,  
17 occupational health and safety, institutional sanitation, toxic substances, indoor air  
18 quality, food protection or waste handling and disposal.”.

19 **244.** Page 1038, line 9: after that line insert:

20 “**SECTION 3150e.** 254.51 (2) of the statutes is amended to read:

21 254.51 (2) The department shall enter into memoranda of understanding with  
22 the department of agriculture, trade and consumer protection, the department of  
23 commerce, the department of environmental management, and the department of