

1 92.14 (8) RULES. In consultation with the department of ~~natural resources~~
2 environmental management, the department shall promulgate rules to administer
3 this section and the department's duties under s. 281.65.

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

5 92.14 (12) ANNUAL REPORT. Annually, the department, in cooperation with the
6 department of ~~natural resources~~ environmental management, shall submit a report
7 on the progress of the program under this section and s. 281.65 to the board.

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

9 92.14 (13) EVALUATION PLAN. The department, jointly with the department of
10 ~~natural resources~~ environmental management, shall prepare a plan, which includes
11 water quality monitoring and analysis, for evaluating the program administered
12 under this section and s. 281.65 and submit the plan to the board. The board shall
13 make recommendations to the department and the department of ~~natural resources~~
14 environmental management on the plan. The department shall review and approve
15 or disapprove the plan and shall notify the board of its final action on the plan. The
16 department shall implement any part of the plan for which the plan gives it
17 responsibility.

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

19 92.14 (14) APPLICATION, ALLOCATION, REPORTING AND EVALUATION. The
20 department, jointly with the department of ~~natural resources~~ environmental
21 management, shall develop a single set of grant application, reporting and
22 evaluation forms for use by counties receiving grants under this section and ss.
23 281.65 and 281.66. The department, jointly with the department of ~~natural~~
24 ~~resources~~ environmental management, shall implement a single process for grant

1 application, funding allocation, reporting and evaluation for counties receiving
2 grants under this section and ss. 281.65 and 281.66.

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

4 **92.14 (14m) COORDINATION.** The department of agriculture, trade and
5 consumer protection and the department of ~~natural resources~~ environmental
6 management, jointly, shall review applications from counties for grants under sub.
7 (5r) and, for projects and activities selected to receive funding shall determine
8 whether to provide funding under this section or under s. 281.65 or 281.66.

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

10 **92.14 (15) FINANCIAL INFORMATION.** The department shall consult with the
11 department of ~~natural resources~~ environmental management when it prepares the
12 information which it submits to the department of administration under s. 16.42.

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

14 **92.15 (3) (a)** Notwithstanding ss. 92.11 and 92.17, a local governmental unit
15 may enact regulations of livestock operations that exceed the performance
16 standards, prohibitions, conservation practices and technical standards under s.
17 281.16 (3) only if the local governmental unit demonstrates to the satisfaction of the
18 department of agriculture, trade and consumer protection or the department of
19 ~~natural resources~~ environmental management that the regulations are necessary to
20 achieve water quality standards under s. 281.15.

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

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

1 92.18 (4) The department shall promulgate rules under this section in
2 consultation with the department of ~~natural resources~~ environmental management.

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

4 92.18 (5) Any training required under this section may be conducted by the
5 department or the department of ~~natural resources~~ environmental management or
6 by another person with the approval of the department.”.

7 **204.** Page 882, line 16: after that line insert:

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

9 93.12 (5) The department shall establish uniform minimum standards to be
10 used in the evaluation and certification of laboratory examinations. The department
11 shall submit any rules proposed under this subsection which affect the laboratory
12 certification program under s. 299.11 to the department of ~~natural resources~~
13 environmental management and to the state laboratory of hygiene for review and
14 comment. These rules may not take effect unless they are approved by the
15 department of ~~natural resources~~ environmental management within 6 months after
16 submission.

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

18 93.12 (8) The department shall enter into a memorandum of understanding
19 with the department of ~~natural resources~~ environmental management setting forth
20 the responsibilities of each department in administering the laboratory certification
21 programs under sub. (5) and s. 299.11. The memorandum of understanding shall
22 include measures to be taken by each department to avoid duplication of application
23 and compliance procedures for laboratory certification.

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

1 93.12 (9) The department shall recognize the certification or registration of a
2 laboratory by the department of ~~natural resources~~ environmental management
3 under s. 299.11 and shall accept the results of any test conducted by a laboratory
4 certified or registered to conduct that category of test under that section.”.

5 **205.** Page 882, line 17: after that line insert:

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

7 93.46 (1m) (a) 2. Coordinating the aquaculture activities of the department
8 with the aquaculture activities of the department of ~~natural resources~~ fish, wildlife,
9 parks, and forestry and the University of Wisconsin System.

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

11 93.46 (1m) (a) 3. Conducting meetings on a quarterly basis between
12 representatives of the department, the department of ~~natural resources~~ fish,
13 wildlife, parks, and forestry and the University of Wisconsin System to exchange
14 information regarding the progress of their efforts to promote commercial
15 aquaculture in this state.

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

17 93.46 (1m) (b) The department of ~~natural resources~~ fish, wildlife, parks, and
18 forestry and the department of environmental management shall assist persons in
19 obtaining any license or approval required by any state or federal agency to conduct
20 a commercial aquaculture operation.”.

21 **206.** Page 882, line 24: after that line insert:

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

1 94.02 (4) This section pertains to the abatement of pests on agricultural lands
2 and on agricultural business premises. This section does not affect the authority of
3 the department of ~~natural resources~~ fish, wildlife, parks, and forestry under ch. 26.

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

5 94.65 (3) (a) 3. No permit is required for the landspreading of sewage sludge
6 under a pollutant discharge elimination system permit issued by the department of
7 ~~natural resources~~ environmental management under s. 283.31 or 283.35.”

8 **207.** Page 888, line 10: after that line insert:

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

10 94.73 (1) (b) “Corrective action” means action that is taken in response to a
11 discharge and that is necessary to restore the environment to the extent practicable
12 and to minimize the harmful effects of the discharge to the air, lands or waters of this
13 state. “Corrective action” includes action taken or ordered by the department of
14 ~~natural resources~~ environmental management under s. 292.11 (7) in response to a
15 discharge, but does not include action ordered by the department of ~~natural~~
16 ~~resources~~ environmental management under s. 291.37 (2) or 291.95. “Corrective
17 action” does not include action taken, or ordered to be completed, before
18 January 1, 1989.

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

20 94.73 (2) (a) The department may issue an order requiring a responsible person
21 to take corrective action. Except as provided in a memorandum of understanding
22 under sub. (12), if a discharge involves a hazardous substance that may also become
23 a hazardous waste, the department and the department of ~~natural resources~~

1 environmental management shall consult to determine whether corrective action
2 should be taken under this section or s. 291.37 (2), 291.95 (1) or 292.31 (3).

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

4 94.73 (2m) CORRECTIVE ACTION ORDERED BY THE DEPARTMENT OF NATURAL
5 RESOURCES ENVIRONMENTAL MANAGEMENT (intro.) The department of natural
6 resources environmental management may take action under s. 292.11 (7) (a) or may
7 issue an order under s. 292.11 (7) (c) in response to a discharge only if one or more
8 of the following apply:

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

10 94.73 (2m) (b) The department of agriculture, trade and consumer protection
11 requests the department of ~~natural resources~~ environmental management to take
12 the action or issue the order.

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

14 94.73 (2m) (c) The secretary of ~~natural resources~~ environmental management
15 approves the action or order in advance after notice to the secretary of agriculture,
16 trade and consumer protection.

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

18 94.73 (2m) (d) The department of ~~natural resources~~ environmental
19 management takes action under s. 292.11 (7) (a) after the responsible person fails to
20 comply with an order that was issued under s. 292.11 (7) (c) in compliance with this
21 subsection.

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

23 94.73 (2m) (e) The department of ~~natural resources~~ environmental
24 management takes the action or issues the order in compliance with a memorandum
25 of understanding under sub. (12) between the department of agriculture, trade and

1 consumer protection and the department of ~~natural resources~~ environmental
2 management

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

4 94.73 (3) (d) The applicant has complied with every corrective action order
5 issued to the applicant by the department under sub. (2) or the department of ~~natural~~
6 ~~resources~~ environmental management under s. 292.11 (7) (c).

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

8 94.73 (3) (f) The applicant, upon discovery of the discharge, promptly reported
9 the discharge to the department or, if the applicant was required to report the
10 discharge under s. 292.11 (2), to the department of ~~natural resources~~ environmental
11 management.

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

13 94.73 (3m) (a) Costs for corrective action taken in response to a discharge that
14 is an intentional use of an agricultural chemical for agricultural purposes, unless the
15 corrective action is ordered by the department under sub. (2) or by the department
16 of ~~natural resources~~ environmental management under s. 292.11 (7) (c).

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

18 94.73 (3m) (b) Costs of reimbursing the department of ~~natural resources~~
19 environmental management for action taken under s. 292.11 (7) (a) or 292.31 (1), (3)
20 or (7) because the applicant failed to respond adequately to a discharge.

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

22 94.73 (3m) (e) Costs for corrective action taken in response to a discharge from
23 a facility that is required to be licensed under s. 289.31 or that would be required to
24 be licensed except that the department of ~~natural resources~~ environmental

1 management has issued a specific exemption under s. 289.43 or rules promulgated
2 under s. 289.05 (1) or (2).

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

4 94.73 (3m) (r) The cost of providing alternative sources of drinking water,
5 except that, subject to sub. (6) (b) to (f), the department may reimburse a responsible
6 person who applies for reimbursement a total of not more than \$20,000 for the
7 replacement of private wells if the department or the department of ~~natural~~
8 ~~resources~~ environmental management orders the well replacement in response to a
9 discharge.

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

11 94.73 (4) (b) Except as agreed under sub. (12), the department of agriculture,
12 trade and consumer protection shall promptly furnish the department of ~~natural~~
13 ~~resources~~ environmental management with a copy of each work plan submitted to
14 the department of agriculture, trade and consumer protection under par. (a) for
15 comment by the department of ~~natural resources~~ environmental management.
16 Within 14 days after it receives a copy of a work plan or within a different time period
17 agreed to under sub. (12), the department of ~~natural resources~~ environmental
18 management may provide the department of agriculture, trade and consumer
19 protection with any comments of the department of ~~natural resources~~ environmental
20 management on the work plan. If the department of ~~natural resources~~
21 environmental management timely submits written comments on a proposed work
22 plan, the department of agriculture, trade and consumer protection shall either
23 incorporate those comments into the approved work plan or give the department of
24 ~~natural resources~~ environmental management a written explanation of why the
25 comments were not incorporated.

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

2 **94.73 (9) SAMPLING REQUIREMENTS.** The department, in cooperation with the
3 department of ~~natural resources~~ environmental management, shall establish a
4 program for the collection and analysis of soil and other environmental samples at
5 sites where discharges may have occurred, including sites required to be registered
6 according to rules promulgated by the department of agriculture, trade and
7 consumer protection under sub. (11).

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

9 **94.73 (12) MEMORANDUM OF UNDERSTANDING.** The department and the
10 department of ~~natural resources~~ environmental management shall enter into a
11 memorandum of understanding establishing their respective functions in the
12 administration of this section. The memorandum of understanding shall establish
13 procedures to ensure that corrective actions taken under this section are consistent
14 with actions taken under s. 292.11 (7). The department and the department of
15 ~~natural resources~~ environmental management may request that the secretary of
16 administration provide assistance in accomplishing the memorandum of
17 understanding.”.

18 **208.** Page 888, line 11: after that line insert:

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

20 **95.60 (2) (d)** The department of ~~natural resources~~ fish, wildlife, parks, and
21 forestry is exempt from par. (a).

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

1 95.60 (4s) (a) In consultation with the department of ~~natural resources~~ fish,
2 wildlife, parks, and forestry, promulgate rules specifying requirements for the
3 labeling and identification, in commerce, of fish reared in fish farms.

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

5 95.60 (4s) (b) In consultation with the department of ~~natural resources~~ fish,
6 wildlife, parks, and forestry, promulgate rules specifying fish health standards and
7 requirements for certifying that fish meet those standards for the purpose of s.
8 29.736.

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

10 95.60 (4s) (c) In consultation with the department of ~~natural resources~~ fish,
11 wildlife, parks, and forestry, promulgate rules specifying the qualifications that a
12 person who is not a veterinarian must satisfy in order to issue fish health certificates.

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

14 95.60 (4s) (d) In consultation with the department of ~~natural resources~~ fish,
15 wildlife, parks, and forestry, promulgate rules specifying diseases and requirements
16 for certifying that fish are free of those diseases for the purposes of sub. (2) (b).

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

18 95.60 (6) (a) No person, except the department of ~~natural resources~~ fish,
19 wildlife, parks, and forestry, may rear lake sturgeon in a fish farm.

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

1 **209.** Page 888, line 15: after that line insert:

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

3 97.34 (2) (b) No person may manufacture or bottle bottled drinking water for
4 sale or distribution in this state unless the bottled drinking water complies with
5 state drinking water standards adopted by the department of ~~natural resources~~
6 environmental management under s. 280.11, 281.15 or 281.17 (8) and with
7 health-related enforcement standards adopted by the department of ~~natural~~
8 resources environmental management under ch. 160.

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

10 97.34 (2) (d) No person may manufacture or bottle bottled drinking water for
11 sale or distribution in this state unless the water system used by the manufacturer
12 or bottler complies with ch. 280 and rules promulgated by the department of ~~natural~~
13 resources environmental management under that chapter.”.

14 **210.** Page 890, line 16: after that line insert:

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

16 100.27 (5) (d) Informs the department and the department of ~~natural resources~~
17 environmental management of the collection site identified under par. (a) and the
18 telephone number under par. (c).

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

20 100.295 (1) LABELING STANDARDS. The department shall establish standards
21 that must be met by products in order for any person to represent that the products
22 are recycled, recyclable or degradable. The department shall establish standards
23 that are consistent, to the greatest extent practicable, with nationwide industry
24 consensus standards. In developing standards, the department shall consult with

1 the department of ~~natural resources~~ environmental management and the council on
2 recycling and consider purchasing specifications under s. 16.72 (2) (e) and (f) and any
3 existing federal standards. The department shall give priority to establishing
4 standards for specific products commonly represented as being recycled, recyclable
5 or degradable.”.

6 **211.** Page 891, line 4: after that line insert:

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

8 101.1205 (1) The department, in consultation with the department of ~~natural~~
9 ~~resources~~ environmental quality, shall establish statewide standards for erosion
10 control at building sites for the construction of public buildings and buildings that
11 are places of employment.”.

12 **212.** Page 892, line 24: after that line insert:

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

14 101.143 (1) (am) “Case closure letter” means a letter provided by the
15 department of ~~natural resources~~ environmental management that states that, based
16 on information available to the department of ~~natural resources~~ environmental
17 management, no further remedial action is necessary with respect to a discharge.”.

18 **213.** Page 893, line 2: after that line insert:

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

20 101.143 (2) (h) (intro.) The department of commerce and the department of
21 ~~natural resources~~ environmental management, jointly, shall promulgate rules
22 designed to facilitate effective and cost-efficient administration of the program
23 under this section that specify all of the following:

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

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

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

5 101.143 (2) (i) (intro.) The department of commerce and the department of
6 ~~natural resources~~ environmental management, jointly, shall promulgate rules
7 specifying procedures for evaluating remedial action plans and procedures to be used
8 by employees of the department of commerce and the department of ~~natural~~
9 ~~resources~~ environmental management while remedial actions are being conducted.

10 The departments shall specify procedures that include all of the following:

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

12 101.143 (2) (j) (intro.) The department of commerce and the department of
13 ~~natural resources~~ environmental management, jointly, shall promulgate rules
14 specifying all of the following:

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

16 101.143 (2) (j) 1. The conditions under which employees of the department of
17 commerce and the department of ~~natural resources~~ environmental management
18 must issue approvals under sub. (3) (c) 4.

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

20 101.143 (2) (k) In promulgating rules under pars. (h) to (j), the department of
21 commerce and the department of ~~natural resources~~ environmental management
22 shall attempt to reach an agreement that is consistent with those provisions. If the
23 department of commerce and the department of ~~natural resources~~ environmental
24 management are unable to reach an agreement, they shall refer the matters on
25 which they are unable to agree to the secretary of administration for resolution. The

1 secretary of administration shall resolve any matters on which the departments
2 disagree in a manner that is consistent with pars. (h) to (j). The department of
3 commerce and the department of ~~natural resources~~ environmental management,
4 jointly, shall promulgate rules incorporating any agreement between the
5 department of commerce and the department of ~~natural resources~~ environmental
6 management under this paragraph and any resolution of disagreements between the
7 departments by the secretary of administration under this paragraph.

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

9 101.143 (2e) RISK-BASED ANALYSIS. (a) The department of commerce and the
10 department of ~~natural resources~~ environmental management shall attempt to agree
11 on a method, which shall include individualized consideration of the routes for
12 migration of petroleum product contamination at each site, for determining the risk
13 to public health, safety and welfare and to the environment posed by discharges for
14 which the department of commerce receives notification under sub. (3) (a) 3.

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

20 (a). The department of commerce and the department of ~~natural resources~~
21 environmental management, jointly, shall promulgate rules incorporating any
22 agreement between the department of commerce and the department of ~~natural~~
23 ~~resources~~ environmental management under par. (a) and any resolution of
24 disagreements between the departments by the secretary of administration under
25 this paragraph.

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

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

7 101.143 (2m) INTERDEPARTMENTAL COORDINATION. Whenever the department of
8 commerce receives a notification under sub. (3) (a) 3. or the department of ~~natural~~
9 ~~resources~~ environmental management receives a notification of a petroleum product
10 discharge under s. 292.11, the department receiving the notification shall contact the
11 other department and shall schedule a meeting of the owner or operator or person
12 owning a home oil tank system and representatives of both departments.

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

14 101.143 (3) (a) 5. The owner or operator or the person reports the discharge in
15 a timely manner to the division of emergency management in the department of
16 military affairs or to the department of ~~natural resources~~ environmental
17 management, according to the requirements under s. 292.11.

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

19 101.143 (3) (a) 9. The owner or operator or the person follows standards for
20 groundwater restoration in the groundwater standards in the rules promulgated by
21 the department of ~~natural resources~~ environmental management under ss. 160.07
22 and 160.09 and restores the environment, to the extent practicable, according to
23 those standards at the site of the discharge from a petroleum product storage system
24 or home oil tank system.

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

1 101.143 (3) (c) 4. Receive written approval from the department of ~~natural~~
2 ~~resources environmental management~~ or, if the discharge is covered under s. 101.144
3 (2) (b), from the department of commerce that the remedial action activities
4 performed under subd. 3. meet the requirements of s. 292.11.

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

6 101.143 (3) (cm) *Monitoring as remedial action.* An owner or operator or person
7 owning a home oil tank system may, with the approval of the department of ~~natural~~
8 ~~resources environmental management~~ or, if the discharge is covered under s. 101.144
9 (2) (b), the department of commerce, satisfy the requirements of par. (c) 2. and 3. by
10 proposing and implementing monitoring to ensure the effectiveness of natural
11 attenuation of petroleum product contamination.

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

13 101.143 (3) (cp) 1. Except as provided in subds. 2. to 5., if the department of
14 ~~natural resources environmental management~~ or, if the site is covered under s.
15 101.144 (2) (b), the department of commerce estimates that the cost to complete a site
16 investigation, remedial action plan and remedial action for an occurrence exceeds
17 \$60,000, the department of commerce shall implement a competitive public bidding
18 process to obtain information to assist in making the determination under par. (cs).

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

20 101.143 (3) (cp) 2. The department of commerce or the department of ~~natural~~
21 ~~resources environmental management~~ may waive the requirement under subd. 1. if
22 an enforcement standard is exceeded in groundwater within 1,000 feet of a well
23 operated by a public utility, as defined in s. 196.01 (5), or within 100 feet of any other
24 well used to provide water for human consumption.

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

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

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

5 101.143 (3) (cs) 2. The department of ~~natural resources~~ environmental
6 management and the department of commerce shall review the remedial action plan
7 for a site that is classified as high risk under s. 101.144 and shall jointly determine
8 the least costly method of complying with par. (c) 3. and with enforcement standards.
9 The departments shall notify the owner or operator of their determination of the
10 least costly method and shall notify the owner or operator that reimbursement for
11 remedial action under this section is limited to the amount necessary to implement
12 that method.

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

14 101.143 (3) (cs) 3. In making determinations under subds. 1. and 2., the
15 department of ~~natural resources~~ environmental management and the department
16 of commerce shall determine whether natural attenuation will achieve compliance
17 with par. (c) 3. and with enforcement standards.

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

19 101.143 (3) (cs) 4. The department of commerce may review and modify an
20 amount established under subd. 1. if the department determines that new
21 circumstances, including newly discovered contamination at a site, warrant those
22 actions. The department of commerce and the department of ~~natural resources~~
23 environmental management may review and modify an amount established under
24 subd. 2. if the departments determine that new circumstances, including newly
25 discovered contamination at a site, warrant those actions.

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

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

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

12 101.143 (3) (cw) 3. In making determinations under subs. 1. and 2., the
13 department of ~~natural resources~~ environmental management and the department
14 of commerce shall determine whether natural attenuation will achieve compliance
15 with par. (c) 3. and with enforcement standards.

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

17 101.143 (3) (cw) 4. The department of commerce may review and modify an
18 amount established under subd. 1. if the department determines that new
19 circumstances, including newly discovered contamination at a site, warrant those
20 actions. The department of commerce and the department of ~~natural resources~~
21 environmental management may review and modify an amount established under
22 subd. 2. if the departments determine that new circumstances, including newly
23 discovered contamination at a site, warrant those actions.

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

1 101.143 (3) (d) *Final review of remedial action activities.* The department of
2 ~~natural resources environmental management~~ or, if the discharge is covered under
3 s. 101.144 (2) (b), the department of commerce shall complete a final review of the
4 remedial action activities within 60 days after the claimant notifies the appropriate
5 department that the remedial action activities are completed.

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

7 101.143 (3) (e) *Notifications.* The department of ~~natural resources~~
8 environmental management shall notify the department when it gives a claimant
9 written approval under par. (c) 4.

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

11 101.143 (3) (f) 5. The written approval of the department of ~~natural resources~~
12 environmental management or the department of commerce under par. (c) 4.

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

14 101.143 (3) (g) *Emergency situations.* Notwithstanding pars. (a) 3. and (c) 1.
15 and 2., an owner or operator or the person may submit a claim for an award under
16 sub. (4) after notifying the department under par. (a) 3., without completing an
17 investigation under par. (c) 1. and without preparing a remedial action plan under
18 par. (c) 2. if an emergency existed which made the investigation under par. (c) 1. and
19 the remedial action plan under par. (c) 2. inappropriate, and, before conducting
20 remedial action, the owner or operator or person notified the department of
21 commerce and the department of ~~natural resources environmental management~~ of
22 the emergency and the department of commerce and the department of ~~natural~~
23 resources environmental management authorized emergency action.”.

24 **214.** Page 896, line 22: after that line insert:

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

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

14 **215.** Page 897, line 4: after that line insert:

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

17 101.143 (4) (ei) 1m. b. The claim is submitted by a person who, at the time that
18 the notification was made under sub. (3) (a) 3., was the owner of the farm tank and
19 owned a parcel of 35 or more acres of contiguous land, on which the farm tank is or
20 was located, which was devoted primarily to agricultural use, as defined in s. 91.01
21 (1), including land designated by the department of ~~natural resources~~ fish, wildlife,
22 parks, and forestry as part of the ice age trail under s. 23.17, which during the year
23 preceding that notification produced gross farm profits, as defined in s. 71.58 (4), of
24 not less than \$6,000 or which, during the 3 years preceding that notification,

1 produced gross farm profits, as defined in s. 71.58 (4), of not less than \$18,000, or a
2 parcel of 35 or more acres, on which the farm tank is located, of which at least 35
3 acres, during part or all of the year preceding that notification, were enrolled in the
4 conservation reserve program under 16 USC 3831 to 3836.”.

5 **216.** Page 897, line 20: after that line insert:

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

8 101.143 (4) (ei) 2m. The owner or operator of the farm tank has received a letter
9 or notice from the department of commerce or department of ~~natural resources~~
10 environmental management indicating that the owner or operator must conduct a
11 site investigation or remedial action because of a discharge from the farm tank or an
12 order to conduct such an investigation or remedial action.

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

14 101.143 (4) (cs) 1. The department shall issue an award for a claim filed after
15 August 9, 1989, for eligible costs, under par. (b), incurred on or after August 1, 1987,
16 by an owner or operator or a person owning a home oil tank system in investigating
17 the existence of a discharge or investigating the presence of petroleum products in
18 soil or groundwater if the investigation is undertaken at the written direction of the
19 department of commerce or the department of ~~natural resources~~ environmental
20 management and no discharge or contamination is found.”.

21 **217.** Page 898, line 11: after that line insert:

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

1 101.143 (8) (b) Review and advise the secretary and the secretary of ~~natural~~
2 ~~resources~~ environmental management on the implementation of the petroleum
3 product remedial action program established under this section.”.

4 **218.** Page 898, line 20: after that line insert:

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

6 101.143 (11) **REPORTS.** (intro.) No later than each January 1 and July 1, the
7 department of commerce and the department of ~~natural resources~~ environmental
8 management shall submit to the governor, to the joint legislative audit committee,
9 to the joint committee on finance and to the appropriate standing committees of the
10 legislature, under s. 13.172 (3), a report on the program under this section. The
11 departments shall include all of the following information in the report:

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

13 101.144 (2) (a) The department shall administer a program under which
14 responsible persons investigate, and take remedial action in response to, those
15 discharges of petroleum products from petroleum storage tanks that are covered
16 under par. (b). The department may issue an order requiring a responsible person
17 to take remedial action in response to a discharge of a petroleum product from a
18 petroleum storage tank if the discharge is covered under par. (b). In administering
19 this section, the department shall follow rules promulgated by the department of
20 ~~natural resources~~ environmental management for the cleanup of discharges of
21 hazardous substances.

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

23 101.144 (3) (intro.) The department of ~~natural resources~~ environmental
24 management may take action under s. 292.11 (7) (a) or may issue an order under s.

1 292.11 (7) (c) in response to a discharge that is covered under sub. (2) (b) only if one
2 or more of the following apply:

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

4 101.144 (3) (b) The department of commerce requests the department of
5 ~~natural resources~~ environmental management to take the action or issue the order.

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

7 101.144 (3) (c) The secretary of ~~natural resources~~ environmental management
8 approves the action or order in advance after notice to the secretary of commerce.

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

10 101.144 (3) (d) The department of ~~natural resources~~ environmental
11 management takes action under s. 292.11 (7) (a) after the responsible person fails to
12 comply with an order that was issued under s. 292.11 (7) (c) in compliance with this
13 subsection.

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

15 101.144 (3) (e) The department of ~~natural resources~~ environmental
16 management takes the action under s. 292.11 (7) (a) because the identity of the
17 responsible person is unknown.

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

19 101.144 (3g) (a) If, on December 1, 1999, more than 35% of sites classified
20 under this section, excluding sites that are contaminated by a hazardous substance
21 other than a petroleum product or an additive to a petroleum product, are classified
22 as high-risk sites, the department of commerce and the department of ~~natural~~
23 ~~resources~~ environmental management shall attempt to reach an agreement that
24 specifies standards for determining whether the site of a discharge of a petroleum
25 product from a petroleum storage tank is classified as high risk. The standards shall

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

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

14 101.144 (3m) (a) (intro.) The department of commerce and the department of
15 ~~natural resources~~ environmental management shall enter into a memorandum of
16 understanding that does all of the following:

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

18 101.144 (3m) (b) The department of commerce and the department of ~~natural~~
19 ~~resources~~ environmental management shall submit a memorandum of
20 understanding under this subsection to the secretary of administration for review.

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

23 **219.** Page 901, line 9: after that line insert:

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

1 101.653 (6m) REVIEW. The department and the department of ~~natural~~
2 ~~resources~~ environmental management shall enter into a memorandum of agreement
3 that establishes a process for reviewing the standards established under sub. (2),
4 periodically updating those standards and reviewing the training program. The
5 memorandum of understanding shall ensure that local officials and other persons
6 interested in the standards established under sub. (2) and the training program may
7 participate in the process.”.

8 **220.** Page 912, line 11: after that line insert:

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

10 107.15 (2) (b) “Licensee” means any person licensed to conduct exploration
11 activities by the department of ~~natural resources~~ environmental management under
12 s. 293.21. If the person is a corporation or limited liability company, “licensee”
13 includes the parent and any subsidiary or affiliates of the corporation or limited
14 liability company engaged in mining or activities related to mining in this state.

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

16 107.15 (6) (c) 2. By the secretary of ~~the department of natural resources~~
17 environmental management for purposes of specific environmental analysis and
18 permit application evaluation and by the secretary of ~~the department of revenue~~
19 provided that the confidential information shall not be released by either the
20 department of revenue or the department of ~~natural resources~~ environmental
21 management, that the departments of revenue and ~~natural resources~~ environmental
22 management shall establish procedures to keep any confidential information
23 confidential, and that the responsible person or persons in each department shall be

1 subject to the penalty specified under this paragraph for the unauthorized release
2 of confidential information.

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

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

8 **221.** Page 912, line 17: after that line insert:

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

10 110.20 (8) (d) No inspection station may be established within 0.5 mile of an
11 air monitoring station which reported a violation during the period from 1976 to 1979
12 of the carbon monoxide primary national ambient air quality standard as defined by
13 the department of ~~natural resources~~ environmental management.”.

14 **222.** Page 912, line 20: after that line insert:

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

16 110.20 (13) (b) The department of ~~natural resources~~ environmental
17 management shall, by rule, establish the amount of the repair cost limit to equal the
18 amount required under 42 USC 7511a (b) 4. or (c) (3) (C).”.

19 **223.** Page 917, line 22: after that line insert:

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

21 **118.025 Arbor day observance.** A school principal may request one free tree
22 provided from state forest nurseries by the department of ~~natural resources~~ fish,
23 wildlife, parks, and forestry under s. 28.06 for each 4th grade pupil in the school for
24 planting in conjunction with an annual observance and celebration of arbor day.”.

1 **224.** Page 939, line 16: after that line insert:

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

3 125.52 (2) LIMITED MANUFACTURER'S PERMIT. The department shall issue a
4 limited manufacturer's permit which authorizes the use or sale of the intoxicating
5 liquor produced only if it is rendered unfit for use as a beverage and is used or sold
6 for use as fuel. The department shall notify the department of natural resources
7 environmental management of the name and address of any person to whom a
8 limited manufacturer's permit is issued.

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

10 **134.60 Cutting or transportation of evergreens.** No person may cut for
11 sale in its natural condition and untrimmed, with or without roots, any evergreen or
12 coniferous tree, branch, bough, bush, sapling or shrub, from the lands of another
13 without the written consent of the owner, whether such land is publicly or privately
14 owned. The written consent shall contain the legal description of the land where the
15 tree, branch, bough, bush, sapling or shrub was cut, as well as the name of the legal
16 owner. The written consent or a certified copy of the consent shall be carried by every
17 person in charge of the cutting or removing of the trees, branches, boughs, bushes,
18 saplings or shrubs, and shall be exhibited to any officer of the law, forest ranger,
19 forest patrol officer, conservation warden, or other officer of the department of
20 natural resources fish, wildlife, parks, and forestry at the officer's request at any
21 time. The officer may inspect the trees, branches, boughs, bushes, saplings or shrubs
22 when being transported in any vehicle or other means of conveyance and may
23 investigate to determine whether or not this section has been complied with. The
24 officer may stop any vehicle or means of conveyance found carrying any trees,

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

18 **225.** Page 942, line 9: after that line insert:

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

20 138.09 (7) (i) 3. On motor vehicle loans, the actual filing fee required for filing
21 with the department of transportation under ch. 342 or, on boat loans, the filing fee
22 required for filing with the department of ~~natural resources~~ fish, wildlife, parks, and
23 forestry under subch. V of ch. 30.”

24 **226.** Page 945, line 8: after that line insert:

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

2 145.245 (3) MAINTENANCE. The department shall establish a maintenance
3 program to be administered by governmental units. The maintenance program is
4 applicable to all new or replacement private sewage systems constructed in a
5 governmental unit after the date on which the governmental unit adopts this
6 program. The maintenance program shall include a requirement of inspection or
7 pumping of the private sewage system at least once every 3 years. Inspections may
8 be conducted by a master plumber, journeyman plumber or restricted plumber
9 licensed under this chapter, a person licensed under s. 281.48 or by an employee of
10 the state or governmental unit designated by the department. The department of
11 ~~natural resources~~ environmental management may suspend or revoke a license
12 issued under s. 281.48 or a certificate issued under s. 281.17 (3) to the operator of a
13 septage servicing vehicle if the department of ~~natural resources~~ environmental
14 management finds that the licensee or operator falsified information on inspection
15 forms. The department of commerce may suspend or revoke the license of a plumber
16 licensed under this chapter if the department finds that the plumber falsified
17 information on inspection forms.”.

18 **227.** Page 946, line 6: after that line insert:

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

20 146.60 (1) (c) “Departments” means the department of agriculture, trade and
21 consumer protection and the department of ~~natural resources~~ environmental
22 management.

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

1 146.60 (2) (a) The department of ~~natural resources~~ environmental
2 management shall be the reviewing department for any regulated release subject to
3 15 USC 2601 to 2629.

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

5 146.60 (3) (c) 1. If the department of ~~natural resources~~ environmental
6 management receives information under this subsection or sub. (4) (c), it shall
7 provide the department of agriculture, trade and consumer protection with a copy of
8 the information.

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

10 146.60 (3) (c) 2. If the department of agriculture, trade and consumer
11 protection receives information under this subsection or sub. (4) (c), it shall provide
12 the department of ~~natural resources~~ environmental management with a copy of the
13 information.

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

15 146.60 (5) MEMORANDUM OF UNDERSTANDING. Within 6 months after June 13,
16 1989, the department of ~~natural resources~~ environmental management shall enter
17 into a memorandum of understanding with the department of agriculture, trade and
18 consumer protection setting forth the procedures and responsibilities of the
19 departments in the administration of this section. The memorandum shall establish
20 procedures that minimize the duplication of effort between the departments and for
21 the person providing information under sub. (3).”.

22 **228.** Page 958, line 24: after that line insert:

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

1 160.001 (6) Where necessary to comply with federal statutes or regulations, the
2 department of ~~natural resources~~ environmental management may adopt rules in
3 regulatory programs administered by it which are more stringent than the
4 enforcement standards and preventive action limits adopted under this chapter.

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

6 160.001 (7) A regulatory agency may take any actions within the context of
7 regulatory programs established in statutes outside of this chapter, if those actions
8 are necessary to protect public health and welfare or prevent a significant damaging
9 effect on groundwater or surface water quality for present or future consumptive or
10 nonconsumptive uses, whether or not an enforcement standard and preventive
11 action limit for a substance has been adopted under this chapter. Nothing in this
12 chapter requires the department of health and family services or the department of
13 ~~natural resources~~ environmental management to establish an enforcement
14 standard for a substance if a federal number or state drinking water standard has
15 not been adopted for the substance and if there is not sufficient scientific information
16 to establish the standard.

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

18 160.01 (1) ~~“Department”~~, “Department,” when used without qualification,
19 means the department of ~~natural resources~~ environmental management.

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

21 160.01 (7) “Regulatory agency” means the department of agriculture, trade and
22 consumer protection, the department of commerce, the department of environmental
23 management, the department of transportation, the department of ~~natural~~
24 ~~resources~~ fish, wildlife, parks, and forestry and other state agencies ~~which that~~
25 regulate activities, facilities, or practices ~~which that~~ are related to substances ~~which~~

1 that have been detected in or have a reasonable probability of entering the
2 groundwater resources of the state.

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

4 160.07 (5) Within 9 months after transmitting the name of a substance to the
5 department of health and family services under sub. (2), the department of ~~natural~~
6 ~~resources~~ environmental management shall propose rules establishing the
7 recommendation of the department of health and family services as the enforcement
8 standard for that substance and publish the notice required under s. 227.16 (2) (e),
9 227.17, or 227.24 (3).

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

11 160.07 (6) If a federal number is established or changed for a substance after
12 an enforcement standard is recommended by the department of health and family
13 services, and if any person or regulatory agency submits a request, the department
14 of ~~natural resources~~ environmental management shall determine whether the
15 enforcement standard needs revision based on recommendations under sub. (4).

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

17 160.13 (2) (b) 4. If no acceptable daily intake or equivalent value for an oncogen
18 is established by the federal environmental protection agency, or if an acceptable
19 daily intake is established but oncogenic potential at the established acceptable daily
20 intake presents an unacceptable probability of risk, the department shall provide the
21 department of ~~natural resources~~ environmental management with an evaluation of
22 the oncogenic potential of the substance. This evaluation of oncogenic potential shall
23 indicate an acceptable daily intake for the substance which, if ingested daily over an
24 entire human lifetime, appears to present an acceptable probability of risk ~~which~~
25 that is presumed to be a risk level equal to a ratio of one to 1,000,000. A risk level

1 equal to a ratio of one to 1,000,000 is the expectation that no more than one excess
2 death will occur in a population of 1,000,000 over a 70-year period. The department
3 shall base the evaluation of oncogenic potential on a review of the most recent and
4 scientifically valid information available.”.

5 **229.** Page 959, line 7: after that line insert:

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

7 165.25 (4) (a) The department of justice shall furnish all legal services required
8 by the investment board, the lottery division in the department of revenue, the public
9 service commission, the department of transportation, the department of natural
10 resources, the department of environmental management, the department of
11 tourism and the department of employee trust funds, together with any other
12 services, including stenographic and investigational, as are necessarily connected
13 with the legal work.”.

14 **230.** Page 959, line 14: after that line insert:

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

16 165.25 (6) (e) The department of justice may appear for and defend the state
17 or any state department, agency, official or employee in any civil action arising out
18 of or relating to the assessment or collection of costs concerning environmental
19 cleanup or natural resources damages including actions brought under 42 USC 9607.
20 The action may be compromised and settled in the same manner as provided in par.
21 (a). At the request of the department of ~~natural resources~~ environmental
22 management, the department of justice may provide legal representation to the state
23 or to the department of ~~natural resources~~ environmental management in the same
24 matter in which the department of justice provides defense counsel, if the attorneys

1 representing those interests are assigned from different organizational units within
2 the department of justice. This paragraph may not be construed as a consent to sue
3 the state or any department, agency, official or employee of the state or as a waiver
4 of sovereign immunity.”.

5 **231.** Page 960, line 10: after that line insert:

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

7 165.85 (4) (b) 1. No person may be appointed as a law enforcement or tribal law
8 enforcement officer, except on a temporary or probationary basis, unless the person
9 has satisfactorily completed a preparatory program of law enforcement training
10 approved by the board and has been certified by the board as being qualified to be
11 a law enforcement or tribal law enforcement officer. The program shall include 400
12 hours of training, except the program for law enforcement officers who serve as
13 rangers for the department of ~~natural resources~~ fish, wildlife, parks, and forestry
14 includes 240 hours of training. The board shall promulgate a rule under ch. 227
15 providing a specific curriculum for a 400-hour conventional program and a 240-hour
16 ranger program. The rule shall ensure that there is an adequate amount of training
17 for each program to enable the person to deal effectively with domestic abuse
18 incidents. The training under this subdivision shall include training on emergency
19 detention standards and procedures under s. 51.15, emergency protective placement
20 standards and procedures under s. 55.06 (11) and information on mental health and
21 developmental disabilities agencies and other resources that may be available to
22 assist the officer in interpreting the emergency detention and emergency protective
23 placement standards, making emergency detentions and emergency protective
24 placements and locating appropriate facilities for the emergency detentions and

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

19 **232.** Page 961, line 11: after that line insert:

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

22 166.20 (4) (title) DUTIES OF THE DEPARTMENT OF NATURAL RESOURCES
23 ENVIRONMENTAL MANAGEMENT. (intro.) The department of ~~natural resources~~
24 environmental quality shall:

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

2 166.20 (4) (b) Have the same powers and duties at the time of a release of a
3 hazardous substance as are given to it under s. 292.11, including the investigation
4 of releases of hazardous substances, the repair of any environmental damage which
5 results from the release and the recovery of costs from responsible parties. The
6 department of ~~natural resources~~ environmental management may also, at the time
7 of a release of a hazardous substance, identify and recommend to the division and
8 the committee measures to lessen or mitigate anticipated environmental damage
9 resulting from the release.

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

11 166.20 (5) (a) 2. All facilities in this state covered under 42 USC 11004 shall
12 comply with the notification requirements of 42 USC 11004. Notification of the
13 department of ~~natural resources~~ environmental management of the discharge of a
14 hazardous substance under s. 292.11 (2) shall constitute the notification of the
15 division required under 42 USC 11004 if the notification contains the information
16 specified in 42 USC 11004 (b) (2) or (c).

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

18 166.20 (5) (a) 4. (intro.) The following facilities shall comply with the toxic
19 chemical release form requirements under 42 USC 11023 and shall submit copies of
20 all toxic chemical release forms to the department of ~~natural resources~~
21 environmental management:”

22 **233.** Page 963, line 18: after that line insert:

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

1 166.22 (3) If action required under sub. (2) is not being adequately taken or the
2 identity of the person responsible for an emergency involving a release or potential
3 release of a hazardous substance is unknown and the emergency involving a release
4 or potential release threatens public health or safety or damage to property, a local
5 agency may take any emergency action that is consistent with the contingency plan
6 for the undertaking of emergency actions in response to the release or potential
7 release of hazardous substances established by the department of ~~natural resources~~
8 environmental management under s. 292.11 (5) and that it considers appropriate
9 under the circumstances.”.

10 **234.** Page 965, line 4: after that line insert:

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

12 167.10 (3) (b) 3. The disposal of hazardous substances in accordance with rules
13 adopted by the department of ~~natural resources~~ environmental management.

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

15 167.31 (4m) RULES. The department of ~~natural resources~~ fish, wildlife, parks,
16 and forestry may further restrict hunting from stationary vehicles on county or town
17 highways by promulgating rules designating certain county and town highways, or
18 portions thereof, upon which a holder of a Class A or Class B permit issued under s.
19 29.193 (2) may not discharge a firearm or shoot a bolt or an arrow from a bow or
20 crossbow under sub. (4) (cg). For each restriction of hunting from a county or town
21 highway contained in a rule to be promulgated under this subsection, the
22 department shall submit a specific justification for the restriction with the rule
23 submitted to legislative council staff for review under s. 227.15 (1).

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

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

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

7 170.12 (4) REVIEW BY OTHER AGENCIES. (intro.) Upon receipt of an application
8 under sub. (3), the board shall immediately transmit copies of the application to the
9 department of ~~natural resources~~ fish, wildlife, parks, and forestry, the department
10 of environmental management, and to the historical society for review. The
11 department of natural resources and the historical society shall, as appropriate,
12 within 30 days after their receipt of the application, notify the board whether any of
13 the following apply:

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

15 170.12 (4) (c) The proposed project may affect public rights in navigable waters.
16 The department of ~~natural resources~~ fish, wildlife, parks, and forestry, and the
17 department of environmental management shall recommend to the board
18 requirements and conditions to be attached to the permit which shall protect those
19 rights.

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

21 170.12 (5) RESERVATION OF VALUE. The state reserves to itself 30% of the
22 stumpage value, established by the department of ~~natural resources~~ fish, wildlife,
23 parks, and forestry by rule promulgated under s. 77.91 (1), of any log raised pursuant
24 to a permit issued under this section.”.

1 **235.** Page 985, line 2: after that line insert:

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

3 182.70 (1) (d) “Department” means the department of ~~natural resources~~
4 environmental management.

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

6 182.70 (3) (a) 1. The company may create, acquire or lease an entire reservoir
7 project or otherwise maintain, operate or control a system of water reservoirs located
8 in or along the Wisconsin ~~river~~ River. These reservoirs shall be located north of
9 township 37 north in or along the Wisconsin River, and in or along any tributary of
10 the Wisconsin River that discharges into the river at any point north of the south line
11 of township 23 north. The company may create, acquire, maintain and operate
12 waterways to divert flood waters from or to the Wisconsin River to or from reservoirs
13 on other rivers. Diversion of flood waters shall be subject to approval by the
14 department, in consultation with the department of fish, wildlife, parks, and
15 forestry. The company may construct, acquire and maintain dams, booms and other
16 structures in, along or across this portion of the Wisconsin River and its tributaries
17 to accomplish the purposes of this section. The company may clean out, straighten,
18 deepen or otherwise improve any tributary to improve navigation of the tributary or
19 of the Wisconsin River, or to prevent injury to property bordering on the rivers.

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

21 182.71 (1) (c) “Department” means the department of ~~natural resources~~
22 environmental management.

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

1 182.71 (7) (a) The commission shall appraise and fix the price of any dam, land
2 or flowage rights to be purchased by the company under this section. The
3 commission shall approve any lease of property by the company prior to the payment
4 of rent. The commission may require the department or the department of fish,
5 wildlife, parks, and forestry to aid in appraising the value of the land.

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

16 **236.** Page 992, line 12: after that line insert:

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

18 196.491 (1) (c) “Department” means the department of ~~natural resources~~
19 environmental management.

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

21 196.491 (2) (b) 5. Department of ~~natural resources~~ environmental
22 management.”.

23 **237.** Page 1003, line 6: after that line insert:

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

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

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

4 196.86 (1) (d) "Initial compliance date" means the date specified in a notice by
5 the department of ~~natural resources~~ environmental management under s. 285.48 (2)
6 by which electric generating facilities in the midcontinent area of this state are
7 required to comply with initial nitrogen oxide emission reduction requirements.

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

9 196.86 (2) If the department of ~~natural resources~~ environmental management
10 makes a notification to the commission under s. 285.48 (2), the commission shall
11 assess against electric public utility affiliates a total of \$2,400,000, or a decreased
12 amount specified in a notice by the department of ~~natural resources~~ environmental
13 management under s. 285.48 (3) (d) 3., in each fiscal year of the 10-year period that
14 commences on July 1 of the fiscal year ending before the initial compliance date. An
15 assessment in a fiscal year against an electric public utility affiliate under this
16 subsection shall be in an amount that is proportionate to the electric public utility
17 affiliate's heat throughput ratio for the prior fiscal year.

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

19 **196.98 Water reporting required.** The commission shall ensure that each
20 public utility to which s. 281.35 applies shall comply with the requirements of that
21 section and shall report its volume and rate of withdrawal, as defined under s. 281.35
22 (1) (m), and its volume and rate of water loss, as defined under s. 281.35 (1) (L), if any,
23 to the commission in the form and at the times specified by the department of ~~natural~~
24 ~~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 area 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 **238.** 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 **239.** 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 **240.** 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 **241.** 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 **242.** 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 **243.** Page 1015, line 8: after that line insert:

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