

1 **89.** Page 465, line 11: after that line insert:

2 “**SECTION 1066pm.** 23.45 (2) of the statutes, as affected by 2001 Wisconsin Act  
3 .... (this act), is amended to read:

4 23.45 (2) If a form that the department of natural resources or the department  
5 of forestry and parks or its their agents require an individual to complete in order  
6 to obtain an approval or a registration requires the individual to provide any of the  
7 individual’s personal identifiers, the form shall include a place for the individual to  
8 declare that the individual’s personal identifiers obtained by ~~the~~ that department or  
9 its agents from the information on the form may not be disclosed on a list that ~~the~~  
10 that department furnishes to another person.”.

11 **90.** Page 465, line 20: after that line insert:

12 “**SECTION 1066tm.** 23.45 (3) of the statutes, as affected by 2001 Wisconsin Act  
13 .... (this act), is amended to read:

14 23.45 (3) If the department of natural resources or the department of forestry  
15 and parks or its their agents require an individual to provide, by telephone or other  
16 electronic means, any of the individual’s personal identifiers in order to obtain an  
17 approval or a registration from ~~the~~ that department, ~~the~~ that department or its  
18 agents shall ask the individual at the time that the individual provides the  
19 information if the individual wants to declare that the individual’s personal  
20 identifiers obtained by telephone or other electronic means may not be disclosed on  
21 a list that ~~the~~ that department furnishes to another person.”.

22 **91.** Page 465, line 25: after that line insert:

23 “**SECTION 1066xe.** 23.45 (4) of the statutes, as affected by 2001 Wisconsin Act  
24 .... (this act), is amended to read:

1           23.45 (4) The department of natural resources and the department of forestry  
2 and parks shall provide to an individual upon request a form that includes a place  
3 for the individual to declare that the individual's personal identifiers obtained by the  
4 department of natural resources or the department of forestry and parks or its their  
5 agents may not be disclosed on a list that ~~the that~~ department furnishes to another  
6 person.

7           **SECTION 1066xm.** 23.45 (5) (a) of the statutes is amended to read:

8           23.45 (5) (a) The department of natural resources and the department of  
9 forestry and parks may not disclose on any list that ~~it either department~~ furnishes  
10 to another person a personal identifier of any individual who has made a declaration  
11 under sub. (2), (3) or (4).

12           **SECTION 1066xs.** 23.45 (5) (b) of the statutes is amended to read:

13           23.45 (5) (b) Paragraph (a) does not apply to a list that the department of  
14 natural resources or the department of forestry and parks furnishes to another state  
15 agency, a law enforcement agency or a federal governmental agency. A state agency  
16 that receives a list from the department of natural resources or the department of  
17 forestry and parks containing a personal identifier of any individual who has made  
18 a declaration under sub. (2), (3) or (4) may not disclose the personal identifier to any  
19 person other than a state agency, a law enforcement agency or a federal  
20 governmental agency.".

PLAIN

21           **92.** Page 466, line 6: after that line insert:

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

23           24.39 (1) The board of commissioners of public lands may grant leases of parts  
24 or parcels of any public lands except state park lands ~~in the state park system~~ and

1 state forest lands; grant easements, leases to enter upon any of said lands to flow the  
 2 same or to prospect for and to dig and remove therefrom ore, minerals and other  
 3 deposits, and sell therefrom such timber as the board shall find necessary to prevent  
 4 future loss or damage. All sales of standing live timber shall be on a selective cutting  
 5 basis in line with federal forest practices. Such easements, leases, licenses, and sales  
 6 shall be made only for a full and fair consideration paid or to be paid to the state, the  
 7 amount and terms whereof shall be fixed by said board, and such easements, leases,  
 8 licenses and sales shall conform to the requirements, so far as applicable, prescribed  
 9 by ch. 26 for the exercise by the department of natural resources of similar powers  
 10 affecting ~~lands in the~~ state park <sup>(PLAIN)</sup> ~~lands system~~ and state forest lands.

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

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

17 **93.** Page 468, line 21: after that line insert:

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

19 25.17 (1) (fs) Forestry and parks fund (s. 25.28).

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

21 25.17 (1) (fv) Forestry and parks land endowment fund (s. 25.294);”.

22 **94.** Page 470, line 13: after that line insert:

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

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

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

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

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

8           (d) All other state funds appropriated or transferred to the forestry and parks  
9 fund.

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

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

14           25.29 (1) (a) Except as provided in ss. 25.293 and 25.295, all moneys accruing  
15 to the state for or in behalf of the department under chs. 26, 27, 28, 29, and 350,  
16 subchs. I and VI of ch. 77 and ss. 23.09 to 23.31, 23.325 to 23.42, 23.50 to 23.99, 30.50  
17 to 30.55, 70.58, 71.10 (5) and 71.30 (10), including grants received from the federal  
18 government or any of its agencies except as otherwise provided by law.”.

19           **95.** Page 471, line 10: after that line insert:

20           **“SECTION 1119c.** 25.29 (6) of the statutes, as affected by 2001 Wisconsin Act ....  
21 (this act), is amended to read:

22           25.29 (6) All moneys received from the United States for fire prevention and  
23 control, forest planting and other forestry activities, for wildlife restoration projects

1 and fish restoration and management projects, and for other purposes shall be  
2 devoted to the purposes for which these moneys are received.

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

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

6 25.28 (3) (am) Eight percent of the tax levied under s. 70.58 or of the funds  
7 provided for in lieu of the levy shall be used to acquire and develop forests of the state  
8 for the purposes or capable of providing the benefits described under s. 28.04 (2)  
9 within areas approved by the department of forestry ~~and parks~~ and the governor and  
10 located within the region composed of Manitowoc, Calumet, Winnebago, Sheboygan,  
11 Fond du Lac, Ozaukee, Washington, Dodge, Milwaukee, Waukesha, Jefferson,  
12 Racine, Kenosha, Walworth, Rock and Outagamie counties.

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

15 25.28 (3) (b) An additional 4% of the tax levied under s. 70.58 or of the funds  
16 provided in lieu of the levy shall be used to purchase forests for the state for the  
17 purposes or capable of providing the benefits described under s. 28.04 (2) within  
18 areas approved by the department of forestry ~~and parks~~ and the governor and located  
19 within the region specified under par. (a) (am).

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

21 **25.294 Forestry ~~and parks~~ land endowment fund.** There is established  
22 a separate nonlapsible trust fund designated as the forestry ~~and parks~~ land  
23 endowment fund, to consist of:

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

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

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

7 25.295 (1) (b) Notwithstanding s. 23.15 (4), all moneys received by the  
8 department of natural resources state from utility easements on property located in  
9 the state park system, a southern state forest, as defined in s. 27.016 (1) (c), or a state  
10 recreation area under ss. ~~23.09 (10), 27.01 (2) (g) and 28.02 (5).~~"

11 **96.** Page 477, line 12: after that line insert:

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

13 26.06 (1) Foresters, forest supervisors, and state forest and park rangers and  
14 wardens of the department and the cruisers and foresters of the board of  
15 commissioners of public lands have the enforcement powers specified in s. 26.97 with  
16 respect to, and may seize, without process, any forest products unlawfully severed  
17 from public lands of the state, federal lands leased to the state, county forest lands  
18 entered under s. 28.11, forest croplands entered under subch. I of ch. 77, or managed  
19 forest land designated under subch. VI of ch. 77. Seized products cut from lands  
20 under the control of the board of commissioners of public lands shall be held for the  
21 commissioners and those cut from forest croplands, managed forest land, or county  
22 forest shall be held for the owner, and subject to the payment of severance taxes, yield  
23 taxes or severance share thereon to the state. Products cut from state forest lands  
24 or federal lands leased to the department shall be appraised and sold. Products

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1 appraised at more than \$500 shall be sold on sealed bids not less than 10 days after  
2 a class 1 notice has been published, under ch. 985, in the county where the material  
3 is located. Any sheriff may seize and hold for the owner thereof any forest products  
4 unlawfully severed or removed.

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

6 26.08 (2) (a) Except as provided under pars. (b) to (d), ~~the department may lease~~  
7 ~~state park land or state forest land for leases under sub. (1) shall be for terms not~~  
8 exceeding 15 years.”.

9 **97.** Page 477, line 15: after that line insert:

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

11 26.08 (3) The department of natural resources and the department of forestry  
12 and parks shall furnish to the board of commissioners of public lands such maps,  
13 plats, surveys, valuations, information, and other services as the board may request  
14 respecting any of the public lands, for use by it in granting leases or licenses or in  
15 making sales under s. 24.39.

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

17 26.11 (6) The department, as the director of the effort, may suppress a forest  
18 fire on lands located outside the boundaries of intensive or extensive forest fire  
19 protection districts but not within the limits of any city or village if the town  
20 responsible for suppressing fires within its boundaries spends more than \$3,000, as  
21 determined by rates established by the department, on suppressing the forest fire  
22 and if the town chairperson makes a request to the department for assistance.  
23 Persons participating in the suppression efforts shall act at the direction of the  
24 department after the department begins suppression efforts under this subsection.

1 Funds expended by the state under this subsection shall be drawn from the  
2 appropriation under s. ~~20.370 (1) (mu)~~ 20.375 (2) (q).”

3 **98.** Page 477, line 21: after that line insert:

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

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

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

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

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

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



1 of notices and forms for publication and the disposition and use of all fire-fighting  
2 equipment or property. All property or equipment purchased by the state shall be  
3 owned by the state, but counties or towns may purchase and own equipment for fire  
4 suppression, and the equipment shall be used for the improvement of the forest  
5 fire-fighting organization.

6 **SECTION 1148m.** 26.14 (1) of the statutes is amended to read:

7 26.14 (1) State forest and park rangers, town chairpersons, conservation  
8 wardens and other duly appointed deputies shall take prompt measures against the  
9 spread and illegal setting of forest fires. They may call upon any able-bodied citizen  
10 to assist in fighting fires in such manner as they direct.

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

12 26.14 (2) All such state forest and park rangers, town chairpersons, emergency  
13 fire wardens, conservation wardens and other duly appointed deputies may in the  
14 performance of their official duty go on the lands of any person to fight forest fires,  
15 and in so doing may set back fires, dig trenches, cut fire lines or carry on all other  
16 customary activities in the fighting of forest fires, without incurring a liability to  
17 anyone.”.

18 **99.** Page 478, line 2: after that line insert:

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

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

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

1           26.30 (2) POWERS. The department is vested with authority and jurisdiction in  
2 all matters relating to the prevention, detection and control of forest pests on the  
3 forest lands of the state, and to do all things necessary in the exercise of such  
4 authority and jurisdiction, except that this shall not be construed to grant any  
5 powers or authority to the department for the silvicultural control of forest pests on  
6 any land. This section shall apply only to the detection and control of forest pests on  
7 forest lands and does not affect the authority of the department of agriculture, trade  
8 and consumer protection under chs. 93 and 94. The action of the department under  
9 sub. (4) shall be coordinated with the department of agriculture, trade and consumer  
10 protection in accordance with s. 20.901. The secretaries of ~~natural resources forestry~~  
11 ~~and parks~~ and agriculture, trade and consumer protection shall execute annually a  
12 memorandum of agreement to enable the coordination of pest control work of their  
13 departments.

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

15           26.30 (4) SURVEYS, INVESTIGATIONS AND CONTROL. The department shall make  
16 surveys and investigations to determine the presence, condition and extent of  
17 infestations and it shall also carry on control measures when necessary. For such  
18 purposes the department or its wardens or state forest ~~and park~~ rangers may enter  
19 public and private lands at reasonable times without incurring a liability to anyone.

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

21           26.37 (1) (intro.) The department of ~~natural resources forestry and parks~~ and  
22 the department of commerce shall ~~jointly develop a comply with any plan to establish~~  
23 required to be developed by the department of natural resources and the department  
24 of commerce to establish a lake states wood utilization consortium to provide  
25 research, development and demonstration grants to enhance the forest products

*strike space*

1 industry in Wisconsin and other states.—~~The if the plan shall do~~ does all of the  
2 following:

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

4 26.37 (1) (a) ~~Define~~ Defines the powers, duties and responsibilities of the  
5 consortium.

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

7 26.37 (1) (b) ~~Establish~~ Establishes an implementation committee for the  
8 consortium. Members of the committee may include one or more representatives  
9 from the department of natural resources, the department of forestry and parks, the  
10 department of commerce and the forest products industry.

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

12 26.37 (1) (c) ~~Specify~~ Specifies eligibility requirements for the grants and  
13 criteria for awarding the grants, including how the grants are to be distributed to  
14 each state participating in the consortium.

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

16 26.37 (1) (d) ~~Require~~ Requires that the grants require matching funds or  
17 in-kind contributions by industrial recipients of the grants.

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

19 26.37 (1) (e) ~~Require~~ Requires the implementation committee to identify an  
20 organization that can administer and award the grants and oversee the grant  
21 program.

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

23 26.37 (1) (f) ~~Require~~ Requires the consortium to actively pursue funding from  
24 the states of Michigan and Minnesota of \$200,000 annually from each state for 3  
25 years.

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

2           26.37 (1) (g) ~~Require~~ Requires the consortium to actively pursue federal and  
3 other funding sources.”.

4           **100.** Page 479, line 1: substitute “20.375 (2) (ru)” for “20.375 (1) (cu)”.

5           **101.** Page 479, line 2: substitute “20.375 (2) (rv)” for “20.375 (1) (cv)”.

6           **102.** Page 479, line 2: after that line insert:

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

9           26.39 (2) FORESTRY EDUCATION CURRICULUM; SCHOOLS. Using the moneys  
10 appropriated under s. ~~20.370 (1) (cu)~~ 20.375 (2) (ru), the department, in cooperation  
11 with the Center for Environmental Education in the College of Natural Resources  
12 at the University of Wisconsin–Stevens Point, shall develop a forestry education  
13 curriculum for grades kindergarten to 12.

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

      \*\*\*\*NOTE: Section 26.39 (4) (a) and (b) work only if the effective date of the above  
provisions is July 1, 2002. If not, s. 26.39 (4) (a) and (b) will need to be affected.

19           **SECTION 1149n.** 26.97 (intro.) of the statutes is amended to read:

20           ~~26.97 Law enforcement and police power.~~ (intro.) A state forest ~~and park~~  
21 ranger, town chairperson, conservation warden or other duly appointed deputy may  
22 do any of the following:

LPS:  
on  
proof  
draft  
watch  
for no  
striking/scoring.

SSAEWA  
KG

2001-2002 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRBb2221/?ins  
MGG:.....

**Insert 29-2**

*From the general fund,*

SECTION 629dsm. 20.375 (3) (c) of the statutes is created to read:

20.375 (3) (c) *Resource maintainance and development — state funds.* As a continuing appropriations, the amounts in the schedule for the maintenance and development of recreation areas, other than game or fish refuges, in state forests under ch. 28.

\*\*\*NOTE: I added "from the general fund". KMG

**Insert 58-18**

*WPU  
fix*

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

23.305 (2) Notwithstanding ss. 23.30 and 28.04, the department may lease state park land <sup>plain</sup> ~~of state forest land~~ <sup>plain</sup> ~~in the southern state forests~~ to towns, villages or counties for outdoor recreational purposes associated with spectator sports. Notwithstanding ss. 23.30 and 28.04, the department of forestry may lease state forest land, other than land in the southern state forests, to towns, villages or counties for outdoor recreational purposes associated with spectator sports.

History: 1985 a. 29.

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

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

History: 1985 a. 29.

**Insert 67-11**

\*\*\*NOTE: MGG — see my change I added "fund". KMG

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

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

**Insert 132-2**

“SECTION 2308p. 84.28 (1) of the statutes is amended to read:

84.28 (1) Moneys from the appropriation under s. ~~20.370 (7) (mc)~~ 20.375 (3) (b) may be expended for the renovation, marking and maintenance of a town or county highway located within the boundaries of any ~~state park, state forest or other property under the jurisdiction of the department of natural resources.~~ Moneys from the appropriation under s. ~~20.370 (7) (mc)~~ <sup>plain</sup> may be expended for the renovation, marking and maintenance of a town or county highway located within the boundaries of any state park, in the lower Wisconsin state riverway <sup>as</sup> defined in s. 30.40 (15) <sup>or</sup> or on other property under the jurisdiction of the department of natural resources. Outside the lower Wisconsin state riverway <sup>as</sup> defined in s. 30.40 (15), or outside the boundaries of these ~~parks, forests or property,~~ moneys from the appropriation under s. 20.370 (7) (mc) may be expended for the renovation, marking and maintenance of roads which the department of natural resources certifies are utilized by a substantial number of visitors to state parks, ~~state forests or other property under the jurisdiction of the department of natural resources.~~ The department of natural resources shall authorize expenditures from the appropriation under s. 20.370 (7) (mc) under this subsection. The department of natural resources shall rank projects eligible for assistance funding from the appropriation under s. 20.370 (7) (mc) under a priority system and funding may be restricted to those projects with highest priority. Outside the boundaries of the state forests, moneys from the appropriation under s. 20.375 (3) (b), for the renovation,

*ie*  
may be expended

1 ~~SECTION 1149pb.~~ Chapter 27 (title) of the statutes is repealed and recreated  
2 to read:

3 **CHAPTER 27**  
4 **DEPARTMENT OF FORESTRY AND**  
5 **PARKS, STATE PARK SYSTEM,**  
6 **AND PUBLIC PARKS**

7 ~~SECTION 1149pc.~~ Subchapter I (title) of chapter 27 [precedes 27.001] of the  
8 statutes is created to read:

9 **CHAPTER 27**  
10 **SUBCHAPTER I**  
11 **GENERAL PROVISIONS**

12 ~~SECTION 1149pd.~~ 27.001 of the statutes is created to read:

13 **27.001 Definitions.** In this chapter, unless the context requires otherwise:

14 (1) "Department" means the department of forestry and parks.

15 (2) "Secretary" means the secretary of forestry and parks.

16 ~~SECTION 1149pe.~~ 27.002 (title) of the statutes is created to read:

17 ~~27.002~~ (title) **Powers of department, designation of state park areas.**

18 ~~SECTION 1149pf.~~ 27.002 (2) (e) of the statutes is created to read:

19 27.002 (2) (e) For the ~~(state park system and)~~ state forests, accept and

20 administer, in the name of the state, any gifts, grants, bequests, and devises,

21 including land, interests in land and funds made available to the department by the

22 federal government under any act of congress relating to any of the functions of the

23 department.

24 ~~SECTION 1149pg.~~ 27.002 (2) (e) of the statutes is created to read:

1153nxc  
1153nxd  
insert 92-24  
move to p. 92

other than  
southern  
state  
forests,

the department  
may

28.012  
28.012(1)  
28.012(2)  
1153nxf

*28.012(2)* The department may

1 ~~27.002(2)(c)~~ Extend or consolidate lands or waters suitable for the state park  
2 system or the state forests *other than the southern state forests* by the exchange of other lands or waters under its  
3 supervision.

*53.nxg 28.012(3)*  
4 SECTION 1149 ~~pk.~~ *28.012(3)* 27.002(2)(g) of the statutes is created to read:

5 ~~27.002(2)(g)~~ The department may  
6 constructed upon lands owned by this state *other than the southern state forests* in the state park system or in the state  
7 forests *and under the jurisdiction of the department.*

*53.nxh 28.012(4)*  
8 SECTION 1149 ~~pk.~~ *28.012(4)* 27.002(2)(g) of the statutes is created to read:

9 ~~27.002(2)(g)~~ The department may  
10 Grant easements to parts or parcels of areas of the state park  
11 system or of areas in the state forests *other than the southern state forests*

*53.nxi 28.012(5)*  
12 SECTION 1149 ~~pk.~~ *28.012(5)* 27.002(2g) of the statutes is created to read:

13 ~~27.002(2g)~~ FUNDS FROM DONATIONS All funds included in the gifts, grants,  
14 bequests, and devises received or expected to be received by the department for the  
15 ~~state park system or the~~ state forests *under its jurisdiction* in a biennium shall be included in the  
16 statement of its actual and estimated receipts and disbursements for such biennium  
17 required to be contained in the biennial state budget report under s. 16.46. Those  
18 funds shall be considered to be, and shall be treated the same as, other actual and  
19 estimated receipts and disbursements of the department. The department may  
20 acknowledge the receipt of any funding from a particular person or group in any  
21 department pamphlet, bulletin, or other publication.

*53.nxj 28.012(6)*  
22 SECTION 1149 ~~pk.~~ *28.012(6)* 27.002(2m) of the statutes is created to read:

23 ~~27.002(2m)~~ DONATION OF FACILITIES. The donor of any building, facility, or  
24 structure under sub. *(3)* ~~(2)(g)~~ may contract for this construction according to plans and  
25 specifications provided by the department or may enter into a contract for  
professional architectural and engineering services to develop plans and

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1 specifications for the building, facility, or structure and contract for their  
 2 construction. Upon the completion of construction satisfactory to the department,  
 3 title to the building, facility, or structure shall vest in the state. No person may  
 4 construct any building, facility, or structure under this subsection without the prior  
 5 approval of the department regarding plans and specifications, materials,  
 6 suitability, design, capacity, or location. The plans and specifications for any  
 7 building, structure, or facility donated under sub. (2) (eg) shall also be subject to the  
 8 approval of the building commission.

9 <sup>53 n.r. 28.012 (7)</sup>  
 SECTION 1149 ~~pr.~~ 27.002 (2m) of the statutes is created to read:

10 <sup>28.012 (7)</sup>  
 27.002 (2m) ~~GRANT OF EASEMENTS AND LEASES.~~ Any easements granted under  
 11 <sup>sub. (4) ✓</sup> sub. (2) (gm) ~~or s. 28.02 (5) and any leases granted under sub. (2) (g) or s. 23.305 or~~ <sup>under</sup>  
 12 26.08 by the department shall have the restrictions necessary to preserve and protect  
 13 the land subject to the lease or easement for the purposes for which it was acquired  
 14 or made part of ~~the state park system, or of~~ the state forests.

15 <sup>53 n.r. 28.012 (8)</sup>  
 SECTION 1149 ~~pr.~~ 27.002 (2m) of the statutes is created to read:

16 <sup>28.012 (8)</sup>  
 27.002 (2n) ~~EASEMENTS AND RIGHTS IN PROPERTY,~~ (a) In this subsection,  
 17 "easement" includes a negative easement, a restrictive covenant, a covenant running  
 18 with the land, and any other right for a lawful use of the property together with the  
 19 right to acquire all negative easements, restrictive covenants, covenants running  
 20 with the land, and all rights for use of property.

21 (b) The department may acquire any easement for the benefit of any area ~~in the~~  
 22 ~~state park system or in the state forests,~~ <sup>no other than lands accessible to</sup>

23 <sup>53 n.r. 28.012 (9)</sup>  
 SECTION 1149 ~~pr.~~ 27.002 (2p) of the statutes is created to read:

24 <sup>28.012 (9)</sup>  
 27.002 (2p) ~~ACCESS TO LANDS,~~ If there are areas of the ~~state park system or in~~  
 25 ~~the~~ state forests that are inaccessible because they are surrounded by lands not

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1 belonging to the state, and if the department determines that the usefulness or value  
2 of these areas for the ~~state park system~~ or state forests will be increased if there is  
3 access to them over lands not belonging to the state, the department may acquire the  
4 land necessary to construct highways that will furnish the needed access. ✓

5 **SECTION 1149pu.** Subchapter II (title) of chapter 27 [precedes 27.01] of the  
6 statutes is created to read:

7 **CHAPTER 27**

8 **SUBCHAPTER II**

9 **STATE PARKS AND STATE FORESTS**

10 **SECTION 1149pv.** 27.01 (title) of the statutes is repealed and recreated to read:

11 **27.01 (title) Admissions and camping.**

12 **SECTION 1149pw.** 27.01 (1) of the statutes is renumbered 27.002 (1) and  
13 amended to read:

14 27.002 (1) ~~PURPOSE OF STATE PARK SYSTEM.~~ It is declared to be the policy of the  
15 legislature to acquire, improve, preserve and administer a system of areas to be  
16 known as the state ~~parks~~ park system of Wisconsin. The purpose of the state ~~parks~~  
17 park system is to provide areas for public recreation and for public education in  
18 conservation and nature study. An area may qualify as ~~a part of the state park~~  
19 system by reason of its scenery, its plants and wildlife, or its historical, archaeological  
20 or geological interest. The department shall be responsible for the selection of a  
21 balanced system of ~~state park~~ these areas and for the acquisition, development,  
22 maintenance, and administration of the state ~~parks~~ park system. No admission  
23 charge shall be made to any state park, except as provided in subs. (7) to (9).

24 **SECTION 1149px.** 27.01 (2) (intro.) of the statutes is renumbered 27.002 (2)  
25 (intro.) and amended to read:

1           27.002 (2) POWERS OF THE DEPARTMENT. (intro.) In order to carry out the  
2 purposes of this section, the department shall have charge and supervision of the  
3 state park system and the state forests. The state park system shall consist of state  
4 parks, state trails, the ice age trail, and roadside parks. The department also may:

5           **SECTION 1149py.** 27.01 (2) (a) of the statutes is renumbered 27.002 (2) (a) and  
6 amended to read:

7           27.002 (2) (a) Acquire by purchase, lease, or agreement, and receive by grant,  
8 gift, or devise, lands, interests in lands, or waters suitable for furthering the  
9 purposes of the state park purposes system and may acquire such lands and waters  
10 by condemnation after obtaining approval of the senate and assembly appropriate  
11 standing committees on natural resources of each house of the legislature as  
12 determined by the presiding officer of each house. The department may also  
13 maintain these acquired lands and waters in order to further these purposes.

14           **SECTION 1149rb.** 27.01 (2) (b) of the statutes is renumbered 27.002 (2) (b) and  
15 amended to read:

16           27.002 (2) (b) Classify state park the areas of the state park system as to their  
17 most logical employment and greatest usefulness as, for example, scenic,  
18 recreational, or historical, and establish boundaries for each area of the state park  
19 system.

20           **SECTION 1149rd.** 27.01 (2) (c) of the statutes is renumbered 27.002 (2) (c) and  
21 amended to read:

22           27.002 (2) (c) Make, and as rapidly as possible carry out, plans for the  
23 development of the state ~~parks~~ park system, including the layout and construction  
24 of roads, trails, camping, and picnic areas, buildings, water, and sewer and other  
25 sanitary installations, and the development of all other facilities considered

1 necessary for the preservation of special features or the overall usefulness of any  
2 area in the state park system.

3 **SECTION 1149re.** 27.01 (2) (d) of the statutes is renumbered 27.002 (2) (d) and  
4 amended to read:

5 27.002 (2) (d) Enter into agreements with the federal government, the  
6 government of neighboring states, state departments, counties, towns, scientific  
7 societies, organizations, individuals, or others on any subject considered of concern  
8 and benefit to the state ~~parks~~ park system. Operation of historic buildings,  
9 restorations, museums, or remains within the boundaries of ~~a~~ an area of the state  
10 park or parks system may be vested by such agreements in the historical society,  
11 which may charge a resident an admission fee and shall charge a nonresident an  
12 admission fee to such buildings, restorations, museums, or remains in accordance  
13 with s. 44.02 (5) in order to defray in whole or in part the costs of operation of such  
14 sites.

15 **SECTION 1149rf.** 27.01 (2) (e) of the statutes is repealed.

16 **SECTION 1149rg.** 27.01 (2) (f) of the statutes is renumbered 27.002 (2) (f) and  
17 amended to read:

18 27.002 (2) (f) Grant concessions or franchises within the state park system for  
19 the furnishing of supplies or facilities and services ~~on the state parks that are~~  
20 considered necessary for the proper comfort of the public.

21 **SECTION 1149rh.** 27.01 (2) (g) of the statutes is renumbered 27.002 (2) (g) and  
22 amended to read:

23 27.002 (2) (g) Lease parts or parcels of ~~state park land or grant easements~~  
24 there areas of the state park system, subject to sub. (2mn) and ss. 23.305 and 26.08.

1           **SECTION 1149ri.** 27.01 (2) (h) of the statutes is renumbered 27.002 (2) (h) and  
2 amended to read:

3           27.002 (2) (h) Designate by appropriate name any area in the state park system  
4 that is not expressly named by the legislature.

5           **SECTION 1149rj.** 27.01 (2) (i) of the statutes is renumbered 27.002 (2) (i) and  
6 amended to read:

7           27.002 (2) (i) Establish and operate in ~~state parks~~ the areas of the state park  
8 system such services and conveniences and install such facilities as will render ~~such~~  
9 ~~parks~~ the areas more attractive for public use and make reasonable charges for the  
10 use thereof of these areas.

11           **SECTION 1149rk.** 27.01 (2) (j) of the statutes is renumbered 27.002 (2) (j) and  
12 amended to read:

13           27.002 (2) (j) Promulgate rules necessary to govern the conduct of ~~state park~~  
14 ~~visitors,~~ to the state park system and ~~for the protection of state park~~ to protect the  
15 ~~property, or~~ and the use of facilities in the state park system, including the use of  
16 boats and other watercraft on lakes or rivers within the limits of ~~a~~ the state park,  
17 system and the use of roads, trails, or bridle paths.

18           **SECTION 1149rL.** 27.01 (2) (k) of the statutes is renumbered 27.002 (2) (k) and  
19 amended to read:

20           27.002 (2) (k) Designate parking areas and regulate the use and movement of  
21 automobiles or other vehicles in ~~the state parks~~ any area of the state park system.

22           **SECTION 1149rm.** 27.01 (2) (L) of the statutes is renumbered 27.002 (2) (L) and  
23 amended to read:

24           27.002 (2) (L) Make surveys and investigations of sites considered potentially  
25 valuable for ~~state parks~~ the state park system.

1        **SECTION 1149rs.** 27.01 (2) (m) of the statutes is renumbered 27.002 (2) (m) and  
2 amended to read:

3        27.002 (2) (m) Take such other action as may be deemed advisable for the  
4 administration, development, maintenance, or protection of the state park system  
5 or any part or parts thereof.

6        **SECTION 1149rt.** 27.01 (3) of the statutes is renumbered 27.002 (3) and  
7 amended to read:

8        27.002 (3) ~~TRANSFER OF STATE PARK SYSTEM LAND TO MUNICIPALITIES.~~ The  
9 department may not transfer the ownership of any state park or land within any  
10 state park area in the state park system to any county, city, village, or town unless  
11 it the department receives the approval of the joint committee on finance regarding  
12 the appropriate level of reimbursement to be received by the state to reflect the  
13 state's cost in acquiring and developing the state park or land within the state park  
14 area.

15        **SECTION 1149ru.** 27.01 (4) of the statutes is amended to read:

16        27.01 (4) **PARK MANAGERS.** Park managers employed by the department shall  
17 have all the powers of state fire wardens as provided in ch. 26, and such powers shall  
18 apply to state parks the entire state park system.

19        **SECTION 1149rv.** 27.01 (5) of the statutes is renumbered 27.002 (5) and  
20 amended to read:

21        27.002 (5) **ROADSIDE PARKS.** ~~All areas designated as roadside parks shall be a~~  
22 ~~part of the state park system.~~ Roadside parks will consist of naturally attractive  
23 parcels of land, that are 5 acres or more in size, and that are immediately contiguous  
24 to a state trunk highway. Each such area roadside park shall carry a distinctive  
25 name and shall be managed and developed as a part of the state park system.



*Keep*

1 **106.** Page 480, line 16: substitute "(a) (b)" for "(a)".

2 ✓ **107.** Page 480, line 18: after that line insert:

3 **"SECTION 1153ic.** 27.01 (7) (h) of the statutes, as affected by 2001 Wisconsin  
4 Act ... (this act), is renumbered 27.01 (7) (h) 1. and amended to read:

5 27.01 (7) (h) 1. All moneys collected as fees under pars. (f) to (gr) and sub. (7m)  
6 (b) that are not retained by agents under par. (gu) or sub. (7m) (b) shall be paid within  
7 one week into the state treasury, credited to the conservation forestry and parks fund  
8 and used for state parks, state recreation areas, and recreation areas in state forests,  
9 and the Bong area lands.

10 **"SECTION 1153il.** 27.01 (7) (h) 2. of the statutes is created to read:

11 27.01 (7) (h) 2. The department of forestry and parks and the department of  
12 natural resources shall enter into an agreement to determine how the moneys  
13 credited to the forestry and parks fund under subd. 1. will be allocated for use  
14 between the departments, and how the payments made under par. (gu) will be  
15 allocated for payment between the departments. The secretary of administration  
16 shall resolve any disputes between the departments concerning the agreement  
17 entered into under this subdivision.

18 **SECTION 1153iq.** 27.01 (7m) (a) of the statutes is renumbered 27.01 (7m) (a) 1.

19 **SECTION 1153ir.** 27.01 (7m) (a) 2. of the statutes is created to read:

20 27.01 (7m) (a) 2. The department of forestry natural resources, as an agent of the  
21 department, shall issue vehicle admission receipts and collect the vehicle admission  
22 fees under sub. (7). The vehicle admission fees collected by the department of forestry natural  
23 resources shall be deposited in the conservation forestry and parks fund.

*\*\*\*NOTE: MGG - I restored the  
winning of 27.01 (7) (h). KMG*

*and how the fees collected  
for conservation portion licenses  
will be allocated between the  
departments*



1           **SECTION 1153is.** 27.01 (7m) (b) of the statutes is renumbered 27.01 (7m) (b) 1.  
2 and amended to read:

3           27.01 (7m) (b) 1. An agent appointed under par. (a) 1, shall collect the  
4 applicable issuing fee specified in sub. (7) (gr). The agent may retain the issuing fees  
5 to compensate the agent for the agent's services in issuing the receipts.

6           **SECTION 1153it.** 27.01 (7m) (b) 2. of the statutes is created to read:

7           27.01 (7m) (b) 2. The department of <sup>forestry</sup> ~~natural resources~~ shall collect the  
8 applicable issuing fee specified in sub. (7) (gr) for the vehicle admission receipts that  
9 it issues and shall deposit the issuing fees into the <sup>forestry</sup> ~~conservation~~ fund.”

10           **108.** Page 480, line 22: after that line insert:

11           **“SECTION 1153Lb.** 27.01 (10) (b) of the statutes is amended to read:

12           27.01 (10) (b) *Establishment, operation and categories of campgrounds.* The  
13 department of forestry and parks and the department of natural resources may each  
14 establish and operate state campgrounds ~~in state parks, state forests and other on~~  
15 lands under ~~its~~ their respective supervision and management. ~~The~~ Each department  
16 may classify, by rule, its state campgrounds into separate categories.

17           **SECTION 1153Lc.** 27.01 (10) (d) 1. of the statutes is amended to read:

18           27.01 (10) (d) 1. The camping fee for each night at a campsite in a campground  
19 which is classified as a Type “A” campground ~~by the department~~ under par. (b) is \$8  
20 for a resident camping party.

21           **SECTION 1153Ld.** 27.01 (10) (d) 2. of the statutes is amended to read:

22           27.01 (10) (d) 2. The camping fee for each night at a campsite in a campground  
23 which is classified as a Type “A” campground ~~by the department~~ under par. (b) is \$10  
24 for a nonresident camping party.

1           **SECTION 1153Le.** 27.01 (10) (d) 3. of the statutes is amended to read:

2           27.01 (10) (d) 3. The camping fee for each night at a campsite in a state  
3 campground which is classified as a Type “B” campground ~~by the department~~ under  
4 par. (b) is \$7 for a resident camping party.

5           **SECTION 1153Lf.** 27.01 (10) (d) 4. of the statutes is amended to read:

6           27.01 (10) (d) 4. The camping fee for each night at a campsite in a state  
7 campground which is classified as a Type “B” campground ~~by the department~~ under  
8 par. (b) is \$9 for a nonresident camping party.

9           **SECTION 1153Lg.** 27.01 (10) (d) 5. of the statutes is amended to read:

10           27.01 (10) (d) 5. The camping fee for each night at a campsite in a campground  
11 which is classified as a Type “C” campground ~~by the department~~ under par. (b) is \$6  
12 for a resident camping party.

13           **SECTION 1153Lh.** 27.01 (10) (d) 6. of the statutes is amended to read:

14           27.01 (10) (d) 6. The camping fee for each night at a campsite in a campground  
15 which is classified as a Type “C” campground ~~by the department~~ under par. (b) is \$8  
16 for a nonresident camping party.

17           **SECTION 1153Lj.** 27.01 (10) (e) of the statutes is amended to read:

18           27.01 (10) (e) *Determination of residency.* ~~The department~~ departments shall  
19 base ~~its~~ their determination of whether a camping party is a resident or nonresident  
20 camping party upon the residency of the person who applies for a reservation under  
21 sub. (11) at the time the application for reservation is made or, if no reservation is  
22 made, the residency of the person who registers for the campsite at the time of  
23 registration.

24           **SECTION 1153Lm.** 27.01 (10) (f) of the statutes is amended to read:

1           27.01 (10) (f) *Waiver of fees; special fees.* The ~~department~~ departments may  
2 waive camping fees, charge additional camping fees or charge special fees instead of  
3 camping fees for certain classes of persons or groups, certain areas, certain types of  
4 camping or times of the year and for admission to special events.

5           **SECTION 1153Ln.** 27.01 (10) (g) (intro.) of the statutes is amended to read:

6           27.01 (10) (g) *Additional camping fees.* (intro.) Besides the additional camping  
7 fees authorized under par. (f), the ~~department~~ departments may charge:

8           **SECTION 1153Lp.** 27.01 (10) (h) of the statutes is amended to read:

9           27.01 (10) (h) *Increased camping fees.* In addition to ~~its~~ their authority under  
10 par. (f), the ~~department~~ departments shall determine which state campgrounds  
11 under their supervision and management are located in areas where local market  
12 conditions justify the establishment of higher camping fees to be charged by the  
13 ~~department.~~ ~~For these state campgrounds, the department~~ departments. ~~The~~  
14 departments shall promulgate rules for state campgrounds under their supervision  
15 and management to establish higher camping fees to be based on the applicable local  
16 market conditions.

17           **SECTION 1153Lq.** 27.01 (11) (a) of the statutes is amended to read:

18           27.01 (11) (a) *Authorization.* The department of forestry ~~and parks~~ may  
19 establish and operate a campground reservation system for state campgrounds in  
20 state parks, ~~state forests~~ and on other lands under the department's its supervision  
21 and control. ~~The department~~ management and may participate with owners of  
22 private campgrounds in a cooperative reservation system. The department of  
23 natural resources may do the same for state campgrounds on lands under its  
24 supervision and management.

25           **SECTION 1153Lr.** 27.01 (11) (b) (intro.) of the statutes is amended to read:

1           27.01 (11) (b) *Rules.* (intro.) The department ~~departments~~ shall promulgate  
2 rules for the operation of the ~~their~~ campground reservation system ~~systems~~. The  
3 rules shall include all of the following:

4           **SECTION 1153Ls.** 27.01 (11) (cm) 1. of the statutes is amended to read:

5           27.01 (11) (cm) 1. The department of forestry ~~and parks~~ may enter into a  
6 contract with another party to operate the campground reservation system that the  
7 department ~~it~~ establishes under par. (a). The department of natural resources may  
8 do the same for a campground reservation system that it establishes under par. (a).

9           **SECTION 1153Lt.** 27.01 (11) (cm) 2. of the statutes is amended to read:

10          27.01 (11) (cm) 2. A contract entered into under this paragraph shall require  
11 that the department entering into the contract retain \$1 of each reservation fee  
12 collected.

13          **SECTION 1153Lu.** 27.01 (11) (i) of the statutes is amended to read:

14          27.01 (11) (i) *Cooperation with tourism.* The department of natural resources  
15 and the department of tourism shall work jointly ~~to establish an~~ on any automated  
16 campground reservation system established or operated by the department of  
17 natural resources. The department of forestry ~~and parks~~ and the department of  
18 tourism shall work jointly on any automated campground reservation established or  
19 operated by the department of forestry ~~and parks~~. "

20          **SECTION 1153Lw.** 27.01 (13) of the statutes is renumbered <sup>28.90</sup>~~27.90~~ (2) and  
21 amended to read:

22          <sup>28.90</sup>~~27.90~~ (2) POLICE SUPERVISION. The department shall have police supervision  
23 over all ~~state parks~~ areas within the state park system and in the state forests, and  
24 its duly appointed wardens ~~forest and park~~ rangers or representatives in charge of  
25 any area within the state park system or in the state forests may arrest, with or

1 without warrant, any person within such ~~park an area, committing who commits~~ an  
 2 offense against the laws of the state or in violation of ~~who violates~~ any rule or  
 3 regulation of the department in force in ~~such state park, the area~~ and deliver such  
 4 ~~the person to the proper court of the county wherein such where the~~ offense has been  
 5 ~~was~~ committed and make and execute a complaint charging such ~~the person with the~~  
 6 offense committed. The district attorney of the county ~~wherein such where the~~  
 7 offense ~~has been was~~ committed shall appear and prosecute all actions arising under  
 8 this subsection.

9 SECTION 1153Lx. 27.011 of the statutes is amended to read:

10 **27.011 Copper Culture Mounds State Park.** The department of natural  
 11 resources shall ~~accept a grant of lands develop and maintain~~ in the city of Oconto,  
 12 Oconto County, and shall ~~develop and maintain it as a state park to be known as~~  
 13 Copper Culture Mounds State Park.”

14 ✓ 109. Page 481, line 5: after that line insert:

15 SECTION 1153~~rb.~~ <sup>28.045 ✓</sup> of the statutes is created to read:

16 (B) 28.045 pm **27.0137 Designation of trails and areas.** (1) In this section, “special use  
 17 area” includes a trail, campground, or picnic area.

18 (2) The department shall designate special use areas ~~within the state park~~  
 19 ~~system~~ <sup>other than southern state forests</sup> in state forests, ~~and in state recreation areas under its jurisdiction~~ <sup>and</sup> shall <sup>stet</sup>  
 20 indicate the location of each special use area in one of the following manners:

21 (a) By showing it on a map available at the district office of the department that  
 22 is nearest to the special use area.

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↑  
✓

1 (b) By indicating its location on a sign outside any office of the department that  
2 is located ~~within the same area of the state park system~~ within the same state forest,  
3 ~~or within the state recreation area as the special use area.~~

4 (c) By placing a sign at the special use area.

5 (3) The department shall inspect trail signs and designated features twice a  
6 year, once before July 1 and once after July 1.

7 (4) Subsection (3) does not apply to snowmobile trails on land under the control  
8 of the department that are maintained by snowmobile clubs or other nonprofit  
9 organizations. " ✓

10 (SECTION 1153nc. 27.016 (1) (c) of the statutes is amended to read:

11 27.016 (1) (c) "Southern state forest" means a state forest that is located within  
12 the region specified in s. ~~25.29 (7) (a)~~ 25.28 (3) (am).

13 SECTION 1153ne. 27.016 (6) of the statutes is amended to read:

14 27.016 (6) Annually, on or before January 1, the department shall review all  
15 applications received under this section in the previous year and shall make the  
16 grants that it approves from the appropriation under s. ~~20.370 (1) (eq)~~ 20.375 (1) (r).  
17 If insufficient funds are available to pay all approved grants, the ~~board~~ department  
18 shall prorate the available funds among the applicants in proportion to the approved  
19 grant amounts.

20 SECTION 1153nf. 27.016 (7) of the statutes is amended to read:

21 27.016 (7) Beginning in fiscal year 1996-97 and for each fiscal year thereafter,  
22 any moneys not encumbered or expended for grants under sub. (6) from the  
23 appropriation under s. ~~20.370 (1) (eq)~~ 20.375 (1) (r) may be used by the department  
24 for the operation and maintenance of the state parks, of the southern state forests  
25 and of state recreation areas.

1 **SECTION 1153nm.** Subchapter III (title) of chapter 27 [precedes 27.019] of the  
2 statutes is created to read:

3 **CHAPTER 27**  
4 **SUBCHAPTER III**  
5 **LOCAL PARKS**

6 **SECTION 1153np.** 27.019 (12) of the statutes is amended to read:

7 27.019 (12) COOPERATION OF STATE DEPARTMENTS. The department of  
8 agriculture, trade and consumer protection, the department of administration, the  
9 department of natural resources, the department of forestry and parks, and the  
10 agricultural extension division of the University of Wisconsin shall cooperate with  
11 the several county rural planning committees in carrying out this section.

12 **SECTION 1153nr.** Subchapter IV (title) of chapter 27 [precedes 27.90] of the  
13 statutes is created to read:

14 **CHAPTER 27**  
15 **SUBCHAPTER IV**  
16 **ENFORCEMENT AND PENALTIES**

17 **SECTION 1153nc.** ~~27.90~~<sup>28.90</sup> (title) of the statutes is created to read:  
18 **27.90** (title) **Enforcement.** *yc*

19 **SECTION 1153nd.** ~~27.90~~<sup>28.90</sup> (1) of the statutes is created to read:  
20 **27.90** (1) **ENFORCEMENT DUTIES.** (a) The department shall enforce all of the laws

21 that the department is required to administer for the state park system and for the  
22 state forests and shall bring, or cause to be brought, actions and proceedings in the  
23 name of the state for that purpose.

24 (b) All sheriffs, deputy sheriffs, coroners, and other police officers are deputy  
25 state forest and park rangers, and shall assist the department and its rangers in the

*MOVE*  
*to page 97*

*insert 482-17*  
*MOVE*

*↓*

1 enforcement of this chapter whenever notice of a violation of this chapter is given to  
2 them by the department or its rangers.

3 **SECTION 1153** <sup>vs 28.92</sup> ~~27.92~~ of the statutes is created to read:

4 **27.92 State forest and park rangers.** (1) The persons appointed by the  
5 department to enforce the laws relating ~~to the state park system and~~ to state forests  
6 shall be known as state forest ~~and park~~ rangers and shall be subject to ch. 230.

7 (2) The department shall provide to all state forest ~~and park~~ rangers, before  
8 exercising any of their powers, a commission issued by the department under its seal,  
9 to read substantially as follows:

10 STATE OF WISCONSIN

11 DEPARTMENT OF FORESTRY ~~AND PARKS~~

12 To all to whom these presents shall come, greeting:

13 Know ye, that reposing special trust and confidence in the integrity and ability  
14 of ....., of the county of ....., we do hereby appoint and constitute .... a state forest ~~and~~  
15 ~~park~~ ranger for the state of Wisconsin, and do authorize and empower .... to execute  
16 and fulfill the duties of that office according to law, during good behavior and the  
17 faithful performance of the duties of that office.

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

21 (Seal)

STATE OF WISCONSIN

22 DEPARTMENT OF FORESTRY ~~AND PARKS~~

23 By ....

24 (3) The department shall furnish to each state forest ~~and park~~ ranger at the  
25 time of the ranger's appointment, a pocket identification folder in the same form and

INS 482-17 cont





1 substance as the folder described in s. 23.10 (5), except that the impression shall be  
2 the seal of the department.

3 (4) A state forest and park ranger shall carry the identification folder on his  
4 or her person at all times that he or she is on official duty, and a state forest and park  
5 ranger shall, on demand, exhibit the same to any person to whom he or she may  
6 represent himself or herself as a state forest and park ranger.

7 SECTION 1153<sup>vj</sup> ~~nx~~. <sup>28.94</sup> ~~27.94~~ of the statutes is created to read:

8 <sup>28.94</sup> ~~27.94~~ **Resisting or falsely impersonating a state forest and park ranger.**

9 Any person who does any of the following may be fined not more than \$10,000 or  
10 imprisoned for not more than 9 months or both:

11 (1) Assaults or otherwise resists or obstructs any state forest and park ranger  
12 in the performance of his or her duties.

13 (2) Falsely represents himself or herself to be a state forest and park ranger  
14 or assumes to act as a state forest and park ranger without having been first  
15 appointed.

16 SECTION 1153<sup>ym</sup> ~~nx~~. <sup>28.98</sup> ~~27.98~~ of the statutes is <sup>created</sup> ~~amended~~ to read:

17 <sup>28.98</sup> ~~27.98~~ **General penalty provision.** Any person who violates any provision  
18 of this chapter or any ~~department~~ rule ~~or order~~ promulgated ~~or order issued~~ under  
19 this chapter for which no other penalty is prescribed is subject to a forfeiture of not  
20 more than \$100.

21 ✓ SECTION 1153~~nx~~. 28.005 of the statutes is amended to read:

22 **28.005 Definition.** "Department" when used in this chapter without other  
23 words of description or qualification means the department of natural resources  
24 forestry and parks.

→ insert 92-24 ✓ →  
from pp 74-77

end of I 115. 482-17

28.98  
fix  
comp.  
end of  
work

\*\*\*NOTE: MGG - I converted this to a "create".

1           **110.** Page 481, line 16: after that line insert:

2           “**SECTION 1153pc.** 28.02 (title) of the statutes is amended to read:

3           **28.02** (title) **State forests forest lands.**

4           **SECTION 1153pd.** 28.02 (1) of the statutes is amended to read:

5           **28.02 (1) DEFINED.** “~~State forests~~ forest lands” include all lands granted to the  
6 state by an act of congress entitled, “An act granting lands to the state of Wisconsin  
7 for forestry purposes,” approved June 27, 1906; all lands donated to the state by the  
8 Nebagamon Lumber Company for forestry purposes; all lands acquired pursuant to  
9 chapter 450, laws of 1903, chapter 264, laws of 1905, chapter 638, laws of 1911, and  
10 chapter 639, laws of 1911, or under ss. 1494–41 to 1494–62, 1915 stats., and all lands  
11 subsequently acquired for forestry purposes. Unless an island is designated as state  
12 forest land by the department, “state forest lands” do not include lands granted to  
13 the state by an act of congress entitled, “An act granting unsurveyed and unattached  
14 islands to the state of Wisconsin for forestry purposes,” approved August 22, 1912.  
15 The department may designate as state forest lands any lands within state forest  
16 boundaries which were purchased with other conservation funds and where forestry  
17 would not conflict with a more intensive use.

18           **SECTION 1153pe.** 28.035 (2) of the statutes is amended to read:

19           **28.035 (2)** The department shall ~~enter into an~~ comply with the agreement  
20 entered into with the Wisconsin department of the American Legion for hunting in  
21 the state forest lands described as lots 3, 4, 6 and 7 of section 8 and lots 2 and 3 of  
22 section 17, township 38 north, range 7 east, Oneida County, which are used in  
23 connection with Camp American Legion and which the Legion is now maintaining

1 on this location as a restoration camp for sick and disabled veterans and their  
2 dependents.

3 **SECTION 1153ph.** 28.035 (3) (b) of the statutes is amended to read:

4 28.035 (3) (b) The ownership of all of the buildings and equipment of the camp  
5 shall revert to the state upon the discontinuance of the use thereof for such purposes.  
6 On or before January 15 of each year the department of the American Legion shall  
7 file with the governor, the department of veterans affairs and the department of  
8 ~~natural resources, and the department of forestry and parks~~ a written report of the  
9 operations and the financial status of the camp. ✓

✓  
Insert  
94-a  
10  
Fr. 891

→ **111.** Page 481, line 24: after that line insert:

12 **SECTION 1153qc.** 28.06 (2m) of the statutes, as affected by 2001 Wisconsin Act  
13 .... (this act), is amended to read:

14 28.06 (2m) SURCHARGE. A person who purchases a seedling under sub. (2) shall  
15 pay, in addition to the price of the seedling charged under sub. (2), a surcharge for  
16 each seedling purchased. Beginning on the effective date of this subsection ....  
17 [revisor inserts date], and ending on June 30, 2002, the surcharge shall be 2 cents  
18 for each seedling. Beginning on July 1, 2002, the surcharge shall be 3 cents for each  
19 seedling. All surcharges collected under this subsection shall be deposited in the  
20 ~~conservation forestry and parks~~ fund.

21 **SECTION 1153r.** 28.08 of the statutes is amended to read:

22 **28.08 Income.** All income from state forest lands shall be paid into the state  
23 treasury to the credit of the ~~conservation forestry and parks~~ fund.

**SECTION 1153rm.** 28.11 (5m) (a) (intro.) of the statutes is amended to read:

1           28.11 (5m) (a) (intro.) The department may make grants, from the  
2 appropriation under s. ~~20.370 (5) (bw)~~ 20.375 (2) (w), to counties having lands  
3 entered under sub. (4) to fund all of the following for one professional forester in the  
4 position of county forest administrator or assistant county forest administrator.”

5           **112.** Page 482, line 17: after that line insert:

6           “**SECTION 1153sc.** 28.11 (5r) (b) of the statutes, as created by 2001 Wisconsin  
7 Act .... (this act), is amended to read:

8           28.11 (5r)(b) The department may make grants, from the appropriation under  
9 s. ~~20.370 (5) (bw)~~ 20.375 (2) (w), to counties having lands entered under sub. (4) to  
10 fund the cost of activities designed to improve sustainable forestry on the lands.

11           **SECTION 1153t.** 28.11 (8) (a) of the statutes is amended to read:

12           28.11 (8) (a) *Acreage payments.* As soon after April 20 of each year as feasible,  
13 the department shall pay to each town treasurer 30 cents per acre, based on the  
14 acreage of such lands as of the preceding June 30, as a grant out of the appropriation  
15 made by s. ~~20.370 (5) (bv)~~ 20.375 (2) (vm) on each acre of county lands entered under  
16 this section.

17           **SECTION 1153u.** 28.11 (8) (b) 1. of the statutes is amended to read:

18           28.11 (8) (b) 1. A county having established and maintaining a county forest  
19 under this section is eligible to receive from the state from the appropriations under  
20 s. ~~20.370 (5) (bq)~~ 20.375 (2) (t) and ~~(bs)~~ (u) an annual payment as a noninterest  
21 bearing loan to be used for the purchase, development, preservation and  
22 maintenance of the county forest lands and the payment shall be credited to a county  
23 account to be known as the county forestry aid fund. A county board may, by a  
24 resolution adopted during the year and transmitted to the department by December

1 31, request to receive a payment of not more than 50 cents for each acre of land  
2 entered and designated as “county forest land”. The department shall review the  
3 request and approve the request if the request is found to be consistent with the  
4 comprehensive county forest land use plan. If any lands purchased from the fund  
5 are sold, the county shall restore the purchase price to the county forestry aid fund.  
6 The department shall pay to the county the amount due to it on or before March 31  
7 of each year, based on the acreage of the lands as of the preceding June 30. If the  
8 amounts in the appropriations under s. ~~20.370 (5) (bq)~~ 20.375 (2) (t) and ~~(bs) (u)~~ are  
9 not sufficient to pay all of the amounts approved by the department under this  
10 subdivision, the department shall pay eligible counties on a prorated basis.

11 **SECTION 1153v.** 28.11 (8) (b) 2. of the statutes is amended to read:

12 28.11 (8) (b) 2. The department may allot additional interest free forestry aid  
13 loans on a project basis to individual counties to permit the counties to undertake  
14 meritorious and economically productive forestry operations, including land  
15 acquisitions. These additional aids may not be used for the construction of  
16 recreational facilities or for fish and game management projects. Application shall  
17 be made in the manner and on forms prescribed by the department and specify the  
18 purpose for which the additional aids will be used. The department shall make an  
19 investigation as it deems necessary to satisfy itself that the project is feasible,  
20 desirable and consistent with the comprehensive plan. If the department so finds,  
21 it may make allotments in such amounts as it determines to be reasonable and  
22 proper and charge the allotments to the forestry fund account of the county. These  
23 allotments shall be credited by the county to the county forestry aid fund. After  
24 determining the loans as required under subd. 1., the department shall make the  
25 remainder of the amounts appropriated under s. ~~20.370 (5) (bq)~~ 20.375 (2) (t) and ~~(bs)~~

1 (u) for that fiscal year available for loans under this subdivision. The department  
2 shall also make loans under this subdivision from the appropriations under s. 20.370  
3 (5) (bt) 20.375 (2) (um) and (bu) (v).

4 **SECTION 1153w.** 28.11 (9) (am) of the statutes is amended to read:

5 28.11 (9) (am) The acreage loan severance share payments shall be deposited  
6 in the ~~conservation forestry~~ and parks fund and credited to the appropriation under  
7 s. ~~20.370 (5) (bc)~~ 20.375 (2) (t), and the project loan severance share payments shall  
8 be deposited in the ~~conservation forestry~~ and parks fund and credited to the  
9 appropriation under s. ~~20.370 (5) (bu)~~ 20.375 (2) (v).

10 **SECTION 1153x.** 28.11 (9) (ar) 1. of the statutes is amended to read:

11 28.11 (9) (ar) 1. Notwithstanding s. 20.001 (3) (c), if the sum of the  
12 unencumbered balances in the appropriations under s. ~~20.370 (5) (bc)~~, (bt) 20.375 (2)  
13 (t), (um), and (bu) (v) exceeds \$400,000 on June 30 of any fiscal year, the amount in  
14 excess of \$400,000 shall lapse from the appropriation under s. ~~20.370 (5) (bc)~~ 20.375  
15 (2) (t) to the ~~conservation forestry~~ and parks fund, except as provided in subd. 2.

16 **SECTION 1153y.** 28.11 (9) (ar) 2. of the statutes is amended to read:

17 28.11 (9) (ar) 2. Notwithstanding s. 20.001 (3) (c), if the amount in the  
18 appropriation under s. ~~20.370 (5) (bc)~~ 20.375 (2) (t) is insufficient for the amount that  
19 must lapse under subd. 1., the remainder that is necessary for the lapse shall lapse  
20 from the appropriation under s. ~~20.370 (5) (bu)~~ 20.375 (2) (v).

21 **113.** Page 485, line 9: after that line insert:

22 ~~"SECTION 1166m.~~ 29.235 (6) of the statutes is amended to read:

23 29.235 (6) ADMISSION RECEIPT. ~~At the same time that the department of natural~~  
24 ~~resources issues a conservation patron license, it may the department of forestry and~~

*# Page 482, line 19. after that line insert  
insert 482-17) fr. p. 90, etc.*

1 parks shall issue an annual resident or nonresident vehicle admission receipt or a  
2 special receipt for admission to state parks and similar areas. The department of  
3 forestry and parks may issue an annual resident or nonresident vehicle admission  
4 receipt or a special receipt for admission to state parks and similar areas to a person  
5 who has a conservation patron license on location at the state park or similar area.  
6 A person who is issued a receipt under this subsection shall affix the receipt by its  
7 own adhesive to the interior surface of the lower left-hand corner of the windshield  
8 of the vehicle or otherwise display it as authorized under a rule promulgated under  
9 s. 27.01 (7) (e) 2. A receipt issued under this section is not considered part of a  
10 conservation patron license for the purpose of issuing a duplicate. No duplicate  
11 receipt may be issued for a receipt that is affixed by its own adhesive to a windshield  
12 unless the license holder provides evidence that the vehicle upon which the sticker  
13 receipt is affixed is no longer usable or that the vehicle was transferred to another  
14 person and the license holder presents the original receipt or remnants of it to the  
15 department. ~~Section 29.024 (7) applies to~~ of forestry and parks. For the issuance of  
16 a duplicate receipt that is displayed as authorized under the rule promulgated under  
17 s. 27.01 (7) (e) 2., the person to whom the receipt was issued may apply to the  
18 department of forestry and parks for a duplicate by submitting an affidavit proving  
19 loss. The department of forestry and parks shall investigate the loss as it considers  
20 necessary. If the department of forestry and parks is satisfied that the loss has been  
21 proven, it may issue a duplicate receipt. The department of forestry and parks and  
22 the department of natural resources shall enter into an agreement to determine how  
23 the fees collected for conservation patron licenses will be allocated between the  
24 departments. The secretary of administration shall resolve any disputes between  
25 the departments concerning the agreement."

1           **114.** Page 498, line 6: after that line insert:

2           “**SECTION 1261r.** 30.277 (1m) (a) of the statutes is amended to read:

3           30.277 (1m) (a) Beginning in fiscal year 1992–93, from the appropriation under  
4 s. 20.866 (2) (tz), the department shall award grants to governmental units to assist  
5 them in projects on or adjacent to rivers that flow through urban areas. The  
6 department may award these grants from the appropriation under s. 20.866 (2) (ta)  
7 beginning on July 1, 2000, subject to the agreement under s. 23.0917 (4r).”

8           **115.** Page 499, line 4: after that line insert:

9           “**SECTION 1266m.** 30.50 (4s) of the statutes is amended to read:

10           30.50 (4s) “Law enforcement officer” has the meaning specified under s. 165.85  
11 (2) (c) and includes a person appointed as a conservation warden ~~by the department~~  
12 under s. 23.10 (1) or a state forest ~~and park~~ ranger appointed under s. ~~27.92~~.”

13           **116.** Page 507, line 12: after that line insert:

14           “**SECTION 1304g.** 30.54 (2) of the statutes is amended to read:

15           30.54 (2) If a person applies for a replacement certificate under sub. (1),  
16 ~~conservation wardens or local law enforcement officials~~ law enforcement officers,  
17 after presenting appropriate credentials to the owner or legal representative of the  
18 owner named in the certificate of title, shall inspect the boat’s engine serial number  
19 or hull identification number, for purposes of verification or enforcement.

20           **SECTION 1304r.** 30.544 of the statutes is amended to read:

21           **30.544 Inspection of boats purchased out-of-state.** For purposes of  
22 enforcement, ~~conservation wardens or local law enforcement officials~~ law  
23 enforcement officers, after presenting appropriate credentials to the owner of a boat  
24 which was purchased outside of this state and which is subject to the certificate of



1 title requirements of this chapter, shall inspect the boat's engine serial number or  
2 hull identification number.”.

3 **117.** Page 507, line 23: after that line insert:

4 “**SECTION 1306m.** 30.67 (2) (a) of the statutes is amended to read:

5 30.67 (2) (a) If a boating accident results in death or injury to any person, the  
6 disappearance of any person from a boat under circumstances indicating death or  
7 injury, or property damage, every operator of a boat involved in an accident shall,  
8 without delay and by the quickest means available, give notice of the accident to a  
9 ~~conservation warden or local~~ law enforcement officer and shall file a written report  
10 with the department on the form prescribed by it. The department shall promulgate  
11 rules necessary to keep accident reporting requirements in conformity with rules  
12 adopted by the U.S. coast guard.”.

13 **118.** Page 509, line 25: after that line insert:

14 “**SECTION 1319m.** 30.92 (1) (b) of the statutes is amended to read:

15 30.92 (1) (b) “Governmental unit” means the department of natural resources,  
16 ~~the department of forestry and parks~~ <sup>and parks</sup>, a municipality, a lake sanitary district, a public  
17 inland lake protection and rehabilitation district organized under ch. 33, the  
18 Milwaukee River revitalization council, the Lower Wisconsin State Riverway board,  
19 the Fox River management commission, or any other local governmental unit, as  
20 defined in s. 66.0131 (1) (a), that is established for the purpose of lake management.”.

21 **119.** Page 510, line 13: after that line insert:

22 “**SECTION 1328m.** 30.92 (3) (b) 7. of the statutes is amended to read:

23 30.92 (3) (b) 7. Location of the proposed project within the region identified in  
24 s. ~~25.29 (7) (a)~~ 25.28 (3) (am).”.

1           **120.** Page 512, line 6: after that line insert:

2           “**SECTION 1346g.** 32.02 (15m) of the statutes is created to read:

3           32.02 (15m) The department of forestry and parks with the approval of the  
4           appropriate standing committees of each house of the legislature as determined by  
5           the presiding officer thereof and as authorized by law, for acquisition of lands.

6           **SECTION 1346r.** 32.035 (3) of the statutes is amended to read:

7           32.035 (3) PROCEDURE. The condemnor shall notify the department of any  
8           project involving the actual or potential exercise of the powers of eminent domain  
9           affecting a farm operation. If the condemnor is the department of natural resources  
10          or the department of forestry and parks, the notice required by this subsection shall  
11          be given at the time that permission of the ~~senate and assembly~~ appropriate standing  
12          committees on natural resources is sought under s. 23.09 (2) (d) ~~or 27.01, 27.002~~ (2)  
13          (a), or 28.02 (2). To prepare an agricultural impact statement under this section, the  
14          department may require the condemnor to compile and submit information about an  
15          affected farm operation. The department shall charge the condemnor a fee  
16          approximating the actual costs of preparing the statement. The department may not  
17          publish the statement if the fee is not paid.”

18          **121.** Page 532, line 13: after that line insert:

19          “**SECTION 1387e.** 40.02 (17) (n) of the statutes is created to read:

20          40.02 (17) (n) Notwithstanding par. (d), each participant who is a state forest  
21          and park ranger on or after the effective date of this paragraph .... [revisor inserts  
22          date], shall be granted creditable service as a protective occupation participant for  
23          all covered service as a state forest and park ranger that was earned on or after the  
24          effective date of this paragraph .... [revisor inserts date], but may not be granted

1 creditable service as a protective occupation participant for any covered service as  
2 a state forest ~~and park~~ ranger that was earned before the effective date of this  
3 paragraph .... [revisor inserts date], unless that service was earned while the  
4 participant was classified under sub. (48) (a) and s. 40.06 (1) (d) as a protective  
5 occupation participant.”.

6 **122.** Page 533, line 2: after that line insert:

7 “SECTION 1389m. 40.02 (48) (am) of the statutes is amended to read:

8 40.02 (48) (am) “Protective occupation participant” includes any participant  
9 whose name is certified to the fund as provided in s. 40.06 (1) (d) and (dm) and who  
10 is a conservation warden, conservation patrol boat captain, conservation patrol boat  
11 engineer, conservation pilot, conservation patrol officer, forest fire control assistant,  
12 member of the state traffic patrol, state motor vehicle inspector, police officer, fire  
13 fighter, sheriff, undersheriff, deputy sheriff, state probation and parole officer,  
14 county traffic police officer, state forest ~~and park~~ ranger, fire watcher employed at  
15 Wisconsin veterans facilities, state correctional-psychiatric officer, excise tax  
16 investigator employed by the department of revenue, special criminal investigation  
17 agent in the department of justice, assistant or deputy fire marshal, or person  
18 employed under s. 61.66 (1).

19 “ SECTION 1389r. 40.02 (48) (c) of the statutes is amended to read:

20 40.02 (48) (c) In s. 40.65, “protective occupation participant” means a  
21 participating employee who is a police officer, fire fighter, an individual determined  
22 by a participating employer under par. (a) or (bm) to be a protective occupation  
23 participant, county undersheriff, deputy sheriff, state probation and parole officer,  
24 county traffic police officer, conservation warden, state forest ~~and park~~ ranger, field

1 conservation employee of the department of natural resources or the department of  
2 forestry and parks who is subject to call for forest fire control or warden duty, member  
3 of the state traffic patrol, state motor vehicle inspector, University of Wisconsin  
4 System full-time police officer, guard or any other employee whose principal duties  
5 are supervision and discipline of inmates at a state penal institution, excise tax  
6 investigator employed by the department of revenue, person employed under s. 61.66  
7 (1), or special criminal investigation agent employed by the department of justice.”.

8 **123.** Page 534, line 23: after that line insert:

9 “SECTION 1398r. 40.65 (4w) of the statutes is created to read:

10 40.65 (4w) A state forest and park ranger who becomes a protective occupation  
11 participant on or after the effective date of this subsection .... [revisor inserts date],  
12 is not entitled to a duty disability benefit under this section for an injury or disease  
13 occurring before the effective date of this subsection .... [revisor inserts date].”.

14 **124.** Page 536, line 14: after that line insert:

15 “SECTION 1405g. 42.09 (2) (b) of the statutes is amended to read:

16 42.09 (2) (b) The state fair park board shall allow the department of natural  
17 resources and the department of forestry and parks access to and use of the  
18 buildings, appurtenances, fixtures, exhibits and other structures and facilities  
19 described in par. (a) so that the ~~department~~ departments may prepare, display and  
20 dismantle exhibits during events occurring at state fair park.”.

21 **125.** Page 537, line 21: after that line insert:

22 “SECTION 1412m. 44.12 (1) of the statutes ~~is~~ amended to read:

23 44.12 (1) The state farm and craft museum, located at Nelson Dewey state  
24 park, may be developed by cooperation of the ~~department of natural resources~~

1 forestry and parks, the society, and such other agencies as may be interested therein  
2 in accordance with such arrangements as the department of natural resources  
3 forestry and parks and society agree upon.”.

4 **126.** Page 538, line 5: after that line insert:

5 “SECTION 1414g. 44.57 (1) (c) of the statutes is amended to read:

6 44.57 (1) (c) Game farms, fish hatcheries, nurseries, and other production  
7 facilities operated by the department of natural resources or the department of  
8 forestry and parks.”.

9 **127.** Page 660, line 5: after that line insert:

10 “SECTION 1985m. 59.01 of the statutes is amended to read:

11 **59.01 Body corporate; status.** Each county in this state is a body corporate,  
12 authorized to sue and be sued, to acquire and hold, lease or rent real and personal  
13 estate for public uses or purposes, including lands acquired under ch. 75, to sell, lease  
14 and convey the same, including the authority to enter into leases or contracts with  
15 the state for a period of years for the uses and purposes specified in ~~ss.~~ ss. 23.09 (2)  
16 (d), 27.002(2)(a) and 28.02 (2), to make such contracts and to do such other acts as  
17 are necessary and proper to the exercise of the powers and privileges granted and the  
18 performance of the legal duties charged upon it.”.

19 **128.** Page 665, line 7: after that line insert:

20 “SECTION 2001nm. 59.52 (6) (a) of the statutes is amended to read:

21 59.52 (6) (a) *How acquired; purposes.* Take and hold land acquired under ch.  
22 75 and acquire, lease or rent property, real and personal, for public uses or purposes  
23 of any nature, including without limitation acquisitions for county buildings,  
24 airports, parks, recreation, highways, dam sites in parks, parkways and

1 playgrounds, flowages, sewage and waste disposal for county institutions, lime pits  
 2 for operation under s. 59.70 (24), equipment for clearing and draining land and  
 3 controlling weeds for operation under s. 59.70 (18), ambulances, acquisition and  
 4 transfer of real property to the state for new collegiate institutions or research  
 5 facilities, and for transfer to the state for ~~the state parks park system~~ <sup>PLAIN</sup> and for the  
 6 other uses and purposes specified in s. 23.09 (2) (d)."

7 **129.** Page 669, line 11: after that line insert:

8 "SECTION 2003mn. 59.74 (2) (g) of the statutes is amended to read:

9 59.74 (2) (g) Every land surveyor and every officer of the department of natural  
 10 resources, every officer of the department of forestry and parks and the district  
 11 attorney shall enforce this subsection."

12 **130.** Page 678, line 22: after that line insert:

13 "SECTION 2019g. 66.0217 (9) (b) of the statutes is amended to read:

14 66.0217 (9) (b) Within 10 days of receipt of the ordinance, certificate and plat,  
 15 the secretary of state shall forward 2 copies of the ordinance, certificate and plat to  
 16 the department of transportation, one copy to the department of administration, one  
 17 copy to the department of revenue, one copy to the department of public instruction,  
 18 one copy to the department, one copy to the department of natural resources, one  
 19 copy to the department of forestry and parks, one copy to the department of  
 20 agriculture, trade and consumer protection and 2 copies to the clerk of the  
 21 municipality from which the territory was annexed."

22 **131.** Page 679, line 21: after that line insert:

23 "SECTION 2019mn. 66.0221 (1) of the statutes, as affected by 2001 Wisconsin

24 Act .... (this act), is amended to read:

1           66.0221 (1) Upon its own motion, a city or village by a two-thirds vote of the  
2           entire membership of its governing body may enact an ordinance annexing territory  
3           which comprises a portion of a town or towns and which was completely surrounded  
4           by territory of the city or village on December 2, 1973. The ordinance shall include  
5           all surrounded town areas except those that are exempt by mutual agreement of all  
6           of the governing bodies involved. The annexation ordinance shall contain a legal  
7           description of the territory and the name of the town or towns from which the  
8           territory is detached. Upon enactment of the ordinance, the city or village clerk  
9           immediately shall file 6 certified copies of the ordinance in the office of the secretary  
10          of state, together with 6 copies of a scale map. The secretary of state shall forward  
11          2 copies of the ordinance and scale map to the department of transportation, one copy  
12          to the department of natural resources, one copy to the department of forestry and  
13          ~~days~~ one copy to the department of revenue and one copy to the department of  
14          administration. This subsection does not apply if the town island was created only  
15          by the annexation of a railroad right-of-way or drainage ditch. This subsection does  
16          not apply to land owned by a town government which has existing town government  
17          buildings located on the land. No town island may be annexed under this subsection  
18          if the island consists of over 65 acres or contains over 100 residents. Section 66.0217  
19          (11) applies to annexations under this subsection. Except as provided in sub. (2),  
20          after December 2, 1973, no city or village may, by annexation, create a town area  
21          which is completely surrounded by the city or village.”

22           **132.** Page 680, line 5: after that line insert:

23           “SECTION 2020m. 66.0223 of the statutes is amended to read:

1           **66.0223 Annexation of territory owned by a city or village.** In addition  
2 to other methods provided by law and subject to ss. 59.692 (7) and 66.0307 (7),  
3 territory owned by and lying near but not necessarily contiguous to a village or city  
4 may be annexed to a village or city by ordinance enacted by the board of trustees of  
5 the village or the common council of the city, provided that in the case of  
6 noncontiguous territory the use of the territory by the city or village is not contrary  
7 to any town or county zoning regulation. The ordinance shall contain the exact  
8 description of the territory annexed and the names of the towns from which  
9 detached, and attaches the territory to the village or city upon the filing of 7 certified  
10 copies of the ordinance in the office of the secretary of state, together with 7 copies  
11 of a plat showing the boundaries of the territory attached. Two copies of the  
12 ordinance and plat shall be forwarded by the secretary of state to the department of  
13 transportation, one copy to the department of administration, one copy to the  
14 department of natural resources, one copy to the department of forestry and parks,  
15 one copy to the department of revenue and one copy to the department of public  
16 instruction. Within 10 days of filing the certified copies, a copy of the ordinance and  
17 plat shall be mailed or delivered to the clerk of the county in which the annexed  
18 territory is located. Section 66.0217 (11) applies to annexations under this section.

19           **SECTION 2021g.** 66.0235 (5) of the statutes is amended to read:

20           **66.0235 (5) APPORTIONMENT BOARD.** The boards or councils of the local  
21 governmental units, or committees selected for that purpose, acting together,  
22 constitute an apportionment board. When a local governmental unit is dissolved  
23 because all of its territory is transferred the board or council of the local  
24 governmental unit existing at the time of dissolution shall, for the purpose of this  
25 section, continue to exist as the governing body of the local governmental unit until



1 there has been an apportionment of assets by agreement of the interested local  
2 governmental units or by an order of the circuit court. After an agreement for  
3 apportionment of assets has been entered into between the interested local  
4 governmental units, or an order of the circuit court becomes final, a copy of the  
5 apportionment agreement, or of the order, certified to by the clerks of the interested  
6 local governmental units, shall be filed with the department of revenue, the  
7 department of natural resources, the department of forestry and parks, the  
8 department of transportation, the state superintendent of public instruction, the  
9 department of administration, and with any other department or agency of the state  
10 from which the town may be entitled by law to receive funds or certifications or orders  
11 relating to the distribution or disbursement of funds, with the county treasurer, with  
12 the treasurer of any local governmental unit, or with any other entity from which  
13 payment would have become due if the dissolved local governmental unit had  
14 continued in existence. Subject to ss. 79.006 and 86.303 (4), payments from the  
15 shared revenue account made pursuant to ch. 79, payments of forest crop taxes under  
16 s. 77.05, of transportation aids under s. 20.395, of state aids for school purposes  
17 under ch. 121, payments for managed forest land under subch. VI of ch. 77 and all  
18 payments due from a department or agency of the state, from a county, from a local  
19 governmental unit, or from any other entity from which payments would have  
20 become due if the dissolved local governmental unit had continued in existence, shall  
21 be paid to the interested local governmental unit as provided by the agreement for  
22 apportionment of assets or by any order of apportionment by the circuit court and the  
23 payments have the same force and effect as if made to the dissolved local  
24 governmental unit.

25 **SECTION 2021p.** 66.0307 (4) (a) 1. of the statutes is amended to read:

1           66.0307 (4) (a) 1. The department, the department of natural resources, the  
2 department of forestry and parks, the department of agriculture, trade and  
3 consumer protection and the department of transportation.

4           **SECTION 2021r.** 66.0407 (5) of the statutes is amended to read:

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

10           **133.** Page 705, line 24: after that line insert:

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

12           70.113 (1) (intro.) As soon after April 20 of each year as is feasible the  
13 department of natural resources shall pay to the city, village, or town treasurer all  
14 <sup>PLAIN</sup>of the following amounts from the following appropriations for each acre situated in  
15 the municipality of ~~state forest lands, as defined in s. 28.02 (1),~~ state parks under s. <sup>PLAIN</sup>  
16 27.01 and state public shooting, trapping or fishing grounds and reserves or refuges  
17 operated thereon, acquired at any time under s. 29.10, 1943 stats., s. 23.09 (2) (d) or  
18 29.749 (1) or from the appropriations made by s. 20.866 (2) (tp) by the department  
19 of natural resources or leased from the federal government by the department of  
20 natural resources:

21           **SECTION 2114gd.** 70.113 (1m) of the statutes is created to read:

22           70.113 (1m) As soon after April 20 of each year as is feasible, the department  
23 of forestry and parks shall pay to the city, village, or town treasurer all of the  
24 following amounts from the following appropriations for each acre situated in the

1 municipality that is state forest land, as defined in s. 28.02 (1) ~~on that is land in the~~  
2 ~~state park system;~~ PLAIN

3 (a) Eighty cents, to be paid from the appropriation under s. 20.375 (3) (d) or (s).

4 (b) Eight cents, to be paid from the appropriation under s. 20.375 (3) (s).

5 SECTION 2114ge. 70.113 (2) (a) of the statutes is amended to read: PLAIN

6 70.113 (2) (a) Towns, cities or villages shall be paid for forest lands as defined  
7 in s. 28.02 (1), ~~(state parks under s. 27.01) land in the state park system,~~ and other  
8 lands acquired under s. 23.09 (2) (d), 23.27, 23.29, ~~23.293,~~ 23.31, ~~27.0136,~~ or 29.749  
9 (1) located within such municipality and acquired after June 30, 1969. Such  
10 payments shall be made from the appropriation under s. 20.370 (5) (da) or (dq) and  
11 remitted by the department of natural resources or the department of forestry and  
12 parks in the amounts certified by the department of revenue according to par. (b).

13 SECTION 2114gf. 70.114 (1) (a) of the statutes is repealed.

14 SECTION 2114gh. 70.114 (1) (c) of the statutes is amended to read:

15 70.114 (1) (c) "Land" means state forests, as defined in s. 28.02 (1), that are  
16 acquired after December 31, 1991, ~~lands in the state parks park system~~ that are  
17 acquired after December 31, 1991, ~~under s. 27.01~~ and other areas that are acquired  
18 after December 31, 1991, under s. 23.09 (2) (d), 23.091, 23.27, 23.29, ~~23.293,~~ 23.31,  
19 ~~27.0136,~~ or 29.749 (1).

20 SECTION 2114gj. 70.114 (1) (d) of the statutes is amended to read:

21 70.114 (1) (d) "Purchase price" means the amount paid by the department of  
22 natural resources or by the department of forestry and ~~parks~~ for a fee simple interest  
23 in real property. "Purchase price" does not include administrative costs incurred by  
24 the either department to acquire the land, such as legal fees, appraisal costs or  
25 recording fees. If real estate is transferred by gift to the applicable department by

1 gift or is sold to the applicable department for an amount that is less than the  
2 estimated fair market value of the property as shown on the property tax bill  
3 prepared for the prior year under s. 74.09, "purchase price" means an amount equal  
4 to the estimated fair market value of the property as shown on that tax bill. If the  
5 real estate is exempt from taxation at the time that it is transferred or sold to the  
6 applicable department and if the property was not sold at an arm's-length sale,  
7 "purchase price" means the fair market value of the real estate at the time that the  
8 applicable department takes title to it.

9 **SECTION 2114gk.** 70.114 (2) of the statutes is amended to read:

10 70.114 (2) APPLICATION. For all land acquired after December 31, 1991, the  
11 department of natural resources and the department of forestry ~~and parks~~ shall pay  
12 aids in lieu of taxes under this section and not under s. 70.113.

13 **SECTION 2114gL.** 70.114 (3) of the statutes is amended to read:

14 70.114 (3) ASCERTAINING RATE. Each year, the department of natural resources  
15 and the department of forestry ~~and parks~~ shall ascertain from the clerks of the  
16 taxation district the aggregate net general property tax rate for taxation districts to  
17 which aids are paid under this section.

18 **SECTION 2114gn.** 70.114 (4) (a) of the statutes is amended to read:

19 70.114 (4) (a) On or before January 31, the department of natural resources  
20 shall pay to each treasurer of a taxation district, with respect to each parcel of land  
21 acquired by that is under the jurisdiction of the department and that is within the  
22 taxation district on or before January 1 of the preceding year, ~~an~~.

23 (c) The amount to be paid under par. (a) or (b) shall be determined by  
24 multiplying each parcel's estimated value equated to the average level of assessment  
25 in the taxation district by the aggregate net general property tax rate that would

1 apply to the parcel of land if it were taxable, as shown on property tax bills prepared  
2 for that year under s. 74.09.

3 **SECTION 2114gp.** 70.114 (4) (b) of the statutes is created to read:

4 70.114 (4) (b) On or before January 31, the department of forestry and parks  
5 shall pay to each treasurer of a taxation district, with respect to each parcel of state  
6 land acquired that is under the jurisdiction of the department of forestry and parks  
7 and that is within the taxation district on or before January 1 of the preceding year.”

8 **134.** Page 706, line 7: after that line insert:

9 “**SECTION 2115m.** 70.58 of the statutes is amended to read:

10 **70.58 Forestation state tax.** There is levied an annual tax of two-tenths of  
11 one mill for each dollar of the assessed valuation of the property of the state as  
12 determined by the department of revenue under s. 70.57, for the purpose of  
13 acquiring, preserving and developing the forests of the state and for the purpose of  
14 forest crop law and county forest law administration and aid payments, for grants  
15 to forestry cooperatives under s. 36.56, and for the acquisition, purchase and  
16 development of forests described under s. ~~25.29 (7) (a)~~ 25.28 (3) (am) and (b), the  
17 proceeds of the tax to be paid into the ~~conservation forestry and parks~~ fund. The tax  
18 shall not be levied in any year in which general funds are appropriated for the  
19 purposes specified in this section, equal to or in excess of the amount which the tax  
20 would produce.”

21 **135.** Page 831, line 23: after that line insert:

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

23 71.59 (1m) **PERMITTED USES.** The designation by the department of natural  
24 resources or by the department of forestry and parks of any farmland in this state,

PLAIN  
1 for which a claim under this section may be filed, as part of the ice age trail, under  
2 s. ~~23.17 27.0135~~ is a permitted use under a farmland preservation agreement, or a  
3 certificate of a zoning authority, under sub. (1) (b).”.

4 **136.** Page 843, line 5: after that line insert:

5 “SECTION 2243b. 77.02 (1) of the statutes is amended to read:

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

19 SECTION 2243c. 77.02 (2) of the statutes is amended to read:

20 77.02 (2) NOTICE OF HEARING, ADJOURNMENT. Upon receipt of such petition the  
21 department of natural resources ~~forestry and parks~~ shall investigate the same and  
22 shall file a listing of descriptions with the town chairperson. For petitions received  
23 prior to May 1, the department shall within the same calendar year cause a notice  
24 that such petition has been filed to be published as a class 3 notice, under ch. 985,

1 in the newspaper having the largest general circulation in the county in which the  
2 lands are located, and notice by registered mail shall be given to the town clerk of any  
3 town in which the lands are located. Such notice shall contain the name of the  
4 petitioner, a description of the lands and a statement that any resident of or taxpayer  
5 in the town may within 15 days from the date of publication of the notice file a request  
6 with the department that it conduct a public hearing on the petition. Upon receipt  
7 of such a request the department shall conduct a public hearing on the petition. The  
8 department may conduct a public hearing on any petition without a request, if it  
9 deems it advisable to do so. Notice of the time and place of such hearing and a  
10 description, in specific or general terms, as the department deems advisable, of the  
11 property requested to be approved as "Forest Croplands" shall be given to persons  
12 making the request, the owner of such land and to the assessor of towns in which it  
13 is situated, by mail, at least one week before the day of hearing. The notice also shall  
14 be published as a class 1 notice, under ch. 985, in a newspaper having general  
15 circulation in the county in which such land is located, at least one week before the  
16 day of the hearing. Such hearing may be adjourned and no notice of the time and  
17 place of such adjourned hearing need be given, excepting the announcement thereof  
18 by the presiding officer at the hearing at which the adjournment is had.

19 **SECTION 2243d.** 77.02 (3) of the statutes is amended to read:

20 77.02 (3) DECISION, COPIES. After receiving all the evidence offered at any  
21 hearing held on the petition and after making such independent investigation as it  
22 sees fit the department shall make its findings of fact and make and enter an order  
23 accordingly. If it finds that the facts give reasonable assurance that a stand of  
24 merchantable timber will be developed on such descriptions within a reasonable  
25 time, and that such descriptions are then held permanently for the growing of timber

1 under sound forestry practices, rather than for agricultural, mineral, shoreland  
2 development of navigable waters, recreational, residential or other purposes, and  
3 that all persons holding encumbrances against such descriptions have in writing  
4 agreed to the petition, the order entered shall grant the request of the petitioner on  
5 condition that all unpaid taxes against said descriptions be paid within 30 days  
6 thereafter; otherwise the department of ~~natural resources forestry and parks~~ shall  
7 deny the request of the petitioner. If the request of the petitioner is granted, a copy  
8 of such order shall be filed with the department of revenue, the supervisor of  
9 equalization and the clerk of each town, and the order shall be recorded with the  
10 register of deeds of each county, in which any of the lands affected by the order are  
11 located. The register of deeds shall record the entry, transfer or withdrawal of all  
12 forest croplands in a suitable manner on the county records. The register of deeds  
13 may collect recording fees under s. 59.43 (2) from the owner. Any order of the  
14 department relating to the entry of forest croplands issued on or before November  
15 20 of any year shall take effect on January 1 of the following calendar year, but all  
16 orders issued after November 20 shall take effect on January 1 of the calendar year  
17 following the calendar year in which orders issued on or before November 20 would  
18 have been effective.

19 **SECTION 2243e.** 77.03 of the statutes is amended to read:

20 **77.03 Taxation of forest croplands.** After the filing and recording of the  
21 order with the officers under s. 77.02 (3) the lands described therein shall be "Forest  
22 Croplands", on which taxes shall thereafter be payable only as provided under this  
23 subchapter. The enactment of ss. 77.01 to 77.14, petition by the owner and the  
24 making of the order under s. 77.02 (3) shall constitute a contract between the state  
25 and the owner, running with the lands, for a period of 25 or 50 years at the election



1 of the applicant at the time the petition is filed, unless withdrawn under s. 77.10,  
2 with privilege of renewal by mutual agreement between the owner and the state,  
3 whereby the state as an inducement to owners and prospective purchasers of forest  
4 croplands to come under ss. 77.01 to 77.14 agrees that, unless withdrawn under s.  
5 77.10, no change in or repeal of ss. 77.01 to 77.14 shall apply to any land then  
6 accepted as forest croplands, except as the department of ~~natural resources~~ forestry  
7 ~~and parks~~ and the owner may expressly agree in writing and except as provided in  
8 s. 77.17. If at the end of the contract period the land is not designated as managed  
9 forest land under subch. VI, the merchantable timber on the land shall be estimated  
10 by an estimator jointly agreed upon by the department of ~~natural resources~~ forestry  
11 ~~and parks~~ and the owner, and if the department and the owner fail to agree on an  
12 estimator, the judge of the circuit court of the district in which the lands lie shall  
13 appoint a qualified forester, whose estimate shall be final, and the cost thereof shall  
14 be borne jointly by the department of ~~natural resources~~ forestry ~~and parks~~ and the  
15 owner; and the 10% severance tax paid on the stumpage thereon in the same manner  
16 as if the stumpage had been cut. The owners by such contract consent that the public  
17 may hunt and fish on the lands, subject to such rules as the department of natural  
18 resources prescribes regulating hunting and fishing.

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

20 77.04 (2) TAX PER ACRE; PAYMENT; PENALTY. The "acreage share" shall be  
21 computed at the rate of 10 cents per acre on all lands entered prior to 1972. On all  
22 lands entered after December 31, 1971, the "acreage share" shall be computed every  
23 10 years to the nearest cent by the department of revenue at the rate of 20 cents per  
24 acre multiplied by a ratio using the equalized value of the combined residential,  
25 commercial, manufacturing, agricultural, swamp, or waste and productive forest

1 land classes under s. 70.32 (2) within the state in 1972 as the denominator, and using  
2 equalized value for these combined land classes in 1982 and every 10th year  
3 thereafter as the numerator. All owners shall pay to the taxation district treasurer  
4 the acreage share on each description on or before January 31. If the acreage share  
5 is not paid when due to the taxation district treasurer it shall be subject to interest  
6 and penalty as provided under ss. 74.11 (11), 74.12 (10) and 74.47. These lands shall  
7 be returned as delinquent and a tax certificate under subch. VII of ch. 74 shall be  
8 issued on them. After 2 years from the date of the issuance of a tax certificate, the  
9 county clerk shall promptly take a tax deed under ch. 75. On taking such deed the  
10 county clerk shall certify that fact and specify the descriptions to the department of  
11 ~~natural resources forestry and parks.~~

12 **SECTION 2243g.** 77.05 of the statutes is amended to read:

13 **77.05 State contribution.** The department of ~~natural resources forestry and~~  
14 ~~parks~~ shall pay before June 30 annually to the town treasurer, from the  
15 appropriation under s. ~~20.370 (5) (bv)~~ 20.375 (2) (vm), 20 cents for each acre of land  
16 in the town that is described as forest croplands under this subchapter.

17 **SECTION 2243h.** 77.06 (1) of the statutes is amended to read:

18 **77.06 (1) CUTTING TIMBER REGULATED.** No person shall cut any merchantable  
19 wood products on any forest croplands where the forest crop taxes are delinquent nor  
20 until 30 days after the owner has filed with the department of ~~natural resources~~  
21 ~~forestry and parks~~ a notice of intention to cut, specifying by descriptions and the  
22 estimated amount of wood products to be removed and the proportion of present  
23 volume to be left as growing stock in the area to be cut. The department of ~~natural~~  
24 ~~resources forestry and parks~~ may require a bond executed by some surety company  
25 licensed in this state or other surety for such amount as may reasonably be required

1 for the payment to the department of ~~natural resources~~ forestry and parks of the  
2 severance tax hereinafter provided. The department, after examination of the lands  
3 specified, may prescribe the amount of forest products to be removed. Cutting in  
4 excess of the amount prescribed shall render the owner liable to double the severance  
5 tax prescribed in s. 77.06 (5) and subject to cancellation under s. 77.10.  
6 Merchantable wood products include all wood products except wood used for fuel by  
7 the owner.

8 **SECTION 2243i.** 77.06 (2) of the statutes is amended to read:

9 77.06 (2) APPRAISAL OF TIMBER, ZONES. Each year the department of ~~natural~~  
10 ~~resources~~ forestry and parks, at the time and place it shall fix and after such public  
11 notice as it deems reasonable, shall hold a public hearing. After the hearing the  
12 department shall make and file, open to public inspection, a determination of the  
13 reasonable stumpage values of the wood products usually grown in the several towns  
14 in which any forest croplands lie. A public hearing under this section shall be held  
15 prior to August 1 of each year and the determination of stumpage values made by the  
16 department of ~~natural resources~~ forestry and parks shall take effect on November  
17 1 of that year. If the department of ~~natural resources~~ forestry and parks finds there  
18 is a material variance in the stumpage values in the different localities, it may fix  
19 separate zones and determine the values for each zone.

20 **SECTION 2243j.** 77.06 (3) of the statutes is amended to read:

21 77.06 (3) REVALUATION. As to any locality or zone in which the department of  
22 ~~natural resources~~ forestry and parks deems there has been no material variance  
23 from the preceding year in stumpage values, it may omit to make any new valuation  
24 in any year, in which event the last preceding valuation shall continue in force until  
25 changed in a succeeding year.

1           **SECTION 2243k.** 77.06 (4) of the statutes is amended to read:

2           77.06 (4) CUTTING REPORTED. Within 30 days after completion of cutting on any  
3 land description, but not more than one year after filing of the notice of intention to  
4 cut, the owner shall transmit to the department of ~~natural resources forestry and~~  
5 ~~parks~~ on forms provided by the department a written statement of the products so  
6 cut, specifying the variety of wood, kind of product, and quantity of each variety and  
7 kind as shown by the scale or measurement thereof made on the ground as cut,  
8 skidded, loaded, delivered, or by tree scale certified by a qualified forester when  
9 stumpage is sold by tree measurement. The department of ~~natural resources~~  
10 ~~forestry and parks~~ may accept such reports as sufficient evidence of the facts, or may  
11 either with or without hearing and notice of time and place thereof to such owner,  
12 investigate and determine the fact of the quantity of each variety and kind of product  
13 so cut during said periods preceding such reports.

14           **SECTION 2243L.** 77.06 (5) of the statutes is amended to read:

15           77.06 (5) TAX LEVY ON RIGHT TO CUT TIMBER. The department of ~~natural resources~~  
16 ~~forestry and parks~~ shall assess and levy against the owner a severance tax on the  
17 right to cut and remove wood products covered by reports under this section, at the  
18 rate of 10% of the value of the wood products based upon the stumpage value then  
19 in force. Upon making the assessment, the department of ~~natural resources forestry~~  
20 ~~and parks~~ shall mail a duplicate of the certificate by registered mail to the owner who  
21 made the report of cutting at the owner's last-known post-office address. The tax  
22 assessed is due and payable to the department of ~~natural resources forestry and~~  
23 ~~parks~~ on the last day of the next calendar month after mailing the certificate. The  
24 proceeds of the tax shall be paid into the forestry account of the conservation ~~and~~  
25 ~~parks~~ fund for distribution under s. 77.07 (3).

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

2           77.07 (2) **PENALTY, COLLECTIONS.** If any severance tax remain unpaid for 30 days  
3 after it becomes due, there shall then be added a penalty of 10%, and such tax and  
4 penalty shall thereafter draw interest at the rate of one per cent per month until paid.

5           At the expiration of said 30 days the department of ~~natural resources forestry and~~ ✓  
6 ~~parks~~ shall report to the attorney general any unpaid severance tax, adding said  
7 penalty, and the attorney general shall thereupon proceed to collect the same with  
8 penalty and interest by suit against the owner and by attachment or other legal  
9 means to enforce the lien and by action on the bond mentioned in s. 77.06 (1), or by  
10 any or all such means.

11           **SECTION 2243n.** 77.08 of the statutes is amended to read:

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

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

22           77.09 (1) Any person who fails to report or shall intentionally make any false  
23 statement or report to the department of ~~natural resources forestry and parks~~ ✓  
24 required by s. 77.06 shall forfeit not more than \$1,000. An action under this section  
25 shall not be a bar to a cancellation of entry and order of withdrawal under s. 77.10.

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

2           77.10 (1) (a) The department of ~~natural resources forestry and parks~~ ✓ shall on  
3 the application of the department of revenue or the owner of any forest croplands or  
4 the town board of the town in which said lands lie and may on its own motion at any  
5 time cause an investigation to be made and hearing to be had as to whether any forest  
6 croplands shall continue under this subchapter. If on such hearing after due notice  
7 to and opportunity to be heard by the department of revenue, the town and the owner,  
8 the department of ~~natural resources forestry and parks~~ ✓ finds that any such lands are  
9 not meeting the requirements set forth in s. 77.02 or that the owner has made use  
10 of the land for anything other than forestry or has failed to practice sound forestry  
11 on the land, the department of ~~natural resources forestry and parks~~ ✓ shall cancel the  
12 entry of such description and issue an order of withdrawal, and the owner shall be  
13 liable for the tax and penalty under sub. (2). Copies of the order of withdrawal  
14 specifying the description shall be filed by the department of ~~natural resources~~  
15 ~~forestry and parks~~ ✓ with all officers designated to receive copies of the order of entry  
16 and withdrawal and this subchapter shall not thereafter apply to the lands  
17 withdrawn, except s. 77.07 so far as it may be needed to collect any previously levied  
18 severance or supplemental severance tax. If the owner shall not repay the amounts  
19 on or before the last day of February next succeeding the return of such lands to the  
20 general property tax roll as provided in sub. (4), the department of ~~natural resources~~  
21 ~~forestry and parks~~ ✓ shall certify to the county treasurer the descriptions and the  
22 amounts due, and the county treasurer shall sell such lands as delinquent as  
23 described in s. 77.04 (2). Whenever any county clerk has certified to the taking of tax  
24 deed under s. 77.04 (2) the department of ~~natural resources forestry and parks~~ ✓ shall  
25 issue an order of withdrawal as to the lands covered in such tax deed. Such order may

1 also be issued when examination of tax records reveals prolonged delinquency and  
2 noncompliance with the requirements of s. 77.04 (2).

3 **SECTION 2243r.** 77.10 (1) (b) of the statutes is amended to read:

4 77.10 (1) (b) Whenever any owner of forest croplands conveys such land the  
5 owner shall, within 10 days of the date of the deed, file with the department of  
6 natural resources ~~forestry and parks~~ on forms prepared by the department a transfer  
7 of ownership signed by the owner and an acceptance of transfer signed by the grantee  
8 certifying that the grantee intends to continue the practice of forestry on such land.  
9 The department of natural resources ~~forestry and parks~~ shall immediately issue a  
10 notice of transfer to all officers designated to receive copies of orders of entry and  
11 withdrawal. Whenever a purchaser of forest croplands declines to certify his or her  
12 intention to continue the practice of forestry thereon, such action shall constitute  
13 cause for cancellation of entry under par. (a) without hearing.

14 **SECTION 2243s.** 77.10 (2) (a) 1. of the statutes is amended to read:

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

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

1           77.10 (2) (a) 2. The amount of the tax shall be determined by the department  
2 of revenue and furnished to the department of natural resources ~~forestry and parks~~  
3 which shall determine the exact amount of payment. When the tax rate or assessed  
4 value ratio of the current year has not been determined the rate of the preceding tax  
5 year may be used. On receiving such payment the department of natural resources  
6 ~~forestry and parks~~ shall issue an order of withdrawal and file copies thereof with the  
7 department of revenue, the supervisor of equalization and the clerk of the town, and  
8 shall record the order with the register of deeds of the county, in which the land lies.  
9 The land shall then cease to be forest croplands.

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

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

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

19           77.10 (4) TAXATION AFTER WITHDRAWAL. When any description ceases to be a part  
20 of the forest croplands, by virtue of any order of withdrawal issued by the department  
21 of natural resources ~~forestry and parks~~, taxes thereafter levied thereon shall be  
22 payable and collectible as if such description had never been under this subchapter.

23           **SECTION 2243w.** 77.11 of the statutes is amended to read:

24           **77.11 Accounts of department of natural resources ~~forestry and parks~~.**

25           The department of natural resources ~~forestry and parks~~ shall keep a set of forest



1 croplands books in which shall always appear as to each description in each town  
2 containing any forest croplands, the amount of taxes paid by the state to the town  
3 and received by the state from the owner. All tax payments shall be paid out of and  
4 receipts credited to the forestry account of the conservation fund.

5 **SECTION 2243x.** 77.13 (1) of the statutes is amended to read:

6 77.13 (1) On and after July 20, 1985, no person may petition the department  
7 of natural resources ~~forestry and parks~~ requesting it to approve any land as forest  
8 croplands under this subchapter.

9 **SECTION 2243y.** 77.13 (2) of the statutes is amended to read:

10 77.13 (2) On and after January 1, 1986, the department of natural resources  
11 ~~forestry and parks~~ may not act on any petition requesting the designation of land as  
12 forest croplands, issue any order entering land as forest croplands or enter into a  
13 renewal of any forest croplands contract under this subchapter.

14 **SECTION 2243z.** 77.14 of the statutes is amended to read:

15 **77.14 Forest croplands information, protection, appropriation.** The  
16 department of natural resources ~~forestry and parks~~ shall publish and distribute  
17 information regarding the method of taxation of forest croplands under this  
18 subchapter, and may employ a fire warden in charge of fire prevention in forest  
19 croplands. All actual and necessary expenses incurred by the department of natural  
20 resources ~~forestry and parks~~ or by the department of revenue in the performance of  
21 their duties under this subchapter shall be paid from the appropriation made in s.  
22 20.370 (1) (mu) 20.375 (2) (q) upon certification by the department incurring such  
23 expenses.

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

1           77.16 (1) In this section "department" means the department of ~~natural~~  
(2) ~~resources forestry and parks~~.".

3           **137.** Page 848, line 9: after that line insert:

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

5           77.81 (1) "Department" means the department of ~~natural resources forestry~~  
(6) ~~and parks~~."

7           **138.** Page 848, line 25: after that line insert:

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

9           77.82 (2) PETITION. (intro.) Any owner of land may petition the department to  
10 designate any eligible parcel of land as managed forest land. A petition may include  
11 any number of eligible parcels under the same ownership in a single municipality.  
12 Each petition shall be submitted on a form provided by the department and shall be  
13 accompanied by a nonrefundable \$10 application fee unless a different amount of the  
14 fee is established by the department by rule at an amount equal to the average  
15 expense to the department of recording an order issued under this subchapter. The  
(16) fee shall be deposited in the ~~conservation forestry and parks~~ fund and credited to the  
17 appropriation under s. ~~20.370 (1) (cr)~~ 20.375 (2) (qr). Each petition shall include all  
18 of the following:

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

20           77.82 (4) ADDITIONS TO MANAGED FOREST LAND. An owner may petition the  
21 department to designate as managed forest land an additional parcel of land in the  
22 same municipality if the additional parcel is at least 3 acres in size and is contiguous  
23 to any of the owner's designated land. The petition shall be accompanied by a  
24 nonrefundable \$10 application fee unless a different amount of the fee is established

1 in the same manner as the fee under sub. (2). The fee shall be deposited in the  
2 ~~conservation forestry and parks~~ fund and credited to the appropriation under s.  
3 ~~20.370 (1) (er)~~ 20.375 (2) (qr). The petition shall be submitted on a department form  
4 and shall contain any additional information required by the department.

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

6 77.82 (4m) (bn) A petition under this subsection shall be accompanied by a  
7 nonrefundable \$100 application fee which shall be deposited in the ~~conservation~~  
8 ~~forestry and parks~~ fund and credited to the appropriation under s. ~~20.370 (1) (er)~~  
9 20.375 (2) (qr).”

10 **139.** Page 849, line 3: after that line insert:

11 **“SECTION 2247tg.** 77.84 (3) (b) of the statutes is amended to read:

12 77.84 (3) (b) Immediately after receiving the certification of the county clerk  
13 that a tax deed has been taken, the department shall issue an order withdrawing the  
14 land as managed forest land. The notice requirement under s. 77.88 (1) does not  
15 apply to the department’s action under this paragraph. The department shall notify  
16 the county treasurer of the amount of the withdrawal tax, as determined under s.  
17 77.88 (5), and the amount of the tax shall be payable to the department under s. 75.36  
18 (3) if the property is sold by the county. The amount shall be credited to the  
19 ~~conservation forestry and parks~~ fund.

20 **SECTION 2247tj.** 77.85 of the statutes is amended to read:

21 **77.85 State contribution.** The department shall pay before June 30 annually  
22 the municipal treasurer, from the appropriation under s. ~~20.370 (5) (bv)~~ 20.375 (2)  
23 (vm), 20 cents for each acre of land in the municipality that is designated as managed  
24 forest land under this subchapter.

1           **SECTION 2247tk.** 77.87 (3) of the statutes is amended to read:

2           77.87 (3) PAYMENT. A tax assessed under sub. (1) or (2) is due and payable to  
3 the department on the last day of the month following the date the certificate is  
4 mailed to the owner. The department shall collect interest at the rate of 12% per year  
5 on any tax that is paid later than the due date. Amounts received shall be credited  
6 to the conservation ~~forestry and parks~~ fund.

7           **SECTION 2247tm.** 77.88 (2) (d) of the statutes is amended to read:

8           77.88 (2) (d) Within 10 days after a transfer of ownership, the former owner  
9 shall, on a form provided by the department, file with the department a report of the  
10 transfer signed by the former owner and the transferee. The report shall be  
11 accompanied by a \$20 fee which shall be deposited in the conservation ~~forestry and~~  
12 ~~parks~~ fund and credited to the appropriation under s. ~~20.370 (1) (er)~~ 20.375 (2) (qr).  
13 The department shall immediately notify each person entitled to notice under s.  
14 77.82 (8).

15           **SECTION 2247tn.** 77.88 (7) of the statutes is amended to read:

16           77.88 (7) PAYMENT, DELINQUENCY. A tax under sub. (5) is due and payable to the  
17 department on the last day of the month following the effective date of the  
18 withdrawal order. Amounts received shall be credited to the conservation ~~forestry~~  
19 ~~and parks~~ fund. If the owner of the land fails to pay the tax, the department shall  
20 certify to the taxation district clerk the amount due. The taxation district clerk shall  
21 enter the delinquent amount on the property tax roll as a special charge.

22           **SECTION 2247tp.** 77.89 (1) of the statutes is amended to read:

23           77.89 (1) PAYMENT TO MUNICIPALITIES. By June 30 of each year, the department,  
24 from the appropriation under s. 20.370 (5) (bv) 20.375 (2) (vm), shall pay 50% of each

1 payment received under s. 77.84 (3) (b), 77.87 (3) or 77.88 (7) to the treasurer of the  
2 municipality in which is located the land to which the payment applies.

3 **SECTION 2247tr.** 77.89 (3) of the statutes is amended to read:

4 77.89 (3) ~~CONSERVATION FORESTRY AND PARKS~~ FUND CREDIT. The municipal  
5 treasurer shall pay all amounts received under s. 77.84 (2) (b) to the county treasurer,  
6 as provided under ss. 74.25 and 74.30. The county treasurer shall, by June 30 of each  
7 year, pay all amounts received under this subsection to the department. All amounts  
8 received by the department shall be credited to the ~~conservation forestry and parks~~  
9 fund and shall be reserved for land acquisition and resource management activities  
10 relating to the state forests.

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

12 77.91 (4) EXPENSES. Except as provided in sub. (5), the department's expenses  
13 for the administration of this subchapter shall be paid from the appropriation under  
14 s. ~~20.370 (1) (mu)~~ 20.375 (2) (q).

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

16 77.91 (5) RECORDING. Each register of deeds who receives notice of an order  
17 under this subchapter shall record the action as provided under s. 59.43 (1). The  
18 department shall pay the register of deeds the fee specified under s. 59.43 (2) (ag) 1.  
19 from the appropriation under s. ~~20.370 (1) (er)~~ 20.375 (2) (qr). If the amount in the  
20 appropriation under s. ~~20.370 (1) (er)~~ 20.375 (2) (qr) in any fiscal year is insufficient  
21 to pay the full amount required under this subsection in that fiscal year, the  
22 department shall pay the balance from the appropriation under s. ~~20.370 (1) (mu)~~  
23 20.375 (2) (q)."

24 **140.** Page 856, line 3: after that line insert:

1 "SECTION 2294g. 80.025 of the statutes is amended to read:

2 **80.025 Highways abutted by state park lands in the state park system;**  
3 **discontinuance or relocation.** Any part of a highway lying wholly within state  
4 park the boundaries of lands in the state park system may be discontinued or  
5 relocated by the state agency having jurisdiction over such abutting lands by filing  
6 written notice of such discontinuance or relocation with the town clerk or county  
7 clerk and upon approval by the supervisors after holding a hearing as provided in s.  
8 80.05 unless such discontinuance or relocation would deprive any other owner of  
9 lands access thereto from a highway. This section does not apply to state trunk  
10 highways or connecting highways.

11 "SECTION 2294j. 80.05 (2) (b) of the statutes is amended to read:

12 80.05 (2) (b) Give notice by registered mail to the department of natural  
13 resources, to the department of forestry and parks and to the county land  
14 conservation committee in each county through which the highway may pass.

15 SECTION 2294m. 80.39 (2) of the statutes is amended to read:

16 80.39 (2) NOTICE. Upon such petition the county board or the commissioners  
17 appointed by the board shall give notice of the time and place they will meet to decide  
18 on the petition. The notice shall be published as a class 2 notice, under ch. 985. The  
19 notice shall also be given to the department secretary of natural resources by serving  
20 a copy upon the secretary of natural resources and to the secretary of forestry and  
21 parks either by registered mail or personally. If the board appoints a committee to  
22 act, the notice shall state the fact and the notice shall be signed by the  
23 commissioners, otherwise by the chairperson of the board.

24 SECTION 2294p. 84.01 (17) of the statutes is amended to read:

1           84.01 (17) IMPROVEMENTS FOR NEXT 6 YEARS. In each odd-numbered year, the  
2 department of transportation shall determine, as far as possible, what  
3 improvements will be made during the following 6-year period, and shall notify the  
4 county clerks prior to February 1 of each even-numbered year, as to the  
5 improvements in their respective counties. Such notice shall also be given to the  
6 department of natural resources, ~~to the department of forestry and parks~~ and to the  
7 department of agriculture, trade and consumer protection.”

8           **141.** Page 861, line 17: after that line insert:

9           “SECTION 2304g. 84.02 (3) (a) of the statutes is amended to read:

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

1 exceeds 5 miles the change shall constitute an addition to the state trunk highway  
 2 system. The preexisting route shall continue to be a state trunk highway unless the  
 3 county board of each county in which any part of the relocation lies and the  
 4 department mutually agree to its discontinuance as a state trunk highway.  
 5 Whenever such county board or boards and the department cannot so agree the  
 6 department shall report the problem to the next ensuing session of the legislature  
 7 for determination.”.

8 **142.** Page 868, line 2: after that line insert:

*within the boundaries  
of any state park,*

9 “SECTION 2308p. 84.28 (1) of the statutes is amended to read:

10 84.28 (1) Moneys from the appropriation under s. ~~20.370 (7) (mc)~~ 20.375 (3) (b)  
 11 may be expended for the renovation, marking, and maintenance of a town or county  
 12 highway located ~~within the boundaries of any state park, state forest, or other~~  
 13 ~~property under the jurisdiction of the department of natural resources forestry and~~  
 14 ~~parks.~~ Moneys from the appropriation under s. 20.370 (7) (mc) may be expended for  
 15 the renovation, marking and maintenance of a town or county highway located in the  
 16 lower Wisconsin state riverway as defined in s. 30.40 (15) or other property under the  
 17 jurisdiction of the department of natural resources. Outside the lower Wisconsin  
 18 state riverway as defined in s. 30.40 (15), or outside the boundaries of these parks,  
 19 forests, or property, moneys from the ~~appropriation~~ appropriations under s. ss.  
 20 20.370 (7) (mc) and 20.375 (3) (b) may be expended for the renovation, marking, and  
 21 maintenance of roads which the department of natural resources ~~certifies~~  
 22 certified under sub. (1m) as being utilized by a substantial number of visitors to state  
 23 parks, state forests, or other property under the jurisdiction of the department of  
 24 natural resources. ~~The department of natural resources shall authorize~~



1 ~~expenditures under this subsection. The department of natural resources shall rank~~  
 2 ~~projects eligible for assistance under a priority system and funding may be restricted~~  
 3 ~~to those projects with highest priority or the department of forestry and parks.~~ ✓

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4 **SECTION 2308s.** 84.28 (2) of the statutes is amended to read:

5 84.28 (2) The department may administer a program for the construction,  
 6 maintenance, and marking of roads, including fire roads, service areas, trailer, or  
 7 vehicle parking stalls or parking areas and other facilities consistent with highway  
 8 construction and for the marking of scenic routes in the state parks, state forests, the  
 9 lower Wisconsin state riverway as defined under s. 30.40 (15), state fish hatcheries,  
 10 other public used areas under the jurisdiction of the department of natural resources  
 11 ~~or the department of forestry and parks~~ and other public lands as defined in ch. 24,  
 12 for highways or fire roads leading from the most convenient state trunk highways  
 13 to such lands, and for the relocation and construction of state trunk highways in or  
 14 near state parks when required in the interests of public safety. Within the  
 15 limitations and for the purposes of this section, work may be performed by or under  
 16 the supervision or authority or with the approval of the department of transportation,  
 17 upon the request for such work filed by the department of ~~natural~~  
 18 ~~resources~~ having jurisdiction as to the lower Wisconsin state riverway, as defined in  
 19 s. 30.40 (15), or as to state park or forest lands, or by the board of commissioners of  
 20 the public lands as to other classes of public lands. Outside the lower Wisconsin state  
 21 riverway, as defined in s. 30.40 (15), and outside the limits of the park, state forest,  
 22 and public land areas, direct connections to the most convenient state trunk highway  
 23 may be built or maintained under this section. Roads in unincorporated areas within  
 24 5 miles of the boundaries of the Horicon national wildlife refuge or the Horicon marsh  
 25 wildlife area may be built or maintained under this section upon request of the town

1 board, if the department of transportation certifies that such roads are or will be used  
2 by a substantial number of visitors to such area. Costs incurred under this section  
3 shall be the responsibility of the department of natural resources, department of  
4 forestry and parks, commissioners of public lands or town board, as appropriate.”

5 **143.** Page 881, line 4: after that line insert:

6 “SECTION 2349m. 86.315 (1) of the statutes is amended to read:

7 86.315 (1) From the appropriation under s. 20.395 (1) (fu), the department  
8 shall annually, on March 10, pay to counties having county forests established under  
9 ch. 28, for the improvement of public roads within the county forests which are open  
10 and used for travel and which are not state or county trunk highways or town roads  
11 and for which no aids are paid under s. 86.30, the amount of \$336 per mile of road  
12 designated in the comprehensive county forest land use plan as approved by the  
13 county board and the department of natural resources ~~of forestry and parks~~. If the  
14 amount appropriated under s. 20.395 (1) (fu) is insufficient to make the payments  
15 required under this subsection, the department shall prorate the amount  
16 appropriated in the manner it considers desirable.”

17 **144.** Page 881, line 10: after that line insert:

18 “SECTION 2360m. 91.01 (6) of the statutes is amended to read:

19 91.01 (6) “Eligible farmland” means a parcel of 35 or more acres of contiguous  
20 land which is devoted primarily to agricultural use, including land designated by the  
21 department of natural resources as part of the ice age trail under s. ~~23.17~~ 27.0135,  
22 which during the year preceding application for a farmland preservation agreement  
23 produced gross farm profits, as defined in s. 71.58 (4), of not less than \$6,000 or  
24 which, during the 3 years preceding application produced gross farm profits, as

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

4 **SECTION 2360p.** 91.13 (8) (c) of the statutes is amended to read:

5 91.13 (8) (c) A structure or improvement made as an incident to a scenic, access,  
6 or utility easement or license, a lease for oil and natural gas exploration and  
7 extraction, and an easement granted for the purpose of using land as, or land used  
8 as, part of the ice age trail under ss. ~~23.17 and 23.293~~ 27.0135 and 27.0136 and  
9 structures and improvements made as an incident to that use or those easements,  
10 is consistent with agricultural use under pars. (a) and (b).

11 **SECTION 2360t.** 91.75 (7) of the statutes is amended to read:

12 91.75 (7) A structure or improvement made as an incident to a lease for oil and  
13 natural gas exploration and extraction, and an easement granted for the purpose of  
14 using land as, or land used as, part of the ice age trail under ss. ~~23.17 and 23.293~~  
15 27.0135 and 27.0136 and structures and improvements made as an incident to that  
16 use or those easements, is consistent with agricultural uses under sub. (3) and may  
17 be permitted as a special exception or conditional use under sub. (5)."

18 **145.** Page 897, line 1: after that line insert:

19 "**SECTION 2480m.** 101.143 (4) (ei) 1m. a. of the statutes, as affected by 2001  
20 Wisconsin Act .... (this act), is amended to read:

21 101.143 (4) (ei) 1m. a. The owner or operator of the farm tank owns a parcel  
22 of 35 or more acres of contiguous land, on which the farm tank is located, which is  
23 devoted primarily to agricultural use, as defined in s. 91.01 (1), including land  
24 designated by the department of natural resources as part of the ice age trail under

1 s. ~~23.17~~ 27.0135, which during the year preceding submission of a first claim under  
2 sub. (3) produced gross farm profits, as defined in s. 71.58 (4), of not less than \$6,000  
3 or which, during the 3 years preceding that submission produced gross farm profits,  
4 as defined in s. 71.58 (4), of not less than \$18,000, or a parcel of 35 or more acres of  
5 which at least 35 acres, on which the farm tank is located, during part or all of the  
6 year preceding that submission, were enrolled in the conservation reserve program  
7 under 16 USC 3831 to 3836.”

8 **146.** Page 897, line 14: after that line insert:

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

11 101.143 (4) (ei) 1m. b. The claim is submitted by a person who, at the time the  
12 notification was made under sub. (3) (a) 3., was the owner of the farm tank and owned  
13 a parcel of 35 or more acres of contiguous land, on which the farm tank is or was  
14 located, which was devoted primarily to agricultural use, as defined in s. 91.01 (1),  
15 including land designated by the department of natural resources as part of the ice  
16 age trail under s. ~~23.17~~ 27.0135, which during the year preceding that notification  
17 produced gross farm profits, as defined in s. 71.58 (4), of not less than \$6,000 or  
18 which, during the 3 years preceding that notification, produced gross farm profits,  
19 as defined in s. 71.58 (4), of not less than \$18,000, or a parcel of 35 or more acres, on  
20 which the farm tank is located, of which at least 35 acres, during part or all of the  
21 year preceding that notification, were enrolled in the conservation reserve program  
22 under 16 USC 3831 to 3836.”

23 **147.** Page 912, line 2: after that line insert:

24 “SECTION 2586g. 106.215 (7) (a) of the statutes is amended to read:

1           106.215 (7) (a) *Conservation activities; appropriations.* Moneys appropriated  
2 under s. 20.445 (6) (j), (m) ~~and, (u), and (v)~~ may be utilized for conservation activities  
3 as authorized under those appropriations.

4           **SECTION 2586r.** 106.215 (7) (c) of the statutes is amended to read:

5           106.215 (7) (c) *Conservation fund appropriation.* Notwithstanding par. (a),  
6 moneys appropriated under s. 20.445 (6) (u) ~~that are not derived from the forestation~~  
7 ~~state tax under s. 70.58~~ may be utilized for any project approved by the board  
8 regardless of whether the project consists in whole or in part of conservation  
9 activities.”.

10           **148.** Page 917, line 22: after that line insert:

11           **“SECTION 2669m.** 118.025 of the statutes is amended to read:

12           **118.025 Arbor day observance.** A school principal may request one free tree  
13 provided from state forest nurseries by the department of ~~natural resources~~ forestry  
14 ~~and parks~~ under s. 28.06 for each 4th grade pupil in the school for planting in  
15 conjunction with an annual observance and celebration of arbor day.”.

16           **149.** Page 934, line 14: after that line insert:

17           **“SECTION 2802m.** 125.07 (3) (a) 4. of the statutes is amended to read:

18           125.07 (3) (a) 4. Premises in the state fair park, concessions authorized on  
19 state-owned premises in the state ~~parks~~ park system and state forests as ~~defined or~~  
20 ~~designated in chs. 27 and 28,~~ and parks owned or operated by agricultural societies.”.

21           **150.** Page 939, line 16: after that line insert:

22           **“SECTION 2813m.** 134.60 of the statutes is amended to read:

23           **134.60 Cutting or transportation of evergreens.** No person may cut for  
24 sale in its natural condition and untrimmed, with or without roots, any evergreen or

1 coniferous tree, branch, bough, bush, sapling or shrub, from the lands of another  
2 without the written consent of the owner, whether such land is publicly or privately  
3 owned. The written consent shall contain the legal description of the land where the  
4 tree, branch, bough, bush, sapling or shrub was cut, as well as the name of the legal  
5 owner. The written consent or a certified copy of the consent shall be carried by every  
6 person in charge of the cutting or removing of the trees, branches, boughs, bushes,  
7 saplings or shrubs, and shall be exhibited to any officer of the law, state forest ~~and~~  
8 ~~park~~ ranger, forest patrol officer, conservation warden, or other officer of the  
9 department of natural resources or the department of forestry ~~and parks~~ at the  
10 officer's request at any time. The officer may inspect the trees, branches, boughs,  
11 bushes, saplings or shrubs when being transported in any vehicle or other means of  
12 conveyance and may investigate to determine whether or not this section has been  
13 complied with. The officer may stop any vehicle or means of conveyance found  
14 carrying any trees, branches, boughs, bushes, saplings or shrubs upon any public  
15 highway of this state for the purpose of making such inspection and investigation,  
16 and may seize and hold, subject to the order of the court, any such trees, bushes,  
17 saplings or shrubs found being cut, removed or transported in violation of this  
18 section. No person may ship or transport any such trees, bushes, saplings or shrubs  
19 outside the county where they were cut unless the person attaches to the outside of  
20 each package, box, bale, truckload or carload shipped a tag or label on which appears  
21 the person's name and address. No common carrier or truck hauler may receive for  
22 shipment or transportation any such trees, bushes, saplings or shrubs unless the tag  
23 or label is attached. Any person who violates this section shall be fined not less than  
24 \$10 nor more than \$100. Any person who signs any such written consent or certified  
25 copy under this section who is not authorized to do so, and any person who lends or

1 transfers or offers to lend or transfer any such written consent or certified copy to  
2 another person who is not entitled to use it, and any person not entitled to use any  
3 such written consent or certified copy, or who borrows, receives or solicits from  
4 another any such written consent or certified copy thereof shall be fined not less than  
5 \$100 nor more than \$500.”.

6 **151.** Page 959, line 7: after that line insert:

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

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

14 **152.** Page 960, line 10: after that line insert:

15 “SECTION 2859m. 165.85 (4) (b) 1. of the statutes is amended to read:

16 165.85 (4) (b) 1. No person may be appointed as a law enforcement or tribal law  
17 enforcement officer, except on a temporary or probationary basis, unless the person  
18 has satisfactorily completed a preparatory program of law enforcement training  
19 approved by the board and has been certified by the board as being qualified to be  
20 a law enforcement or tribal law enforcement officer. The program shall include 400  
21 hours of training, except that the program for law enforcement officers who serve as  
22 rangers for the department of natural resources or the department of forestry and  
23 ~~parks~~ includes 240 hours of training. The board shall promulgate a rule under ch.  
24 227 providing a specific curriculum for a 400-hour conventional program and a

1 240-hour ranger program. The rule shall ensure that there is an adequate amount  
2 of training for each program to enable the person to deal effectively with domestic  
3 abuse incidents. The training under this subdivision shall include training on  
4 emergency detention standards and procedures under s. 51.15, emergency protective  
5 placement standards and procedures under s. 55.06 (11) and information on mental  
6 health and developmental disabilities agencies and other resources that may be  
7 available to assist the officer in interpreting the emergency detention and emergency  
8 protective placement standards, making emergency detentions and emergency  
9 protective placements and locating appropriate facilities for the emergency  
10 detentions and emergency protective placements of persons. The training under this  
11 subdivision shall include training on police pursuit standards, guidelines and  
12 driving techniques established under par. (cm) 2. b. The period of temporary or  
13 probationary employment established at the time of initial employment shall not be  
14 extended by more than one year for an officer lacking the training qualifications  
15 required by the board. The total period during which a person may serve as a law  
16 enforcement and tribal law enforcement officer on a temporary or probationary basis  
17 without completing a preparatory program of law enforcement training approved by  
18 the board shall not exceed 2 years, except that the board shall permit part-time law  
19 enforcement and tribal law enforcement officers to serve on a temporary or  
20 probationary basis without completing a program of law enforcement training  
21 approved by the board to a period not exceeding 3 years. For purposes of this section,  
22 a part-time law enforcement or tribal law enforcement officer is a law enforcement  
23 or tribal law enforcement officer who routinely works not more than one-half the  
24 normal annual work hours of a full-time employee of the employing agency or unit  
25 of government. Law enforcement training programs including municipal, county



1 and state programs meeting standards of the board are acceptable as meeting these  
2 training requirements.”.

3 **153.** Page 1003, line 12: after that line insert:

4 “SECTION 3035c. 227.43 (1) (bd) of the statutes is created to read:

5 227.43 (1) (bd) Assign a hearing examiner to preside over any hearing of a  
6 contested case which is required to be conducted by the department of forestry ~~and~~  
7 ~~parks~~ and which is not conducted by the secretary of forestry ~~and parks~~.

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

9 227.43 (2) (am) The department of forestry and parks shall notify the division  
10 of hearings and appeals of every pending hearing to which the administrator of the  
11 division is required to assign a hearing examiner under sub. (1) (bd) after the  
12 department of forestry ~~and parks~~ is notified that a hearing on the matter is required.

13 SECTION 3035n. 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 forestry ~~and~~  
16 ~~parks~~ by a hearing examiner under this section. The fees shall cover the total cost  
17 of the services less any costs covered by the appropriation under s. 20.505 (4) (f).

18 SECTION 3035r. 227.43 (4) (am) of the statutes is created to read:

19 227.43 (4) (am) The department of forestry ~~and parks~~ shall pay all costs of the  
20 services of a hearing examiner assigned to the department under sub. (1) (bd),  
21 according to the fees set under sub. (3) (am).

22 SECTION 3035w. 227.46 (8) of the statutes is amended to read:

23 227.46 (8) If the hearing examiner assigned under s. 227.43 (1) (b) renders the  
24 final decision in a contested case and the decision is subject to judicial review under

1 s. 227.52, the department of natural resources may petition for judicial review. If the  
2 hearing examiner assigned under s. 227.43 (1) (bd) renders the final decision in a  
3 contested case and the decision is subject to judicial review under s. 227.52, the  
4 department of forestry ~~and parks~~ may petition for judicial review. If the hearing  
5 examiner assigned under s. 227.43 (1) (br) renders the final decision in a contested  
6 case and the decision is subject to judicial review under s. 227.52, the department of  
7 transportation may petition for judicial review.”

8 **154.** Page 1004, line 20: after that line insert:

9 “SECTION 3050g. 230.08 (2) (e) 4p. of the statutes is created to read:

10 230.08 (2) (e) 4p. Forestry ~~and parks~~ — ~~8~~. <sup>1</sup>

11 SECTION 3050r. 230.08 (2) (e) 8. of the statutes is amended to read:

12 230.08 (2) (e) 8. Natural resources — ~~7~~ 6.”

13 **155.** Page 1008, line 16: after that line insert:

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

15 230.36 (1m) (b) 1. (intro.) A state forest ~~and park~~ ranger or field employee of  
16 the department of natural resources or the department of forestry ~~and parks~~ who is  
17 subject to call for forest fire control duty or fire watcher employed at the Wisconsin  
18 Veterans Home at King or at the facilities operated by the department of veterans  
19 affairs under s. 45.385, and lifeguard, at all times while.”

20 **156.** Page 1008, line 23: after that line insert:

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

23 230.36 (1m) (b) 2. (intro.) A conservation warden, state forest ~~and park~~ ranger,  
24 conservation patrol boat captain, conservation patrol boat engineer, member of the

1 state patrol, state motor vehicle inspector, University of Wisconsin System police  
2 officer, security officer, or security person, other state facilities police officer, special  
3 tax agent, excise tax investigator employed by the department of revenue, and  
4 special criminal investigation agent employed by the department of justice at all  
5 times while:

6 **SECTION 3081p.** 230.36 (2m) (a) 4. of the statutes is amended to read:

(7) 230.36 (2m) (a) 4. A state forest ~~and park~~ ranger.

8 **SECTION 3081t.** 230.36 (2m) (a) 5. of the statutes is amended to read:

9 230.36 (2m) (a) 5. A conservation field employee of the department of natural  
10 resources or the department of forestry and parks who is subject to call for fire control  
11 duty.”

12 **157.** Page 1018, line 11: after that line insert:

13 “**SECTION 3126m.** 236.292 (1) of the statutes is amended to read:

14 236.292 (1) All restrictions on platted land that interfere with the development  
15 of the ice age trail under s. ~~23.17~~ 27.0135 are void.”

16 **158.** Page 1068, line 2: after that line insert:

17 “**SECTION 3326m.** 293.01 (28) (b) 3. of the statutes is amended to read:

18 293.01 (28) (b) 3. National parks or areas in the state parks park system.”

19 **159.** Page 1090, line 13: after that line insert:

20 “**SECTION 3389gm.** 303.04 of the statutes is amended to read:

21 **303.04 Correctional farms.** The board of commissioners of public lands, the  
22 department of natural resources, the department of forestry and parks, and the  
23 department may select from the state forest reserves a quantity of land not to exceed  
24 5,000 acres and convert the same into farms for the state prisons.”