



State of Wisconsin
2001 - 2002 LEGISLATURE

RMR
LRBb2221/r 2
MGG&RNK:kg:jf&ch

LFB:.....Hotynski - Creation of a department of forestry

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

SENATE AMENDMENT

TO SENATE SUBSTITUTE AMENDMENT 1,

TO 2001 SENATE BILL 55

now

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 1, line 3: before that line insert:

3 "SECTION 1bg. 1.055 (1) of the statutes is amended to read:

4 1.055 (1) Consent of this state is given to the acquisition by the United States
5 by purchase, gift, lease or condemnation, with adequate compensation therefor, of
6 such areas of land not exceeding 2,000,000 acres as the United States deems
7 necessary for the establishment of national forests in the state, in accordance with
8 the act of congress approved June 7, 1924, and the board of commissioners of public
9 lands are authorized to sell and convey for a fair consideration to the United States
10 any state lands included within such areas; provided, that this state shall retain

1 concurrent jurisdiction with the United States in and over such areas so far that civil
2 process, in all cases, and such criminal process as may issue under the authority of
3 this state against any persons charged with the commission of any crime within or
4 without said areas, may be executed thereon in like manner as if this consent had
5 not been given. Provided, further, that the boundaries of any areas so selected shall
6 be first approved by the governor, the board of commissioners of public lands, the
7 department of natural resources, the department of forestry, and the county board
8 of each county in which any such area is located.

9 **SECTION 1br.** 1.056 of the statutes is amended to read:

10 **1.056 State conservation areas.** Consent of this state is given to the United
11 States to acquire by purchase, gift, lease, or condemnation, with adequate
12 compensation therefor, areas of land and water within boundaries approved by the
13 governor and the county board of the county in which the land is located, for the
14 establishment of state forests, state parks or other state conservation areas to be
15 administered by the state under long-term leases, treaties or cooperative
16 agreements, ~~which the~~. The department of natural resources is hereby authorized,
17 on behalf of the state, to enter into on behalf of the state, with the federal
18 government, such leases, treaties, or cooperative agreements covering land under its
19 jurisdiction. The department of forestry is authorized, on behalf of the state, to enter
20 into, with the federal government, such leases, treaties, or cooperative agreements
21 covering land under its jurisdiction.”.

22 **2.** Page 8, line 15: after that line insert:

23 **“SECTION 99m.** 13.101 (6) (a) of the statutes, as affected by 2001 Wisconsin Act
24 (this act), is amended to read:

1 13.101 (6) (a) As an emergency measure necessitated by decreased state
2 revenues and to prevent the necessity for a state tax on general property, the
3 committee may reduce any appropriation made to any board, commission,
4 department, or the University of Wisconsin System, or to any other state agency or
5 activity by such amount as it deems feasible, not exceeding 25% of the
6 appropriations, except appropriations made by ss. 20.255 (2) (ac), (bc), (bh), (cg), and
7 (cr), 20.395 (1), (2) (cq), (fq) to (fx), and (gq) to (gx), (3), (4) (aq) to (ax), and (6) (aq) and
8 (ar), 20.435 (6) (a) and (7) (da), and 20.445 (3) (a) and (dz) or for forestry purposes
9 under s. ~~20.370 (1)~~ 20.375 (2), or any other moneys distributed to any county, city,
10 village, town, or school district. Appropriations of receipts and of a sum sufficient
11 shall for the purposes of this section be regarded as equivalent to the amounts
12 expended under such appropriations in the prior fiscal year which ended June 30.
13 All functions of said state agencies shall be continued in an efficient manner, but
14 because of the uncertainties of the existing situation no public funds should be
15 expended or obligations incurred unless there shall be adequate revenues to meet the
16 expenditures therefor. For such reason the committee may make reductions of such
17 appropriations as in its judgment will secure sound financial operations of the
18 administration for said state agencies and at the same time interfere least with their
19 services and activities.”

20 **3.** Page 23, line 13: after that line insert:

21 “**SECTION 126p.** 14.82 (1) (intro.) of the statutes is amended to read:

22 14.82 (1) MINNESOTA-WISCONSIN. (intro.) There is created a commission of 5
23 citizens nominated by the governor, and with the advice and consent of the senate
24 appointed, for staggered 5-year terms, to represent this state on the joint

1 Minnesota–Wisconsin boundary area commission. Any vacancy shall be filled for the
2 balance of the unexpired term. To assist the commission, there is created a
3 legislative advisory committee comprising 4 senators and 6 representatives to the
4 assembly appointed as are the members of standing committees in their respective
5 houses, and a technical advisory committee of 2 members appointed by the governor
6 and one member each appointed by the governing board or head of the following
7 agencies, to represent such agencies: the department of justice, the department of
8 administration, the department of agriculture, trade and consumer protection, the
9 department of natural resources, the department of forestry, the department of
10 health and family services, the public service commission, the department of tourism
11 and the department of commerce. The members of the commission and the members
12 of its advisory committees shall serve without compensation but shall be reimbursed
13 for actual and necessary expenses incurred in the performance of their duties, from
14 the appropriation made by s. 20.315 (1) (q), on vouchers approved by the Wisconsin
15 member of the commission selected to serve as its chairperson or vice chairperson.
16 All other expenses incurred by the commission in the course of exercising its powers
17 and duties, unless met in some other manner specifically provided by statute, shall
18 be paid by the commission out of its own funds.”.

19 **4.** Page 30, line 7: after that line insert:

20 **“SECTION 178f.** 15.225 (2) (c) of the statutes is amended to read:

21 15.225 (2) (c) *Liaison representatives.* The secretary of agriculture, trade and
22 consumer protection, the secretary of health and family services, the secretary of
23 workforce development, the secretary of natural resources, the secretary of forestry,
24 and the chancellor of the University of Wisconsin–Extension, or a designee of such

1 a secretary or the chancellor, shall serve as liaison representatives to the Wisconsin
2 conservation corps board, and provide information to and assist the board. The
3 liaison representatives are not board members and may not vote on any board
4 decision or action.”.

5 **5.** Page 31, line 9: after that line insert:

6 “SECTION 179t. 15.343 of the statutes is repealed.”.

7 **6.** Page 32, line 4: after that line insert:

8 “SECTION 183m. 15.45 of the statutes is created to read:

9 **15.45 Department of forestry.** There is created a department of forestry
10 under the direction and supervision of the secretary of forestry.”.

11 **7.** Page 79, line 23: after that line insert:

12 “SECTION 343p. 16.967 (6) of the statutes, as affected by 2001 Wisconsin Act
13 ... (this act), is amended to read:

14 16.967 (6) REPORTS. By March 31 of each year, the department of
15 administration, the department of agriculture, trade and consumer protection, the
16 department of commerce, the department of forestry, the department of health and
17 family services, the department of natural resources, the department of tourism, the
18 department of revenue, the department of transportation, the board of regents of the
19 University of Wisconsin System, the public service commission and the board of
20 curators of the historical society shall each submit to the board a plan to integrate
21 land information to enable such information to be readily translatable, retrievable
22 and geographically referenced for use by any state, local governmental unit or public
23 utility. The plans shall include the information that will be needed by local
24 governmental units to prepare comprehensive plans containing the planning

1 elements required under s. 66.1001 (2). Upon receipt of this information, the board
2 shall integrate the information to enable the information to be used to meet land
3 information data needs. The integrated information shall be readily translatable,
4 retrievable, and geographically referenced to enable members of the public to use the
5 information.”.

6 **8.** Page 152, line 10: decrease the dollar amount for fiscal year 2002–03 by
7 \$100,000 for the purpose of reflecting the creation of the department of forestry.

8 **9.** Page 153, line 6: decrease the dollar amount for fiscal year 2002–03 by
9 \$318,700 for the purpose of reflecting the creation of the department of forestry.

10 **10.** Page 153, line 7: decrease the dollar amount for fiscal year 2002–03 by
11 \$318,700 for the purpose of reflecting the creation of the department of forestry.

12 **11.** Page 153, line 9: decrease the dollar amount for fiscal year 2002–03 by
13 \$5,776,000 for the purpose of reflecting the creation of the department of forestry and
14 to reduce the authorized FTE positions by 59.47 GPR positions.

15 **12.** Page 154, line 17: decrease the dollar amount for fiscal year 2002–03 by
16 ⁹⁹~~\$1,281,000~~ for the purpose of reflecting the creation of the department of forestry.

17 **13.** Page 154, line 23: decrease the dollar amount for fiscal year 2002–03 by
18 \$153,400 for the purpose of reflecting the creation of the department of forestry and
19 to reduce the authorized FTE positions by 2.5 SEC positions.

20 **14.** Page 155, line 11: decrease the dollar amount for fiscal year 2002–03 by
21 ^{10,000}~~\$84,400~~ for the purpose of reflecting the creation of the department of forestry.

22 **15.** Page 155, line 13: decrease the dollar amount for fiscal year 2002–03 by
23 \$100,000 for the purpose of reflecting the creation of the department of forestry.

1 **16.** Page 155, line 15: decrease the dollar amount for fiscal year 2002-03 by
2 ^{2,100}
 ~~\$60,000~~ for the purpose of reflecting the creation of the department of forestry.

3 **17.** Page 155, line 20: decrease the dollar amount for fiscal year 2002-03 by
4 \$2,617,000, and adjust the NET APPROPRIATION total accordingly, for the purpose
5 of reflecting the creation of the department of forestry and to reduce the authorized
6 FTE positions by 31.41 SEG positions related to forestry.

7 ~~**18.** Page 155, line 20: decrease the dollar amount for fiscal year 2002-03 by
8 \$275,000, and adjust the NET APPROPRIATION total accordingly, for the purpose
9 of reflecting the creation of the department of forestry and to reduce the authorized
10 FTE positions by 3.3 SEG positions related to state parks.~~

11 ^{stet} **19.** Page 155, line 22: decrease the dollar amount for fiscal year 2002-03 by
12 ~~\$35,237,300~~ and adjust the NET APPROPRIATION total accordingly, for the
13 purpose of reflecting the creation of the department of forestry and to reduce the
14 authorized FTE positions by 432.94 SEG positions.

15 **20.** Page 155, line 23: decrease the dollar amount for fiscal year 2002-03 by
16 \$4,245,500, and adjust the NET APPROPRIATION total accordingly, for the purpose
17 of reflecting the creation of the department of forestry ^{fund} and to reduce the authorized
18 FTE positions by 44.75 SEG positions.

19 ~~**21.** Page 155, line 24: decrease the dollar amount for fiscal year 2002-03 by
20 \$8,839,800, and adjust the NET APPROPRIATION total accordingly, for the purpose
21 of reflecting the creation of the department of forestry and to reduce the authorized
22 FTE positions by 96.78 SEG positions.~~

1 **22.** Page 156, line 1: decrease the dollar amount for fiscal year 2002–03 by
2 \$2,549,500, and adjust the NET APPROPRIATION total accordingly, for the purpose
3 of reflecting the creation of the department of forestry and to reduce the authorized
4 FTE positions by 31.16 SEG positions related to forestry.

5 ~~**23.** Page 156, line 1: decrease the dollar amount for fiscal year 2002–03 by
6 \$685,500, and adjust the NET APPROPRIATION total accordingly, for the purpose
7 of reflecting the creation of the department of forestry and to reduce the authorized
8 FTE positions by 8.37 SEG positions related to state parks.~~

↓ Insert →
8-8 (RETMS)
9 **24.** Page 161, line 16: decrease the dollar amount for fiscal year 2002–03 by
10 \$901,100 for the purpose of reflecting the creation of the department of forestry and
11 to reduce the authorized FTE positions by 10.03 SEG positions related to forests.

12 ~~**25.** Page 161, line 16: decrease the dollar amount for fiscal year 2002–03 by
13 \$54,600 for the purpose of reflecting the creation of the department of forestry and
14 to reduce the authorized FTE positions by 0.61 SEG positions related to state parks.~~

15 **26.** Page 166, line 2: decrease the dollar amount for fiscal year 2002–03 by
16 \$234,500 for the purpose of reflecting the creation of the department of forestry.

17 **27.** Page 166, line 3: decrease the dollar amount for fiscal year 2002–03 by
18 \$75,000 for the purpose of reflecting the creation of the department of forestry.

19 **28.** Page 166, line 7: decrease the dollar amount for fiscal year 2002–03 by
20 \$1,250,000 for the purpose of reflecting the creation of the department of forestry.

21 **29.** Page 166, line 9: decrease the dollar amount for fiscal year 2002–03 by
22 \$80,000 for the purpose of reflecting the creation of the department of forestry.

1 **30.** Page 166, line 11: decrease the dollar amount for fiscal year 2002–03 by
2 \$75,000 for the purpose of reflecting the creation of the department of forestry.

3 **31.** Page 166, line 15: decrease the dollar amount for fiscal year 2002–03 by
4 \$1,250,000 for the purpose of reflecting the creation of the department of forestry.

5 **32.** Page 166, line 16: decrease the dollar amount for fiscal year 2002–03 by
6 \$622,400 for the purpose of reflecting the creation of the department of forestry.

7 **33.** Page 166, line 18: decrease the dollar amount for fiscal year 2002–03 by
8 \$400,000 for the purpose of reflecting the creation of the department of forestry.

9 **34.** Page 167, line 2: decrease the dollar amount for fiscal year 2002–03 by
10 \$1,624,900 for the purpose of reflecting the creation of the department of forestry.

11 **35.** Page 167, line 6: decrease the dollar amount for fiscal year 2002–03 by
12 \$448,000 for the purpose of reflecting the creation of the department of forestry.

13 **36.** Page 172, line 3: decrease the dollar amount for fiscal year 2002–03 by
14 \$4,000,000 for the purpose of reflecting the creation of the department of forestry.

15 **37.** Page 173, line 6: decrease the dollar amount for fiscal year 2002–03 by
16 ^{114,600}
~~\$1,278,200~~ for the purpose of reflecting the creation of the department of forestry.

17 **38.** Page 173, line 13: decrease the dollar amount for fiscal year 2002–03 by
18 ²²²
~~\$266,600~~ for the purpose of reflecting the creation of the department of forestry.

19 **39.** Page 174, line 7: decrease the dollar amount for fiscal year 2002–03 by
20 ^{154,000}
~~\$170,600~~ for the purpose of reflecting the creation of the department of forestry.

21 **40.** Page 174, line 12: decrease the dollar amount for fiscal year 2002–03 by
22 ^{190,500}
~~\$184,800~~ for the purpose of reflecting the creation of the department of forestry.

1 ~~41. Page 175, line 3: decrease the dollar amount for fiscal year 2002-03 by~~
2 ~~\$1,459,600 for the purpose of reflecting the creation of the department of forestry and~~
3 ~~to reduce the authorized FTE positions by 11.17 GPR positions.~~

4 **42.** Page 175, line 16: decrease the dollar amount for fiscal year 2002-03 by
5 \$7,066,100 for the purpose of reflecting the creation of the department of forestry and
6 to reduce the authorized FTE positions by 76.55 SEG positions related to forestry.

7 ~~43. Page 175, line 16: decrease the dollar amount for fiscal year 2002-03 by~~
8 ~~\$1,011,500 for the purpose of reflecting the creation of the department of forestry and~~
9 ~~to reduce the authorized FTE positions by 15.17 SEG positions related to state parks.~~

10 ~~44. Page 177, line 4: decrease the dollar amount for fiscal year 2002-03 by~~
11 ~~\$879,600 for the purpose of reflecting the creation of the department of forestry and~~
12 ~~to reduce the authorized FTE positions by 14.04 GPR positions.~~

13 ~~45. Page 177, line 24: decrease the dollar amount for fiscal year 2002-03 by~~
14 ~~\$2,680,100 for the purpose of reflecting the creation of the department of forestry and~~
15 ~~to reduce the authorized FTE positions by 29.91 SEG positions related to forestry.~~

16 ~~46. Page 177, line 24: decrease the dollar amount for fiscal year 2002-03 by~~
17 ~~\$271,000 for the purpose of reflecting the creation of the department of forestry and~~
18 ~~to reduce the authorized FTE positions by 4.29 SEG positions related to state parks.~~

19 **47.** Page 179, line 4: before that line insert:

20 **"20.375 Forestry, department of**

21 (2) FORESTRY

22 ✓(h) General program operations —

23 private and public sources GPR C -0- -0-

1	✓(k)	General program operations —					
2		service funds	PR-S	C	-0-	-0-	
3	✓(q)	General program operations	SEG	A	-0-	51,106,100	
4	✓(qf)	Forestry acquisition and devel-					
5		opment	SEG	C	-0-	222,600	
6	✓(qh)	Reforestation	SEG	C	-0-	100,000	
7	✓(qr)	Recording fees	SEG	C	-0-	-0-	
8	✓(r)	Forest fire emergencies	SEG	C	-0-	-0-	
9	✓(rm)	Timber sales contracts — repair					
10		and reimbursement costs	SEG	C	-0-	-0-	
11	✓(rq)	Resource aids — private con-					
12		; Great Lakes Forestry Museum servation organizations)	SEG	C	-0-	80,000	
13	✓(ru)	Forestry — forestry education					
14		and curriculum	SEG	A	-0-	318,700	
15	✓(rv)	Forestry — public education	SEG	C	-0-	318,700	
16	✓(s)	Resource aids — private forest					
17		grants	SEG	B	-0-	1,250,000	
18	✓(sL)	Resource aids — wildlife habitat					
19		and recreation	SEG	C	-0-	234,500	
20	✓(sm)	Resource aids — urban land con-					
21		servation	SEG	A	-0-	150,000	
22	✓(sv)	Wildlife management	SEG	A	-0-	153,400	
	✓(t)	Resource aids — ^{county} county Forest loans; severance share payments	SEG	C	-0-	-0-	

1	✓(tm)	Resource aids — forest croplands				
2		and managed forest land aids	SEG	A	-0-	1,250,000
3	✓(u)	Resource aids — county forest				
4		loans	SEG	A	-0-	622,400
5	✓(um)	Resource aids — county forest				
6		project loans	SEG	C	-0-	400,000
7	✓(v)	Resource aids — county forest				
8		project loans; severance share				
9		payments	SEG	C	-0-	-0-
10	✓(vm)	Resource aids — county forests,				
11		forest croplands and managed				
12		forest land aids	SEG	S	-0-	-0-
13	✓(w)	Resource aids — urban forestry				
14		and county forest administrator				
15		grants	SEG	A	-0-	1,724,900
16	✓(wm)	Resource aids — fire suppression				
17		grants	SEG	A	-0-	448,000
18	✓(x)	General program operations —				
19		federal funds	SEG-F	C	-0-	-0-
20	✓(xg)	Resource aids — national forest				
21		income aids	PR-F	C	-0-	-0-
22	(ym)	Resource aids — payment in lieu				
23		of taxes; federal	PR-F	C	-0-	-0-

1	✓(z)	Forest fire emergencies — fed-					
2		eral funds	SEG-F	C	-0-	-0-	
3	(3)	DEPARTMENTWIDE					
4	✓(a)	Ice age trail — principal repay-					
5		ment and interest	GPR	S	-0-	-0-	
6	✓(b)	Resource maintenance and					
7		development — state park and					190,500
8		forest roads	GPR	A	-0-	484,800	
9	(c)	Resource maintenance and					
10		development — state funds	GPR	C	-0-	630,300	114,600
11	✓(d)	Aids in lieu of taxes	GPR	S	-0-	-0-	
12	✓(h)	General program operations —					
13		private and public sources	PR	C	-0-	-0-	
14	✓(k)	General program operations —					
15		service funds	PR-S	C	-0-	-0-	
16	✓(q)	General program operations	SEG	A	-0-		****
17	✓(r)	Taxes and assessments	SEG	A	-0-		99,000
18	✓(s)	Aids in lieu of taxes	SEG	S	-0-	-0-	198,000
19	✓(sg)	General program operations					
20		<u>state snowmobile trails and</u>					
21		areas	SEG	A	-0-	84,400	

1	(sm)	General program operations —				
2		park and forest trails, all-ter-				
3		rain vehicle revenues	SEG	A	-0-	100,000
4	(sr)	General program operations —				
5		State all-terrain vehicle projects	SEG	A	-0-	7,100
6	(t)	Gifts and grants <i>Keep</i>	SEG	C	-0-	-0-
7	(u)	State forest acquisition and				
8		development — principal repay-				
9		ment and interest	SEG	A	-0-	4,000,000
10	(um)	Forestry land endowment fund	SEG	S	-0-	-0-
11	(v)	Facilities acquisition, develop-				
12		ment, and maintenance	SEG	B	-0-	154,600 170,600
13	(x)	General program operations —				
14		Federal funds	SEG-F	C	-0-	-0-

48. Page 226, line 19: after that line insert:

16	(v)	General enrollee operations; for-				
17		estry and parks fund	SEG	B	-0-	****

****NOTE: A \$ amount is needed.

49. Page 295, line 19: after that line insert:

"SECTION 425c. 20.115 (7) (qc) of the statutes, as affected by 2001 Wisconsin Act (this act), section 425, is amended to read:

20.115 (7) (qc) *Plant protection; ~~eonservation~~ forestry fund.* From the ~~eonservation~~ forestry fund, the amounts in the schedule for plant protection, including nursery regulation, gypsy moth control, and control of other plant pests."

1 **50.** Page 301, line 15: after that line insert:

2 “**SECTION 458m.** 20.143 (1) (t) of the statutes is amended to read:

3 20.143 (1) (t) *Forestry education grant program.* From the ~~conservation~~
4 forestry fund, as a continuing appropriation, the amounts in the schedule for forestry
5 education grants under s. 560.18.”.

6 **51.** Page 324, line 19: after that line insert:

7 “**SECTION 582i.** 20.285 (1) (qm) of the statutes is amended to read:

8 20.285 (1) (qm) *Grants to forestry cooperatives.* From the ~~conservation~~ forestry
9 fund, the amounts in the schedule for grants to forest cooperatives under s. 36.56.

10 **SECTION 582j.** 20.285 (1) (rc) of the statutes is amended to read:

11 20.285 (1) (rc) *Environmental education; forestry.* From the ~~conservation~~
12 forestry fund, the amounts in the schedule for environmental education grants
13 related to forestry under s. 36.54 (2) and to administer environmental education
14 grants.”.

15 **52.** Page 325, line 8: after that line insert:

16 “**SECTION 584d.** 20.370 (1) (cq) of the statutes is renumbered 20.375 (2) (qh),
17 and 20.375 (2) (qh) (title), as renumbered, is amended to read:

18 20.375 (2) (qh) (title) ~~Forestry—reforestation~~ Reforestation.

19 **SECTION 584h.** 20.370 (1) (cr) of the statutes is renumbered 20.375 (2) (qr), and
20 20.375 (2) (qr) (title), as renumbered, is amended to read:

21 20.375 (2) (qr) (title) ~~Forestry—recording~~ Recording fees.

22 **SECTION 584p.** 20.370 (1) (cs) of the statutes is renumbered 20.375 (2) (r), and
23 20.375 (2) (r) (title), as renumbered, is amended to read:

24 20.375 (2) (r) (title) ~~Forestry—forest~~ Forest fire emergencies.

1 **SECTION 584t.** 20.370 (1) (ct) of the statutes is renumbered 20.375 (2) (rm).”.

2 **53.** Page 325, line 12: after that line insert:

3 **“SECTION 585gm.** 20.370 (1) (cu) of the statutes, as created by 2001 Wisconsin
4 Act ... (this act), is renumbered 20.375 (2) (ru).”.

5 **54.** Page 325, line 17: after that line insert:

6 **“SECTION 585hm.** 20.370 (1) (cv) of the statutes, as created by 2001 Wisconsin
7 Act ... (this act), is renumbered 20.375 (2) (rv).
8

9 **SECTION 585k.** 20.370 (1) (er) of the statutes is repealed.”.

10 **55.** Page 327, line 14: after that line insert:

11 **“SECTION 589g.** 20.370 (1) (Lt) of the statutes is renumbered 20.375 (2) (sv).” ✓

12 ~~**SECTION 589r.** 20.370 (1) (mq) of the statutes is renumbered 20.375 (3) (sg).”~~

13 **56.** Page 327, line 20: after that line insert:

14 **“SECTION 590mp.** 20.370 (1) (mr) of the statutes, as created by 2001 Wisconsin
15 Act ... (this act), is renumbered 20.375 (3) (sm) and amended to read:

16 20.375 (3) (sm) *General program operations — park and forest trails,*
17 *all-terrain vehicle revenues.* ~~The~~ From the conservation fund, the amounts in the
18 schedule from moneys received from all-terrain vehicle fees under s. 23.33 (2) (c) to
19 (e) for the operation and maintenance of trails that are located in state parks or
20 southern state forests, as defined in s. 27.016 (1) (c).”.

21 **57.** Page 327, line 24: after that line insert:

22 **“SECTION 591e.** 20.370 (1) (ms) of the statutes is renumbered 20.375 (3) (sr) and
23 amended to read:

24 20.375 (3) (sr) *General program operations — state-all-terrain vehicle projects.*
~~The~~ From the conservation fund, the amounts in the schedule from moneys received

✓
insert
16-7

1 from all-terrain vehicle fees under s. 23.33 (2) (c) to (e) for state all-terrain vehicle
2 projects.

3 **SECTION 591m.** 20.370 (1) (mu) of the statutes is amended to read:

4 20.370 (1) (mu) *General program operations — state funds.* The amounts in
5 the schedule for general program operations that do not relate to the management
6 and protection of the state’s fishery resources under ss. 23.09 to 23.11, 27.01, 30.203
7 and 30.277, subch. VI of ch. 77 and chs. 26, 28 and ch. 29 and for transfers to the
8 appropriation account under s. 20.285 (1) (kf). INS 17-8 ✓

9 **SECTION 591s.** 20.370 (1) (mz) of the statutes is renumbered 20.375 (2) (z).”.

****NOTE: Section 20.370 (4) (aw) needs to be reconciled with LRBb2184 in a later version.

insert
17-9

10 **58.** Page 331, line 9: after that line insert:

11 “**SECTION 603i.** 20.370 (5) (as) of the statutes is renumbered 20.375 (2) (sL) and
12 amended to read:

13 20.375 (2) (sL) *Recreation Resource aids — fish, wildlife and forestry habitat*
14 *and recreation aids.* As a continuing appropriation, the amounts in the schedule for
15 wildlife habitat development and planning on county forest lands, under s. 23.09
16 (17m) and recreational development on county forest lands under s. 23.09 (11).

17 **SECTION 603p.** 20.370 (5) (av) of the statutes is renumbered 20.375 (2) (s).”.

18 **59.** Page 331, line 24: after that line insert:

19 “**SECTION 603rb.** 20.370 (5) (ay) of the statutes is renumbered 20.375 (2) (sm).

20 **SECTION 603rf.** 20.370 (5) (bq) of the statutes is renumbered 20.375 (2) (t).

21 **SECTION 603rk.** 20.370 (5) (br) of the statutes is renumbered 20.375 (2) (tm).

22 **SECTION 603rn.** 20.370 (5) (bs) of the statutes is renumbered 20.375 (2) (u).

23 **SECTION 603rp.** 20.370 (5) (bt) of the statutes is renumbered 20.375 (2) (um).

1 **SECTION 603rs.** 20.370 (5) (bu) of the statutes is renumbered 20.375 (2) (v).

2 **SECTION 603rw.** 20.370 (5) (bv) of the statutes is renumbered 20.375 (2) (vm).”.

3 **60.** Page 332, line 4: after that line insert:

4 “**SECTION 603ub.** 20.370 (5) (bw) of the statutes, as affected by 2001 Wisconsin
5 Act ... (this act), is renumbered 20.375 (2) (w).

6 **SECTION 603x.** 20.370 (5) (bx) of the statutes is renumbered 20.375 (2) (xg).”.

7 **61.** Page 332, line 8: after that line insert:

8 “**SECTION 604m.** 20.370 (5) (by) of the statutes, as affected by 2001 Wisconsin
9 Act ... (this act), is renumbered 20.375 (2) (wm).”.

10 **62.** Page 333, line 21: after that line insert:

11 “**SECTION 608e.** 20.370 (5) (da) of the statutes is amended to read:

12 20.370 (5) (da) *Aids in lieu of taxes.* From the general fund, a sum sufficient
13 to pay aids to municipalities for state lands under ss. 70.113 and 70.114 that are
14 under the jurisdiction of the department.

15 **SECTION 608m.** 20.370 (5) (dq) of the statutes is amended to read:

16 20.370 (5) (dq) *Aids in lieu of taxes.* A sum sufficient to pay aids to
17 municipalities for state lands under s. 70.113 that are under the jurisdiction of the
18 department.

19 **SECTION 608s.** 20.370 (5) (dx) of the statutes is renumbered 20.375 (2) (ym).”.

20 **63.** Page 335, line 24: after that line insert:

21 “**SECTION 621b.** 20.370 (7) (au) of the statutes, as created by 2001 Wisconsin
22 Act ... (this act), is renumbered 20.375 (3) (u) and amended to read:

23 20.375 (3) (u) *State forest acquisition and development — principal repayment*
24 *and interest.* ~~From the conservation fund, the~~ The amounts in the schedule to

1 reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred
2 in financing land acquisition and development for state forests from the
3 appropriations under s. 20.866 (2) (ta), (ts), and (tz). No moneys may be expended
4 or encumbered from this appropriation after June 30, 2003.”.

5 **64.** Page 336, line 19: after that line insert:

6 “**SECTION 621hc.** 20.370 (7) (fa) of the statutes is amended to read:

7 20.370 (7) (fa) *Resource maintenance and development — state funds.* As a
8 continuing appropriation, the amounts in the schedule for the maintenance and
9 development of state parks under ch. 27; ~~of recreation areas, other than game or fish~~
10 ~~refuges, in state forests under ch. 28;~~ of lands owned, managed, supervised or
11 controlled by the department in the lower Wisconsin state riverway as defined in s.
12 30.40 (15); and of other recreational lands owned by the department, and for the
13 maintenance of the ice age trail. Of the amounts appropriated under this paragraph,
14 \$50,000 may be expended only to match at the ratio of 1 to 1 funds received under
15 par. (gg) from a county, city, village, town or organization after August 9, 1989, that
16 are given specifically for the purchase of equipment and materials for maintenance
17 of the ice age trail. At least \$150,000 in each fiscal year shall be expended from this
18 appropriation for maintaining and developing historic sites at least \$10,000 of which
19 shall be expended in each fiscal year for maintaining and developing Heritage Hill
20 state park.

21 **SECTION 621hL.** 20.370 (7) (ft) of the statutes is amended to read:

22 20.370 (7) (ft) *Resource acquisition and development — boating access.* From
23 the conservation fund, as a continuing appropriation, the amounts in the schedule
24 for state recreational boating projects which provide public access to inland waters,

1 as defined in s. 29.001 (45), which are lakes in the region identified under s. 25.29
2 (7) (a) 25.28 (3) (am).

3 **SECTION 621hx.** 20.370 (7) (mc) of the statutes is amended to read:

4 20.370 (7) (mc) *Resource maintenance and development* — ~~state park, forest~~
5 ~~and riverway roads~~. As a continuing appropriation, the amounts in the schedule for
6 state park ~~and forest roads and roads~~ in the lower Wisconsin state riverway as
7 defined in s. 30.40 (15) under s. 84.28 and for the maintenance of roads in state parks
8 under ch. 27 ~~and recreation areas in state forests under ch. 28 which are not eligible~~
9 ~~for funding under s. 84.28~~. The department may expend up to \$400,000 from this
10 appropriation in each fiscal year for ~~state park~~ ^{these} ~~and forest~~ roads and roads in the
11 lower Wisconsin state riverway as defined in s. 30.40 (15) under s. 84.28 and shall
12 expend the balance from the appropriation for the maintenance of roads which are
13 not eligible for funding under s. 84.28.”

****NOTE: Do you want to change the \$400,000 amount?

14 **65.** Page 339, line 4: after that line insert:

15 “**SECTION 621db.** 20.375 (intro.) of the statutes is created to read:

16 **20.375 Forestry, department of.** (intro.) There is appropriated from the
17 forestry fund, or from other funds if so indicated, to the department of forestry for
18 the following programs:

19 **SECTION 629dj.** 20.375 (2) (title) of the statutes is created to read:

20 20.375 (2) (title) FORESTRY.

21 **SECTION 629dk.** 20.375 (2) (h) of the statutes is created to read:

22 20.375 (2) (h) *General program operations* — *private and public sources*. From
23 the general fund, all moneys not otherwise appropriated that are received from
24 private or public sources, other than state agencies and the federal government, for

other than southern state forests,

1 facilities, materials, or services provided by the department relating to state forests,
2 to pay for expenses associated with those facilities, materials, or services.

3 **SECTION 629dL.** 20.375 (2) (k) of the statutes is created to read:

4 20.375 (2) (k) *General program operations — service funds.* From the general
5 fund, all moneys received by the department from the department and from other
6 state agencies for facilities, materials, or services provided by the department
7 relating to state forests *(other than southern state forests,*
8 department or other state agencies to pay for expenses associated with those
9 facilities, materials, or services.

10 **SECTION 629dm.** 20.375 (2) (q) of the statutes is created to read:

11 20.375 (2) (q) *General program operations.* The amounts in the schedule for
12 the general program operations of state forests *(other than southern state forests,*
13 VI of ch. 77.

14 **SECTION 629dn.** 20.375 (2) (qf) of the statutes is created to read:

15 20.375 (2) (qf) *Forestry acquisition and development.* As a continuing
16 appropriation, the amounts in the schedule for land acquisition, development, and
17 improvement on state forest land *(other than land in the southern state forests*

18 **SECTION 629do.** 20.375 (2) (rq) of the statutes is created to read: *Great Lakes Forestry Museum*

19 20.375 (2) (rq) *Resource aids — private conservation organizations.* As a
20 continuing appropriation, the amounts in the schedule for annual grants to nonprofit
21 conservation organizations under ss. 23.0955 and 23.0956 *and for a grant to the Great Lakes Forestry Museum*

22 **SECTION 629dp.** 20.375 (2) (x) of the statutes is created to read:

23 20.375 (2) (x) *General program operations — federal funds.* Except as provided
24 in par. (z), all moneys received as federal aid for activities relating to state forests,
25 as authorized by the governor under s. 16.54, for the purposes for which received.

INS
21-21

*Great Lakes Forestry Museum
under
2001 Wisconsin Act...
(this act), section 9137(5mk)*

1 private or public sources, other than state agencies and the federal government, for
2 facilities, materials, or services provided by the department relating to
3 administrative services relating to state forests, other than southern state forests,
4 to pay for expenses associated with those facilities, materials, or services.

5 **SECTION 629dw.** 20.375 (3) (k) of the statutes is created to read:

6 20.375 (3) (k) *General program operations — service funds.* From the general
7 fund, all moneys received by the department from the department and from other
8 state agencies for facilities, materials, or services provided by the department
9 relating to administrative services relating to state forests, other than southern
10 state forests, under an agreement or other arrangement with the department or
11 other state agencies to pay for expenses associated with those facilities, materials,
12 or services.

13 **SECTION 629dx.** 20.375 (3) (q) of the statutes is created to read:

14 20.375 (3) (q) *General program operations.* The amounts in the schedule for
15 administrative services relating to state forests, other than southern state forests.

16 **SECTION 629dy.** 20.375 (3) (r) of the statutes is created to read:

17 20.375 (3) (r) *Taxes and assessments.* The amounts in the schedule to pay taxes
18 and assessments that are or may become a lien on property under the control of the
19 department.

20 **SECTION 629dz.** 20.375 (3) (s) of the statutes is created to read:

21 20.375 (3) (s) *Aids in lieu of taxes.* A sum sufficient to pay aids to municipalities
22 for state lands under s. 70.113 that are under the jurisdiction of the department. ✓

23 **SECTION 629dzi.** 20.375 (3) (t) of the statutes is created to read:

INS 23-
22

1 20.375 (3) (t) *Gifts and grants.* All moneys received from gifts, grants, or
2 bequests for administrative services relating to state forests, other than southern
3 state forests.

4 **SECTION 629fg.** 20.375 (3) (um) of the statutes is created to read:

5 20.375 (3) (um) *Forestry land endowment fund.* From the forestry land
6 endowment fund, a sum sufficient for preserving, developing, managing, or
7 maintaining land as provided in s. 23.0919 (2).

8 **SECTION 629fj.** 20.375 (3) (v) of the statutes is created to read:

9 20.375 (3) (v) *Facilities acquisition, development, and maintenance.* As a
10 continuing appropriation, the amounts in the schedule for the acquisition,
11 development, and construction costs of new structures and buildings and for the
12 maintenance costs of existing structures and buildings under the control of the
13 department.

14 **SECTION 629fm.** 20.375 (3) (x) of the statutes is created to read:

15 20.375 (3) (x) *General program operations — federal funds.* All moneys
16 received as federal aid for activities relating to administrative services of the state
17 forests, other than southern state forests, as authorized by the governor under s.
18 16.54, for the purposes for which received.”.

19 **66.** Page 376, line 13: after that line insert:

20 **SECTION 753m.** 20.445 (6) (v) of the statutes is created to read:

21 20.445 (6) (v) *General enrollee operations; forestry fund.* Biennially, from the
22 forestry fund, the amounts in the schedule for the payment of Wisconsin
23 conservation corps enrollee compensation and for the payment of other Wisconsin
24 conservation corps costs for conservation activities related to forestry that are

INS 24-18 ✓

1 authorized under s. 106.215 (7) (a) if those costs are not paid by project sponsors.
2 Corps enrollee compensation includes the cost of salaries, benefits, incentive
3 payments, and vouchers.”.

4 **67.** Page 414, line 11: after that line insert:

5 “SECTION 962b. 20.866 (1) (u) of the statutes, as affected by 2001 Wisconsin Act
6 2001 (this act), is amended to read:

7 20.866 (1) (u) *Principal repayment and interest.* A sum sufficient from moneys
8 appropriated under sub. (2) (zp) and ss. 20.115 (2) (d) and (7) (b) and (f), 20.190 (1)
9 (c), (d), (i), and (j), 20.225 (1) (c) and (i), 20.245 (1) (e) and (j), 20.250 (1) (c) and (e),
10 20.255 (1) (d), 20.275 (1) (er), (es), (h), and (hb), 20.285 (1) (d), (db), (fh), (ih), (kd), and
11 (km) and (5) (i), 20.320 (1) (c) and (t) and (2) (c), 20.370 (7) (aa), (ac), (ag), (aq), (ar),
12 (at), ~~(au)~~, (ba), (bq), (ca), (cb), (cc), (cd), (ce), (cf), (da), (ea), (eq), and (er), 20.375 (3)
13 (u), 20.395 (6) (af), (aq), and (ar), 20.410 (1) (e), (ec), and (ko) and (3) (e), 20.435 (2)
14 (ee) and (6) (e), 20.465 (1) (d), 20.485 (1) (f) and (go), (3) (l) and (4) (qm), 20.505 (5)
15 (c), (g), and (kc) and (9) (b) and (h), 20.855 (8) (a) and 20.867 (1) (a) and (b) and (3)
16 (a), (b), (bp), (br), (g), (h), (i), and (q) for the payment of principal and interest on
17 public debt contracted under subchs. I and IV of ch. 18.”.

18 **68.** Page 426, line 19: after that line insert:

19 “SECTION 988m. 20.923 (4) (f) 7y. of the statutes is created to read:
20 20.923 (4) (f) 7y. Forestry, department of: secretary.”.

21 **69.** Page 445, line 22: after that line insert:

22 “SECTION 1034fb. 23.09 (2) (d) 1. of the statutes is repealed.

23 SECTION 1034fd. 23.09 (2) (d) 5. of the statutes is repealed.

24 SECTION 1034fg. 23.09 (2p) (a) of the statutes is amended to read:

1 23.09 (2p) (a) The department of natural resources shall determine the value
2 of land donated to the ~~department~~ state that is within the project boundaries of a
3 state park, a southern state forest, or a state recreation area. The department of
4 forestry shall determine the value of land donated to the state that is within the
5 project boundaries of other state forests. If the donation involves the transfer of the
6 title in fee simple absolute or other arrangement for the transfer of all interest in the
7 land to the state, the valuation shall be based on the fair market value of the land
8 before the transfer. If the donation is a dedication transferring a partial interest in
9 land to the state, the valuation shall be based on the extent to which the fair market
10 value of the land is diminished by that transfer and the associated articles of
11 dedication. If the donation involves a sale of land ~~to the department~~ at less than the
12 fair market value, the valuation of the donation shall be based on the difference
13 between the purchase price and the fair market value.

14 **SECTION 1034fh.** 23.09 (2p) (b) of the statutes is amended to read:

15 23.09 (2p) (b) Except as provided in par. (c), an amount of money equal to the
16 value of the donation under par. (a) shall be released from the appropriation under
17 s. 20.866 (2) (ta) or (tz) or both to be used for land acquisition activities for the same
18 project for which any donation was made on or after August 9, 1989. The From the
19 moneys made available to the department under the agreement under s. 23.0917
20 (4r), the department shall determine how the moneys being released are to be
21 allocated from these appropriations. This paragraph does not apply to transfers of
22 land from agencies other than the department of forestry.

23 **SECTION 1034fj.** 23.09 (3) (a) of the statutes is amended to read:

24 23.09 (3) (a) The department of natural resources shall cooperate with the
25 ~~several state~~ department of forestry and other departments and officials in the

1 conduct of matters in which the interests of the respective departments or officials
2 overlap. The cooperating agencies may provide by agreement for the manner of
3 sharing expenses and responsibilities under this paragraph.

4 **SECTION 1034fk.** 23.09 (11) (a) of the statutes is renumbered 23.09 (11) (ar).

5 **SECTION 1034fL.** 23.09 (11) (ag) of the statutes is created to read:

6 23.09 (11) (ag) In this subsection, "department" means the department of
7 forestry.

8 **SECTION 1034fn.** 23.09 (17m) (a) of the statutes is renumbered 23.09 (17m)
9 (am) and amended to read:

10 23.09 (17m) (am) The county board of any county, which by resolution indicates
11 its desire to improve the natural environment for wildlife on county lands entered
12 under s. 28.11, may make application to the department for the allocation of funds
13 appropriated for such purposes by s. ~~20.370 (5) (as)~~ 20.375 (2) (sL).

14 **SECTION 1034fp.** 23.09 (17m) (ac) of the statutes is created to read:

15 23.09 (17m) (ac) In this subsection, "department" means the department of
16 forestry.

17 **SECTION 1034fq.** 23.09 (17m) (b) of the statutes is amended to read:

18 23.09 (17m) (b) The annual allocation for each county shall not exceed 10 cents
19 for each acre entered under s. 28.11, but any funds remaining from the appropriation
20 made by s. ~~20.370 (5) (as)~~ 20.375 (2) (sL) and unallocated to the counties on March
21 31 of each year may be allotted to any county in an amount not to exceed an additional
22 10 cents per acre under the procedure established in this subsection. These aids shall
23 be used to undertake wildlife management activities provided in the comprehensive
24 county forest land use plan and included in the annual work plan and budget.

25 **SECTION 1034fr.** 23.09 (18) (a) of the statutes is amended to read:

1 23.09 (18) (a) In each fiscal year, the department of forestry shall make
2 payments to each county that has more than 40,000 acres within its boundaries that
3 are entered on the tax roll under s. 77.04 (1) or 77.84 (1) on July 1 of that fiscal year.

4 **SECTION 1034fs.** 23.09 (18) (b) of the statutes is amended to read:

5 23.09 (18) (b) The amount of the payment made in a fiscal year to an eligible
6 county shall equal the county's proportionate share of the moneys appropriated
7 under s. ~~20.370 (5) (br)~~ 20.375 (2) (tm) for the fiscal year. An eligible county's
8 proportionate share shall equal the number of acres within its boundaries that are
9 entered on the tax roll under s. 77.04 (1) or 77.84 (1) on July 1 of the fiscal year divided
10 by the total number of acres that are entered on the tax roll under s. 77.04 (1) or 77.84
11 (1) on that same date and that are within the boundaries of counties that are eligible
12 for payments under this section, multiplied by the amount appropriated under s.
13 ~~20.370 (5) (br)~~ 20.375 (2) (tm) for the fiscal year.

14 **SECTION 1034ft.** 23.09 (18) (c) of the statutes is amended to read:

15 23.09 (18) (c) The department of forestry shall calculate and issue the payment
16 for each eligible county by October 1 following each fiscal year.

17 **SECTION 1034fu.** 23.09 (20) (ar) of the statutes is created to read:

18 23.09 (20) (ar) For each fiscal year, the department of natural resources and
19 the department of forestry shall enter into an agreement to determine which projects
20 are eligible for assistance under this subsection and to authorize the expenditures
21 for those projects. The secretary of administration shall resolve any disputes
22 between the departments concerning the agreement entered into under this
23 paragraph.

24 **SECTION 1034fv.** 23.09 (21m) of the statutes is amended to read:

1 23.09 (21m) ENVIRONMENTAL CLEANUP. The department of natural resources
2 may engage in environmental clean-up activities on the lands under its the
3 ownership, management, supervision, or control of the department of natural
4 resources or the department of forestry.

5 **SECTION 1034fw.** 23.09 (26) (a) of the statutes is amended to read:

6 23.09 (26) (a) The procedures in sub. (11) ~~(a)~~ (ar), (d), (e) and (f) shall apply to
7 this subsection except that the department shall consult with the snowmobile
8 recreational council before adopting snowmobile trail construction standards, the
9 restriction in sub. (11) ~~(a)~~ (ar) as to county lands is not applicable, the restriction in
10 sub. (11) (d) as to encumbrance of funds is not applicable and the restriction in sub.
11 (11) (e) as to requests for state aids exceeding available funds is not applicable.

12 **SECTION 1034fx.** 23.09 (26) (am) 2. of the statutes is amended to read:

13 23.09 (26) (am) 2. Enter into agreements with the department of natural
14 resources to use for snowmobile trails, facilities, or areas lands owned or leased by
15 the department of natural resources or the department of forestry. No lands of the
16 department of natural resources or the department of forestry that are to be used for
17 snowmobiling purposes within the meaning of this subsection may be obtained
18 through condemnation.

19 **SECTION 1034fyr.** 23.0917 (1) (c) of the statutes is amended to read:

20 23.0917 (1) (c) “Department land” means an area of land that is owned by the
21 state, that is under the jurisdiction of the department and that is used for one of the
22 purposes specified in s. 23.09 (2) (d) or that is under the jurisdiction of the
23 department of forestry and is in state forest lands.”.

24 **70.** Page 446, line 3: after that line insert:

1 **“SECTION 1034hm.** 23.0917 (3) (a) of the statutes, as affected by 2001
2 Wisconsin Act (this act), is amended to read:

3 23.0917 (3) (a) Beginning with fiscal year 2000–01 and ending with fiscal year
4 2009–10, the department may obligate moneys under the subprogram for land
5 acquisition to acquire land for the purposes specified in s. 23.09 (2) (d) and for the
6 state forests, and for grants for these purposes under s. 23.096, except as provided
7 under ss. 23.197 (3m) (b), (7), (7m), and (8) and 23.198 (1) (a).”.

8 **71.** Page 447, line 2: after that line insert:

9 **“SECTION 1034qm.** 23.0917 (4r) of the statutes is created to read:

10 23.0917 (4r) AGREEMENT BETWEEN DEPARTMENTS. (a) For each fiscal year, the
11 department of natural resources and the department of forestry shall enter into an
12 agreement establishing all of the following:

13 1. The amount of funding from the appropriation under s. 20.866 (2) (ta) that
14 will be obligated for the land acquisition subprogram under sub. (3) and the amount
15 of funding from the appropriation under s. 20.866 (2) (ta) that will be obligated for
16 the property development and local assistance subprogram under sub. (4).

17 2. For the land acquisition subprogram, the amount of funding from the
18 appropriation under s. 20.866 (2) (ta) that will be obligated for the acquisition of state
19 forest land, for each of the purposes specified in s. 23.09 (2) (d), and for the grants for
20 each of these purposes under s. 23.096, other than for the projects or activities
21 specified under s. 23.197.

22 3. For the property development and local assistance subprogram, the amount
23 of funding from the appropriation under s. 20.866 (2) (ta) that will be obligated for

1 each of the purposes listed under sub. (4) (b) and (c), other than for the projects or
2 activities specified under ss. 23.197 and 23.198.

3 4. The priorities under sub. (3) (c).

4 (b) The secretary of administration shall resolve any disputes between the
5 departments concerning the agreement under par. (a).”.

6 **72.** Page 448, line 2: after that line insert:

7 “**SECTION 1036b.** 23.0919 of the statutes is created to read:

8 **23.0919 Forestry land endowment fund.** (1) In this section, “land”
9 includes any buildings, facilities, or other structures located on the land.

10 (2) Unless the secretary of forestry determines otherwise in a specific case, only
11 the income from the gifts, grants, or bequests in the forestry land endowment fund
12 is available for expenditure. The secretary of forestry may authorize expenditures
13 only for preserving, developing, managing, or maintaining land that is under the
14 jurisdiction of the department of forestry and that is used for conservation purposes.
15 In this subsection, unless otherwise provided in a gift, grant, or bequest, principal
16 and income are determined as provided under s. 701.20 (3).

17 **SECTION 1036c.** 23.092 (5) (a) of the statutes is amended to read:

18 23.092 (5) (a) The department shall determine the value of land or an easement
19 donated to the department that is within a habitat area and is dedicated for purposes
20 of habitat protection, enhancement, or restoration. For an easement, the valuation
21 shall be based on the extent to which the fair market value of the land is diminished
22 by the transfer. Except as provided in par. (b), an amount of money equal to the value
23 of the donation shall be released from the appropriation under s. 20.866 (2) (ta) or
24 (tz) or both to be used for habitat protection, enhancement, or restoration activities

1 for the same habitat area in which any donation was made on or after
2 August 9, 1989. The department shall determine how the moneys being released are
3 to be allocated from these appropriations. The amounts released from the
4 appropriation under s. 20.866 (2) (ta) shall be subject to the agreement under s.
5 23.0917 (4r).

6 **SECTION 1036d.** 23.094 (4) (a) of the statutes is amended to read:

7 23.094 (4) (a) The department shall determine the value of land or an easement
8 donated to the department for purposes of this section and for stream bank
9 protection under s. 23.096. For an easement, the valuation shall be based on the
10 extent to which the fair market value of the land is diminished by the transfer.
11 Except as provided in par. (b), an amount of money equal to the value of the donation
12 shall be released from the appropriation under s. 20.866 (2) (ta) or (tz) or both to be
13 used to acquire easements and land under this section and s. 23.096 for the same
14 stream for which any donation was made on or after August 9, 1989. The
15 department shall determine how the moneys being released are to be allocated from
16 these appropriations. The amounts released from the appropriation under s. 20.866
17 (2) (ta) shall be subject to the agreement under s. 23.0917 (4r).

18 **SECTION 1036e.** 23.095 (1m) (title) of the statutes is amended to read:

19 23.095 (1m) (title) ~~PROHIBITION ON DEPARTMENT LAND~~ CERTAIN STATE LANDS.

20 **SECTION 1036f.** 23.095 (1m) (a) of the statutes is amended to read:

21 23.095 (1m) (a) No person may damage or attempt to damage any natural
22 resource or any archaeological feature located on state-owned lands that are under
23 the supervision, management, and control of the department ~~except as of natural~~
24 resources or the department of forestry unless the person is authorized to do so by
25 the department of natural resources or the department of forestry.

1 **SECTION 1036fg.** 23.0955 (2) (am) of the statutes is amended to read:

2 23.0955 (2) (am) ~~Beginning in fiscal year 1997–98, the~~ The department may
3 ~~provide an annual~~ award one grant of \$150,000 in each fiscal year to a nonstock,
4 nonprofit corporation that meets all of the qualifications under par. (a).

5 **SECTION 1036fm.** 23.0955 (2) (c) of the statutes is created to read:

6 23.0955 (2) (c) If the department awards a grant under this subsection, the
7 department shall pay part of the grant in an amount equal to \$112,500 from the
8 appropriation under s. 20.370 (5) (aw) to the corporation receiving the grant, and the
9 department of forestry shall pay part of the grant in an amount equal to \$37,500 from
10 the appropriation under s. 20.375 (2) (rq) to the corporation receiving the grant.

11 **SECTION 1036fr.** 23.0956 (1) (intro.) of the statutes is amended to read:

12 23.0956 (1) (intro.) ~~From the appropriation under s. 20.370 (5) (aw), the~~ The
13 department shall ~~provide~~ award one grant of \$85,000 in each fiscal year, ~~beginning~~
14 ~~with fiscal year 2000–01,~~ to a nonstock, nonprofit corporation that is described under
15 section 501 (c) (3) or (4) of the Internal Revenue Code and organized in this state if
16 the corporation meets all of the following requirements:

17 **SECTION 1036fv.** 23.0956 (3) of the statutes is created to read:

18 23.0956 (3) The department shall pay part of the grant in an amount equal to
19 \$42,500 from the appropriation under s. 20.370 (5) (aw) to the corporation receiving
20 the grant, and the department of forestry shall pay part of the grant in an amount
21 equal to \$42,500 from the appropriation under s. 20.375 (2) (rq) to the corporation
22 receiving the grant.

23 **SECTION 1036g.** 23.0957 (2) (intro.) of the statutes is amended to read:

1 23.0957 (2) (intro.) The department of forestry shall provide one grant of
2 \$75,000 in each fiscal year, beginning with fiscal year 1999–2000, to a nonstock,
3 nonprofit corporation that meets all of the following requirements:

4 **SECTION 1036h.** 23.0957 (3) (d) of the statutes is amended to read:

5 23.0957 (3) (d) For each fiscal year, prepare a report detailing the activities for
6 which a grant under sub. (2) is expended. Copies of the report shall be submitted to
7 the department of forestry and to the appropriate standing committees of the
8 legislature, as determined by the speaker of the assembly or the president of the
9 senate.

10 **SECTION 1036i.** 23.096 (2) (a) of the statutes is amended to read:

11 23.096 (2) (a) The department may award grants from the appropriation under
12 s. 20.866 (2) (ta) or (tz) to nonprofit conservation organizations to acquire property
13 for all of the purposes described in ss. 23.09 (2) (d) ~~1. to 7.~~ 2., 3., 4., 6., 9., 11., 12. and
14 15., (19), (20), and (20m), 23.092, 23.094, 23.17, 23.175, 23.27, 23.29, 23.293, 30.24,
15 and 30.277 and for state forests, and for forest nurseries and experimental stations.

16 **SECTION 1036j.** 23.096 (2) (am) of the statutes is created to read:

17 23.096 (2) (am) In determining which grants will be awarded under this
18 section, the department of forestry and the department of natural resources shall
19 both approve each grant. Any dispute regarding which nonprofit conservation
20 organization will receive a grant under this section shall be resolved by the secretary
21 of administration. The grants awarded under this section from the appropriation
22 under s. 20.866 (2) (ta) shall be subject to the agreement under s. 23.0917 (4r).

23 **SECTION 1036k.** 23.096 (3) (intro.) of the statutes is amended to read:

1 23.096 (3) (intro.) In Except as provided in sub. (3m), in order to receive a grant
2 under this section, the nonprofit conservation organization shall enter into a
3 contract with the department that contains all of the following provisions:

4 **SECTION 1036L.** 23.096 (3m) of the statutes is created to read:

5 23.096 (3m) In order to receive a grant under this section for state forests, other
6 than southern state forests, or for forest nurseries or experimental stations, the
7 nonprofit conservation organization shall enter into a contract with the department
8 of forestry that contains all of the provisions under sub. (3).

9 **SECTION 1036m.** 23.096 (4) (a) 1. of the statutes is amended to read:

10 23.096 (4) (a) 1. The department that entered into the contract under sub. (3)
11 or (3m) approves the subsequent sale or transfer.

12 **SECTION 1036n.** 23.096 (4) (a) 2. of the statutes is amended to read:

13 23.096 (4) (a) 2. The party to whom the property is sold or transferred enters
14 into a new contract with the department specified in subd. 1. that contains the
15 provisions under sub. (3).

16 **SECTION 1036p.** 23.096 (4) (b) of the statutes is amended to read:

17 23.096 (4) (b) The nonprofit conservation organization may subsequently sell
18 or transfer the acquired property to satisfy a debt or other obligation if the
19 department that enters into the contract under sub. (3) or (3m) approves the sale or
20 transfer.”.

21 **73.** Page 448, line 9: after that line insert:

22 “**SECTION 1037m.** 23.097 (1) of the statutes, as affected by 2001 Wisconsin Act
23 (this act), is renumbered 23.097 (1m).”.

24 **74.** Page 448, line 14: after that line insert:

1 **SECTION 1038bb.** 23.097 (1b) of the statutes is created to read:

2 23.097 (1b) In this section, “department” means the department of forestry.

3 **SECTION 1038bd.** 23.098 (1) (ag) of the statutes is amended to read:

4 23.098 (1) (ag) “Department property” means an area of real property that is
5 owned by the state, that is under the jurisdiction of the department of natural
6 resources, and that is used for one of the purposes specified in s. 23.09 (2) (d) or that
7 is in a state forest.

8 **SECTION 1038be.** 23.098 (2) of the statutes is amended to read:

9 23.098 (2) The department of natural resources and the department of forestry
10 shall ~~establish~~ jointly administer a program to make grants from the appropriations
11 under s. 20.866 (2) (ta) and (tz) to friends groups and nonprofit conservation
12 organizations for projects for property development activities on department
13 properties. ~~The department may not encumber~~ Not more than \$250,000 may be
14 encumbered in each fiscal year for these grants under this section.

15 **SECTION 1038bg.** 23.098 (2m) of the statutes is created to read:

16 23.098 (2m) In determining which grants will be awarded under this section,
17 the department of forestry and the department of natural resources shall both
18 approve each grant. Any dispute regarding which friends groups will receive a grant
19 under this section shall be resolved by the secretary of administration.

20 **SECTION 1038bi.** 23.098 (3) of the statutes is amended to read:

21 23.098 (3) The department of natural resources and the department of forestry
22 shall jointly promulgate rules to establish criteria to be used in determining which
23 property development activities are eligible for these grants under this section. The
24 rules promulgated by the department of natural resources under this subsection that

1 are in effect on the effective date of this subsection [revisor inserts date], shall
2 remain in effect until rules are jointly promulgated by the 2 departments.

3 **SECTION 1038bk.** 23.098 (4) (a) of the statutes is amended to read:

4 23.098 (4) (a) The department of natural resources and the department of
5 forestry shall periodically prepare a list of projects on department properties that are
6 eligible for grants under this section and shall include in the list the estimated cost
7 of each project.

8 **SECTION 1038bm.** 23.098 (4) (am) of the statutes is amended to read:

9 23.098 (4) (am) In awarding grants under this section for eligible projects, the
10 department of natural resources and the department of forestry shall jointly
11 establish a system under which the grants are offered to eligible friends groups
12 before being offered to eligible nonprofit conservation organizations.

13 **SECTION 1038bp.** 23.098 (4) (b) of the statutes is amended to read:

14 23.098 (4) (b) ~~The department may not encumber~~ Not more than \$20,000 may
15 be encumbered for grants under this section for a department property in each fiscal
16 year.

17 **SECTION 1038br.** 23.11 (1) of the statutes is amended to read:

18 23.11 (1) In addition to the powers and duties heretofore conferred and imposed
19 upon said the department by this chapter it shall have and take the general care,
20 protection, and supervision of all state parks, of all state fish hatcheries and lands
21 used therewith, ^{PLAIN} ~~of all state forests~~ ^{PLAIN} ~~and of all lands owned by the state or in which~~ ^{OTHER THAN SOUTHERN STATE FORESTS}
22 it has any interests, except lands the care and supervision of which are vested in
23 some other officer, body, or board; and ~~said~~ the department is granted such further
24 powers as may be necessary or convenient to enable it to exercise the functions and
25 perform the duties required of it by this chapter and by other provisions of law. But

1 it may not perform any act upon state lands held for sale that will diminish their
2 salable value.”.

3 **75.** Page 449, line 3: after that line insert:

4 **“SECTION 1038dm.** 23.13 of the statutes is amended to read:

5 **23.13 Governor to be informed.** The board of commissioners of public lands
6 ~~and, the department of natural resources, and the department of forestry~~ shall
7 furnish to the governor upon the governor’s request a copy of any paper, document,
8 or record in their respective offices and give the governor orally such information as
9 the governor may call for.”.

10 **76.** Page 449, line 6: after that line insert:

11 **“SECTION 1038p.** 23.14 (1) of the statutes, as affected by 2001 Wisconsin Act
12 (this act), is amended to read:

13 **23.14 (1)** Prior to the initial acquisition of any lands by the department ~~after~~
14 ~~July 1, 1977, of natural resources or by the department of forestry~~ for any new facility
15 or project, the proposed initial acquisition shall be submitted to the governor for his
16 or her approval. New facilities or projects include, without limitation because of
17 enumeration, state parks, state forests, recreation areas, public shooting, trapping
18 or fishing grounds or waters, fish hatcheries, game farms, forest nurseries,
19 experimental stations, endangered species preservation areas, picnic and camping
20 grounds, hiking trails, cross-country ski trails, bridle trails, nature trails, bicycle
21 trails, snowmobile trails, youth camps, land in the lower Wisconsin state riverway
22 as defined in s. 30.40 (15), natural areas and wild rivers.”.

23 **77.** Page 449, line 17: after that line insert:

1 **SECTION 1038sam.** 23.14 (2) of the statutes, as created by 2001 Wisconsin Act
2 ... (this act), is amended to read:

3 23.14 (2) The department of forestry may not acquire any rights in the lands
4 that are included in the Milwaukee county County grounds unless the department
5 first notifies the joint committee on finance in writing of the proposed acquisition.
6 If the cochairpersons of the committee do not notify the department within 14
7 working days after the date of the department's notification that the committee has
8 scheduled a meeting to review the proposed acquisition, the department may acquire
9 the proposed rights. If, within 14 working days after the date of the department's
10 notification, the cochairpersons of the committee notify the department that the
11 committee has scheduled a meeting to review the proposed acquisition, the
12 department may acquire the rights only upon approval of the committee.

13 **SECTION 1038sb.** 23.15 (title) of the statutes is amended to read:

14 **23.15 (title) Sale of certain state-owned lands ~~under the jurisdiction~~**
15 **~~of the department of natural resources.~~**

16 **SECTION 1038sc.** 23.15 (1) of the statutes is amended to read:

17 23.15 (1) The natural resources board may sell, at public or private sale, lands
18 real property and structures owned by the state that are under the jurisdiction of the
19 department of natural resources when if the natural resources board determines
20 that ~~said lands~~ the real property and structures are no longer necessary for the
21 state's use for conservation purposes and, ~~if real property,~~ the real property is not the
22 subject of a petition under s. 16.375 (2).

23 **SECTION 1038sd.** 23.15 (1m) of the statutes is created to read:

24 23.15 (1m) The secretary of forestry may sell, at public or private sale, real
25 property and structures owned by the state that are under the jurisdiction of the

under its jurisdiction

1 department of forestry if the department of forestry determines that the real
2 property and structures are no longer necessary for the state's use for conservation
3 purposes and the real property is not the subject of a petition under s. 16.375 (2). The
4 department of forestry may not perform any act on land in the state forests ~~or state~~
5 ~~parks~~ that is being held for sale if the act will diminish the sale value of the land.

6 **SECTION 1038se.** 23.15 (2) of the statutes is amended to read:

7 23.15 (2) ~~Said~~ The natural resources board and the secretary of forestry shall
8 present to the governor a full and complete report of the lands to be sold, the reason
9 for the sale, the price for which ~~said the~~ lands should be sold ~~together with, and an~~
10 application for ~~the~~ their sale of the same. The governor ~~shall thereupon make such~~
11 ~~investigation as the governor deems necessary respecting said lands to be sold~~ may
12 investigate and approve or disapprove ~~such the~~ application. If the governor ~~shall~~
13 ~~approve the same, approves the application for the sale, the governor shall issue a~~
14 permit ~~shall be issued by the governor for such the~~ sale on the terms set forth in the
15 application.

16 **SECTION 1038sf.** 23.15 (3) of the statutes is amended to read:

17 23.15 (3) Upon completion of ~~such a~~ sale of land under the jurisdiction of the
18 department of natural resources, the chairperson and secretary of the natural
19 resources board, or the secretary of natural resources, if the secretary is duly
20 authorized by the natural resources board, shall execute ~~such the necessary~~
21 instruments ~~as are necessary to transfer title and the natural resources board or its~~
22 ~~duly authorized agents shall deliver the same~~ instruments to the purchaser upon
23 payment of the amount set forth in the application. Upon completion of a sale of land
24 under the jurisdiction of the department of forestry, the secretary of forestry shall

1 execute the necessary instruments to transfer title and shall deliver the instruments
2 to the purchaser upon payment of the amount set forth in the application.

3 **SECTION 1038sg.** 23.15 (4) of the statutes is amended to read:

4 23.15 (4) ~~Said~~ The natural resources board ~~effecting the sale of any such lands~~
5 ~~and structures shall, upon receiving payment therefor,~~ under sub. (3), shall deposit
6 the funds moneys received in the conservation fund to be used exclusively for the
7 purpose of purchasing other areas of land for the ~~creating~~ creation and establishing
8 establishment of public hunting and fishing grounds, and wildlife and fish refuges,
9 southern state forests and state parks and for land in the lower Wisconsin state riverway as defined in s.
10 30.40 (15).

11 **SECTION 1038sh.** 23.15 (4m) of the statutes is created to read:

12 23.15 (4m) The secretary of forestry, upon receiving payment under sub. (3),
13 shall deposit the moneys received in the forestry fund to be used exclusively for the
14 purpose of purchasing other areas of land for the creation and establishment of areas
15 in the state forests.

16 **SECTION 1038si.** 23.15 (5) (a) of the statutes is amended to read:

17 23.15 (5) (a) In this subsection, "surplus land" means land under the
18 jurisdiction of the department ~~which~~ of natural resources or the department of
19 forestry that is unused and not needed for ~~department~~ that department's operations
20 or that is not included in the that department's plan for construction or development.

21 **SECTION 1038sj.** 23.15 (5) (b) of the statutes is amended to read:

22 23.15 (5) (b) Biennially, ~~beginning on January 1, 1984,~~ the department of
23 natural resources and the department of forestry shall each submit to the state
24 building commission and the joint committee on finance an inventory of surplus land
25 containing the description, location, and fair market value of each parcel.

1 **SECTION 1038sk.** 23.15 (5) (c) of the statutes is created to read:

2 23.15 (5) (c) The department of natural resources and the department of
3 forestry shall notify the department of administration of the intention to sell any
4 surplus lands under the jurisdiction of the respective department so that the
5 department of administration may ensure that the sale is in compliance with federal
6 law.”.

7 **78.** Page 449, line 23: after that line insert:

8 **“SECTION 1039aj.** 23.175 (3m) of the statutes is amended to read:

9 23.175 (3m) ALLOCATION BETWEEN APPROPRIATIONS. For purposes of sub. (3) (b),
10 the department shall determine how the moneys being expended are to be allocated
11 from the appropriations under s. 20.866 (2) (ta) and (tz). The moneys expended from
12 the appropriation under s. 20.866 (2) (ta) shall be subject to the agreement under s.
13 23.0917 (4r). The department may not allocate or expend any moneys from the
14 appropriation under s. 20.866 (2) (ta) before July 1, 2000.”.

15 **79.** Page 458, line 8: after that line insert:

16 **“SECTION 1042kb.** 23.26 (3) of the statutes is amended to read:

17 23.26 (3) Advise the department of natural resources, the department of
18 forestry, and other agencies on matters pertaining to the acquisition, development,
19 utilization, maintenance, and withdrawal of state natural areas, including
20 determinations as to the extent of multiple use that may be allowed on state natural
21 areas that are a part of a state park, state forest, public hunting ground, or similar
22 areas under state ownership or control.

23 **SECTION 1042kd.** 23.29 (2) of the statutes is amended to read:

1 23.29 (2) CONTRIBUTIONS; STATE MATCH. The department may accept
2 contributions and gifts for the Wisconsin natural areas heritage program. The
3 department shall convert donations of land which it determines, with the advice of
4 the council, are not appropriate for the Wisconsin natural areas heritage program
5 into cash. The department shall convert other noncash contributions into cash.
6 These moneys shall be deposited in the general fund and credited to the
7 appropriation under s. 20.370 (1) (mg). These moneys shall be matched by an equal
8 amount released from the appropriation under s. 20.866 (2) (ta), (tt) or (tz) or from
9 any combination of these appropriations to be used for natural areas land acquisition
10 activities under s. 23.27 (5). The department shall determine how the moneys being
11 released are to be allocated from these appropriations. The amounts released from
12 the appropriation under s. 20.866 (2) (ta) shall be subject to the agreement under s.
13 23.0917 (4r).

~~****NOTE: MGG - I removed the numbering of 23.293 (4) and (5). KMG~~

14 **SECTION 1042kn.** 23.293 (4) of the statutes is amended to read:

15 23.293 (4) CONTRIBUTIONS AND GIFTS; STATE MATCH. The department may accept
16 contributions and gifts for the ice age trail program. The department may convert
17 gifts of land which it determines are not appropriate for the ice age trail program into
18 cash. The department may convert other noncash contributions and gifts into cash.
19 These moneys shall be deposited in the general fund and credited to the
20 appropriation under s. 20.370 (7) (gg). An amount equal to the value of all
21 contributions and gifts shall be released from the appropriation under s. 20.866 (2)
22 (ta), (tw) or (tz) or from any combination of these appropriations to be used for land
23 acquisition and development activities under s. 23.17. The department shall
24 determine how the moneys being released are to be allocated from these

1 appropriations. The amounts released from the appropriation under s. 20.866 (2) (ta)
2 shall be subject to the agreement under s. 23.0917 (4r).

3 **SECTION 1042kp.** 23.293 (5) of the statutes is amended to read:

4 23.293 (5) LAND DEDICATIONS; VALUATION; STATE MATCH. The department shall
5 determine the value of land accepted for dedication under the ice age trail program.
6 If the land dedication involves the transfer of the title in fee simple absolute or other
7 arrangement for the transfer of all interest in the land to the state, the valuation of
8 the land shall be based on the fair market value of the land before the transfer. If
9 the land dedication involves the transfer of a partial interest in land to the state, the
10 valuation of the land shall be based on the extent to which the fair market value of
11 the land is diminished by that transfer and the associated articles of dedication. If
12 the land dedication involves a sale of land to the department at less than the fair
13 market value, the valuation of the land shall be based on the difference between the
14 purchase price and the fair market value. An amount equal to the valuation of the
15 land accepted for dedication under the ice age trail program shall be released from
16 the appropriation under s. 20.866 (2) (ta), (tw) or (tz) or from any combination of these
17 appropriations to be used for ice age trail acquisition activities under s. 23.17. The
18 department shall determine how the moneys being released are to be allocated from
19 these appropriations. The amounts released from the appropriation under s. 20.866
20 (2) (ta) shall be subject to the agreement under s. 23.0917 (4r). This subsection does
21 not apply to dedications of land under the ownership of the state.

22 **SECTION 1042ks.** 23.30 (4) of the statutes is created to read:

23 23.30 (4) CONSULTATION WITH THE DEPARTMENT OF FORESTRY. In carrying out its
24 duties under sub. (3) and its duties under s. 23.31, the natural resources board shall
25 consult with the department of forestry.

1 **SECTION 1042kt.** 23.305 (title) of the statutes is amended to read:

2 **23.305 (title) Leasing of department land certain lands for recreational**
3 **purposes.**

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

5 23.305 (2) Notwithstanding ss. 23.30 and 28.04, the department may lease
6 state park land or ~~state forest~~ land in the southern state forests to towns, villages or
7 counties for outdoor recreational purposes associated with spectator sports.
8 Notwithstanding ss. 23.30 and 28.04, the department of forestry may lease state
9 forest land, other than land in the southern state forests, to towns, villages, or
10 counties for outdoor recreational purposes associated with spectator sports.

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

12 23.305 (3) The lease shall be for a term not to exceed 15 years. The lease shall
13 contain covenants to protect the department entering into the lease from all liability
14 and costs associated with use of the land and to guard against trespass and waste.
15 The rents arising from ~~the a lease entered into by the department~~ shall be paid into
16 the state treasury and credited to the proper conservation fund. The rents arising
17 from a lease entered into by the department of forestry shall be paid into the state
18 forestry fund and credited to the forestry fund."

***NOTE: MGG - I added "fund" - KMG

19 **80.** Page 458, line 12: after that line insert:

20 **"SECTION 1046m.** 23.33 (1) (ig) of the statutes is amended to read:

21 23.33 (1) (ig) "Law enforcement officer" has the meaning specified under s.
22 165.85 (2) (c) and includes a person appointed as a conservation warden ~~by the~~
23 ~~department~~ under s. 23.10 (1) or a state forest ranger appointed under s. 28.92."

24 **81.** Page 461, line 25: after that line insert:

1 **SECTION 1066am.** 23.33 (5) (a) of the statutes is amended to read:

2 23.33 (5) (a) *Age restriction.* No person under 12 years of age may operate an
3 all-terrain vehicle unless he or she is operating the all-terrain vehicle for an
4 agricultural purpose and he or she is under the supervision of a person over 18 years
5 of age or unless he or she is operating a small all-terrain vehicle on an all-terrain
6 vehicle trail designated by the department of natural resources or by the department
7 of forestry and he or she is accompanied by his or her parent. No person who is under
8 12 years of age may operate an all-terrain vehicle which is an implement of
9 husbandry on a roadway under any circumstances. No person who is under 12 years
10 of age may operate an all-terrain vehicle on a roadway under the authorization
11 provided under sub. (4) (d) 6. under any circumstances. No person who is under 12
12 years of age may rent or lease an all-terrain vehicle. For purposes of this paragraph,
13 supervision does not require that the person under 12 years of age be subject to
14 continuous direction or control by the person over 18 years of age.”.

15 **82.** Page 463, line 23: after that line insert:

16 **SECTION 1066atg.** 23.33 (5m) (c) 4. of the statutes, as created by 2001
17 Wisconsin Act (this act), is amended to read:

18 23.33 (5m) (c) 4. Assisting the department of natural resources, the
19 department of forestry, and the department of tourism in creating an outreach
20 program to inform local communities of appropriate all-terrain vehicle use in their
21 communities and of the economic benefits that may be gained from promoting
22 tourism to attract all-terrain vehicle operators.

23 **SECTION 1066ati.** 23.33 (5m) (c) 5. of the statutes, as created by 2001 Wisconsin
24 Act (this act), is amended to to read:

1 23.33 (5m) (c) 5. Attempting to improve and maintain its relationship with the
2 department of natural resources, the department of forestry, the department of
3 tourism, all-terrain vehicle dealers, all-terrain vehicle manufacturers, snowmobile
4 clubs, as defined in s. 350.138 (1) (e), snowmobile alliances, as defined in s. 350.138
5 (1) (d), and other organizations that promote the recreational operation of
6 snowmobiles.

7 **SECTION 1066atv.** 23.33 (8) (c) of the statutes is amended to read:

8 23.33 (8) (c) *Trails.* ~~A~~ Any town, any village, any city, any county or, the
9 department of natural resources, or the department of forestry may designate
10 corridors through land which it owns or controls, or for which it obtains leases,
11 easements or permission, for use as all-terrain vehicle trails.

12 **SECTION 1066atz.** 23.33 (9) (b) (intro.) of the statutes is amended to read:

13 23.33 (9) (b) *All-terrain vehicle projects.* (intro.) Any of the following
14 all-terrain vehicle projects ~~are~~ is eligible for funding as ~~a state~~ all-terrain vehicle
15 project from the appropriation account under s. ~~20.370 (1) (ms)~~ 20.375 ³ ~~(A)~~ ^{5r} (f) or for
16 aid as a nonstate all-terrain vehicle project from the appropriation accounts under
17 s. 20.370 (5) (ct) and (cu):

18 **SECTION 1066aui.** 23.33 (9m) of the statutes is created to read:

19 23.33 (9m) *STATE TRAILS.* The department of forestry shall designate, develop,
20 and maintain the all-terrain vehicle trails in state forests, other than southern state
21 forests.

22 **SECTION 1066auk.** 23.33 (12) (a) of the statutes is amended to read:

23 23.33 (12) (a) ~~An officer of the state traffic patrol under s. 110.07 (1), inspector~~
24 ~~under s. 110.07 (3), conservation warden appointed by the department under s.~~
25 ~~23.10, county sheriff or municipal peace~~ Any law enforcement officer has authority

1 and jurisdiction to enforce this section and ordinances enacted in conformity with
2 this section.”.

3 **83.** Page 466, line 6: after that line insert:

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

5 24.39 (1) The board of commissioners of public lands may grant leases of parts
6 or parcels of any public lands except state park lands and state forest lands; grant
7 easements, leases to enter upon any of said lands to flow the same or to prospect for
8 and to dig and remove therefrom ore, minerals and other deposits, and sell therefrom
9 such timber as the board shall find necessary to prevent future loss or damage. All
10 sales of standing live timber shall be on a selective cutting basis in line with federal
11 forest practices. Such easements, leases, licenses, and sales shall be made only for
12 a full and fair consideration paid or to be paid to the state, the amount and terms
13 whereof shall be fixed by said board, and such easements, leases, licenses and sales
14 shall conform to the requirements, so far as applicable, prescribed by ch. 26 for the
15 exercise by the department of natural resources of similar powers affecting state
16 park lands and state forest lands.

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

18 24.39 (2) In negotiating for such leases, licenses, or sales, and in exercising the
19 other powers conferred by this section the board of commissioners of public lands
20 shall, so far as it finds it desirable and practicable, request and make proper use of
21 such services and information as the department of natural resources or the
22 department of forestry may be able to furnish.”.

23 **84.** Page 468, line 21: after that line insert:

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

1 25.17 (1) (fs) Forestry fund (s. 25.28).

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

3 25.17 (1) (fv) Forestry land endowment fund (s. 25.294);”.

4 **85.** Page 470, line 13: after that line insert:

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

6 **25.28 Forestry fund.** (1) There is established a separate nonlapsible trust
7 fund designated as the forestry fund to consist of all of the following:

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

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

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

12 (d) All other state funds appropriated or transferred to the forestry fund.

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

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

17 25.29 (1) (a) Except as provided in ss. 25.293 and 25.295, all moneys accruing
18 to the state for or in behalf of the department under chs. ~~26, 27, 28, 29,~~ and 350,
19 ~~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
20 to 30.55, ~~70.58,~~ 71.10 (5) and 71.30 (10), including grants received from the federal
21 government or any of its agencies except as otherwise provided by law.”.

22 **86.** Page 471, line 10: after that line insert:

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

1 25.29 (6) All moneys received from the United States for ~~fire prevention and~~
2 ~~control, forest planting and other forestry activities~~, for wildlife restoration projects
3 and fish restoration and management projects, and for other purposes shall be
4 devoted to the purposes for which these moneys are received.

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

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

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

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

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

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

23 **25.294 Forestry land endowment fund.** There is established a separate
24 nonlapsible trust fund designated as the forestry land endowment fund, to consist
25 of:

1 (1) All gifts, grants, or bequests made to the forestry land endowment fund. The
2 department of forestry may convert any noncash gift, grant, or bequest into cash for
3 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 **87.** Page 477, line 12: after that line insert:

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

13 **26.01 Definition.** In this chapter, unless the context requires otherwise
14 “department” means the department of ~~natural resources~~ forestry.

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

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

1 forest shall be held for the owner, and subject to the payment of severance taxes, yield
2 taxes or severance share thereon to the state. Products cut from state forest lands
3 or federal lands leased to the department shall be appraised and sold. Products
4 appraised at more than \$500 shall be sold on sealed bids not less than 10 days after
5 a class 1 notice has been published, under ch. 985, in the county where the material
6 is located. Any sheriff may seize and hold for the owner thereof any forest products
unlawfully severed or removed.

insert
52-78 → **SECTION 1146u.** 26.08 (2) (a) of the statutes is amended to read:

9 26.08 (2) (a) Except as provided under pars. (b) to (d), ~~the department may lease~~
10 ~~state park land or state forest land for leases under sub. (1) shall be for terms not~~
11 ~~exceeding 15 years.”~~

12 **88.** Page 477, line 15: after that line insert:

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

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

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

20 26.11 (6) The department, as the director of the effort, may suppress a forest
21 fire on lands located outside the boundaries of intensive or extensive forest fire
22 protection districts but not within the limits of any city or village if the town
23 responsible for suppressing fires within its boundaries spends more than \$3,000, as
24 determined by rates established by the department, on suppressing the forest fire

1 and if the town chairperson makes a request to the department for assistance.
2 Persons participating in the suppression efforts shall act at the direction of the
3 department after the department begins suppression efforts under this subsection.
4 Funds expended by the state under this subsection shall be drawn from the
5 appropriation under s. ~~20.370 (1) (mu)~~ 20.375 (2) (q)”.

6 **89.** Page 477, line 21: after that line insert:

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

9 26.11 (7) (a) Notwithstanding s. 20.001 (3) (c), if the sum of the unencumbered
10 balances in the appropriation accounts under s. ~~20.370 (1) (es)~~ 20.375 (2) (r) and ~~(mz)~~
11 (z) exceeds \$1,000,000 on June 30 of any fiscal year, the amount in excess of
12 \$1,000,000 shall lapse from the appropriation account under s. ~~20.370 (1) (es)~~ 20.375
13 (2) (r) to the ~~conservation~~ forestry fund, except as provided in par. (b).

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

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

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

20 26.12 (2) ORGANIZATION. The department shall organize each forest protection
21 area so as to most effectively prevent, detect and suppress forest fires, and to that
22 end may employ experienced wardens or state forest rangers to have charge of its
23 efforts in each area; may subdivide each area into patrol areas; may establish lookout
24 towers, construct ranger stations, telephone lines, purchase tools for fire fighting as

1 well as other necessary supplies or equipment, and carry on all other activities
2 considered necessary to effectively protect the area from forest fires, including the
3 promulgation of rules for the payment of fire fighters, the preparation of notices and
4 forms for publication and the disposition and use of all fire-fighting equipment or
5 property. All property or equipment purchased by the state shall be owned by the
6 state, but counties or towns may purchase and own equipment for fire suppression,
7 and the equipment shall be used for the improvement of the forest fire-fighting
8 organization.

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

10 26.14 (2) All such state forest rangers, town chairpersons, emergency fire
11 wardens, conservation wardens and other duly appointed deputies may in the
12 performance of their official duty go on the lands of any person to fight forest fires,
13 and in so doing may set back fires, dig trenches, cut fire lines or carry on all other
14 customary activities in the fighting of forest fires, without incurring a liability to
15 anyone.”.

16 **90.** Page 478, line 2: after that line insert:

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

18 26.20 (6) (b) Any state forest ranger, conservation warden, sheriff or other duly
19 appointed authority may, in the performance of official duties, require any train
20 causing fires or suspected of causing fires to stop within a safe distance from the fires
21 to avoid further setting or spread of fire.

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

23 26.30 (2) **POWERS.** The department is vested with authority and jurisdiction in
24 all matters relating to the prevention, detection and control of forest pests on the

insert
54-21

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

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

13 26.30 (4) SURVEYS, INVESTIGATIONS AND CONTROL. The department shall make
14 surveys and investigations to determine the presence, condition and extent of
15 infestations and it shall also carry on control measures when necessary. For such
16 purposes the department or its wardens or state forest rangers may enter public and
17 private lands at reasonable times without incurring a liability to anyone.

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

19 26.37 (1) (intro.) The department of ~~natural resources~~ forestry and the
20 department of commerce shall ~~jointly develop a~~ comply with any plan to establish
21 required to be developed by the department of natural resources and the department
22 of commerce to establish a lake states wood utilization consortium to provide
23 research, development and demonstration grants to enhance the forest products
24 industry in Wisconsin and other states. ~~The if the plan shall de~~ does all of the
25 following:

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

2 26.37 (1) (a) ~~Define~~ Defines the powers, duties and responsibilities of the
3 consortium.

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

5 26.37 (1) (b) ~~Establish~~ Establishes an implementation committee for the
6 consortium. Members of the committee may include one or more representatives
7 from the department of natural resources, the department of forestry, the
8 department of commerce and the forest products industry.

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

10 26.37 (1) (c) ~~Specify~~ Specifies eligibility requirements for the grants and
11 criteria for awarding the grants, including how the grants are to be distributed to
12 each state participating in the consortium.

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

14 26.37 (1) (d) ~~Require~~ Requires that the grants require matching funds or
15 in-kind contributions by industrial recipients of the grants.

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

17 26.37 (1) (e) ~~Require~~ Requires the implementation committee to identify an
18 organization that can administer and award the grants and oversee the grant
19 program.

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

21 26.37 (1) (f) ~~Require~~ Requires the consortium to actively pursue funding from
22 the states of Michigan and Minnesota of \$200,000 annually from each state for 3
23 years.

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

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

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

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

5 **93.** Page 479, line 2: after that line insert:

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

8 26.39 (2) FORESTRY EDUCATION CURRICULUM; SCHOOLS. Using the moneys
9 appropriated under s. ~~20.370 (1) (cu)~~ 20.375 (2) (ru), the department, in cooperation
10 with the Center for Environmental Education in the College of Natural Resources
11 at the University of Wisconsin-Stevens Point, shall develop a forestry education
12 curriculum for grades kindergarten to 12.

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

18 **SECTION 1149rx.** 27.01 (7) (a) 3. of the statutes is amended to read:

19 27.01 (7) (a) 3. In this subsection, “vehicle admission area” means the Bong
20 area lands acquired under s. 23.09 (13), the Wisconsin Dells natural area, the Point
21 Beach state forest, recreational areas in other state forests designated as such by the
22 department of natural resources or by the
department of forestry, designated use zones within other recreation areas

1 established under s. 23.091 (3), and any state park or roadside park except those
2 areas specified in par. (c) 5.”.

3 **94.** Page 480, line 12: after that line insert:

4 “**SECTION 1153h.** 27.01 (7) (gu) of the statutes, as created by 2001 Wisconsin
5 Act ... (this act), is amended to read:

6 27.01 (7) (gu) *Transaction payments.* The department shall establish a system
7 under which ~~the department pays~~ each agent appointed under sub. (7m) (a) –a
8 ~~payment of 1. is paid~~ \$1.50 for each time that the agent processes a transaction
9 through the statewide automated system contracted for under sub. (7m) (d). This
10 payment is in addition to any issuing fee retained by the agent. ~~The department shall~~
11 ~~make these~~ These payments shall be made by allowing the agent to retain an amount
12 equal to the payments from the amounts that are collected by the agent and that
13 would otherwise be remitted to the department.”.

14 **95.** Page 480, line 15: substitute “~~(g)~~ (f)” for “(g)”.

15 **96.** Page 480, line 16: substitute “~~appointed~~” for “appointed”.

16 **97.** Page 480, line 16: substitute “~~(a)~~ (b)” for “(a)”.

17 **98.** Page 480, line 18: after that line insert:

18 “**SECTION 1153ic.** 27.01 (7) (h) of the statutes, as affected by 2001 Wisconsin
19 Act ... (this act), is renumbered 27.01 (7) (h) 1.

~~***NOTE: I restored the renumbering of 27.01 (7) (h). KMG~~

20 **SECTION 1153iL.** 27.01 (7) (h) 2. of the statutes is created to read:

21 27.01 (7) (h) 2. The department of forestry and the department of natural
22 resources shall enter into an agreement to determine how the moneys credited to the
23 conservation fund under subd. 1. will be allocated for use between the departments,

1 how the payments made under par. (gu) will be allocated for payment between the
2 departments, and how the fees collected for conservation patron licenses will be
3 allocated between the departments. The secretary of administration shall resolve
4 any disputes between the departments concerning the agreement entered into under
5 this subdivision.

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

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

8 27.01 (7m) (a) 2. The department of forestry, as an agent of the department,
9 shall issue vehicle admission receipts and collect the vehicle admission fees under
10 sub. (7). The vehicle admission fees collected by the department of forestry shall be
11 deposited in the conservation fund.

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

14 27.01 (7m) (b) 1. An agent appointed under par. (a) 1. shall collect the
15 applicable issuing fee specified in sub. (7) (gr). The agent may retain the issuing fees
16 to compensate the agent for the agent's services in issuing the receipts.

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

18 27.01 (7m) (b) 2. The department of forestry shall collect the applicable issuing
19 fee specified in sub. (7) (gr) for the vehicle admission receipts that it issues and shall
20 deposit the issuing fees into the forestry fund.”.

21 **99.** Page 480, line 22: after that line insert:

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

23 27.01 (10) (b) *Establishment, operation and categories of campgrounds.* The
24 department of forestry and the department of natural resources may each establish

1 and operate state campgrounds ~~in state parks, state forests and other~~ on lands under
2 ~~its~~ their respective supervision and management. ~~The~~ Each department may
3 classify, by rule, its state campgrounds into separate categories.

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

5 27.01 (10) (d) 1. The camping fee for each night at a campsite in a campground
6 which is classified as a Type “A” campground ~~by the department~~ under par. (b) is \$8
7 for a resident camping party.

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

9 27.01 (10) (d) 2. The camping fee for each night at a campsite in a campground
10 which is classified as a Type “A” campground ~~by the department~~ under par. (b) is \$10
11 for a nonresident camping party.

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

13 27.01 (10) (d) 3. The camping fee for each night at a campsite in a state
14 campground which is classified as a Type “B” campground ~~by the department~~ under
15 par. (b) is \$7 for a resident camping party.

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

17 27.01 (10) (d) 4. The camping fee for each night at a campsite in a state
18 campground which is classified as a Type “B” campground ~~by the department~~ under
19 par. (b) is \$9 for a nonresident camping party.

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

21 27.01 (10) (d) 5. The camping fee for each night at a campsite in a campground
22 which is classified as a Type “C” campground ~~by the department~~ under par. (b) is \$6
23 for a resident camping party.

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

1 27.01 (10) (d) 6. The camping fee for each night at a campsite in a campground
2 which is classified as a Type “C” campground ~~by the department~~ under par. (b) is \$8
3 for a nonresident camping party.

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

5 27.01 (10) (e) *Determination of residency.* The ~~department~~ departments shall
6 base ~~its~~ their determination of whether a camping party is a resident or nonresident
7 camping party upon the residency of the person who applies for a reservation under
8 sub. (11) at the time the application for reservation is made or, if no reservation is
9 made, the residency of the person who registers for the campsite at the time of
10 registration.

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

12 27.01 (10) (f) *Waiver of fees; special fees.* The ~~department~~ departments may
13 waive camping fees, charge additional camping fees or charge special fees instead of
14 camping fees for certain classes of persons or groups, certain areas, certain types of
15 camping or times of the year and for admission to special events.

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

17 27.01 (10) (g) *Additional camping fees.* (intro.) Besides the additional camping
18 fees authorized under par. (f), the ~~department~~ departments may charge:

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

20 27.01 (10) (h) *Increased camping fees.* In addition to ~~its~~ their authority under
21 par. (f), the ~~department~~ departments shall determine which state campgrounds
22 under their supervision and management are located in areas where local market
23 conditions justify the establishment of higher camping fees to be charged by the
24 department. ~~For these state campgrounds, the department departments.~~ The
25 departments shall promulgate rules for state campgrounds under their supervision

1 and management to establish higher camping fees to be based on the applicable local
2 market conditions.

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

4 27.01 (11) (a) *Authorization.* The department ~~of forestry~~ may establish and
5 operate a campground reservation system for state campgrounds in state parks,
6 in Southern state forests and on other lands under the department's its supervision and control. PLAIN

7 The department management and may participate with owners of private
8 campgrounds in a cooperative reservation system. The department of natural
9 resources may do the same for state campgrounds on lands under its supervision and
10 management in state forests, other than southern state forests

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

12 27.01 (11) (b) *Rules.* (intro.) The ~~department~~ departments shall promulgate
13 rules for the operation of the their campground reservation system systems. The
14 rules shall include all of the following:

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

16 27.01 (11) (cm) 1. The department of forestry may enter into a contract with
17 another party to operate the campground reservation system that the department
18 it establishes under par. (a). The department of natural resources may do the same
19 for a campground reservation system that it establishes under par. (a).

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

21 27.01 (11) (cm) 2. A contract entered into under this paragraph shall require
22 that the department entering into the contract retain \$1 of each reservation fee
23 collected.

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

1 27.01 (11) (i) *Cooperation with tourism.* The department of natural resources
2 and the department of tourism shall work jointly ~~to establish an on any~~ automated
3 campground reservation system established or operated by the department of
4 natural resources. The department of forestry and the department of tourism shall
5 work jointly on any automated campground reservation established or operated by
6 the department of forestry.”.

7 **100.** Page 481, line 5: after that line insert:

8 ~~“SECTION 1153nc. 27.016 (1) (c) of the statutes is amended to read:~~ ^{repealed.}

9 ~~27.016 (1) (c) “Southern state forest” means a state forest that is located within~~
10 ~~the region specified in s. 25.29 (7) (a) 25.28 (3) (am).~~

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

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

17 **SECTION 1153nx.** 28.005 of the statutes is amended to read:

18 **28.005 Definition.** “Department” when used in this chapter without other
19 words of description or qualification means the department of ~~natural resources~~
20 forestry.

21 **SECTION 1153nxc.** 28.012 (title) of the statutes is created to read:

22 **28.012 (title) Powers of department.**

23 **SECTION 1153nxd.** 28.012 (1) of the statutes is created to read:

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63-20

1 28.012 (1) For the state forests, other than southern state forests, the
2 department may accept and administer, in the name of the state, any gifts, grants,
3 bequests, and devises, including land, interests in land and funds made available to
4 the department by the federal government under any act of congress relating to any
5 of the functions of the department.

6 **SECTION 1153nxf.** 28.012 (2) of the statutes is created to read:

7 28.012 (2) The department may extend or consolidate lands or waters suitable
8 for the state forests, other than the southern state forests, by the exchange of other
9 lands or waters under its supervision.

10 **SECTION 1153nxg.** 28.012 (3) of the statutes is created to read:

11 28.012 (3) The department may accept donations of buildings, facilities, and
12 structures to be constructed upon lands owned by this state in the state forests, other
13 than the southern state forests.

14 **SECTION 1153nxh.** 28.012 (4) of the statutes is created to read:

15 28.012 (4) The department may grant easements to parts or parcels of areas
16 in the state forests, other than the southern state forests.

17 **SECTION 1153nxj.** 28.012 (5) of the statutes is created to read:

18 28.012 (5) All funds included in the gifts, grants, bequests, and devises received
19 or expected to be received by the department for the state forests under its
20 jurisdiction in a biennium shall be included in the statement of its actual and
21 estimated receipts and disbursements for such biennium required to be contained in
22 the biennial state budget report under s. 16.46. Those funds shall be considered to
23 be, and shall be treated the same as, other actual and estimated receipts and
24 disbursements of the department. The department may acknowledge the receipt of

1 any funding from a particular person or group in any department pamphlet, bulletin,
2 or other publication.

3 **SECTION 1153nxk.** 28.012 (6) of the statutes is created to read:

4 28.012 (6) The donor of any building, facility, or structure under sub. (3) may
5 contract for this construction according to plans and specifications provided by the
6 department or may enter into a contract for professional architectural and
7 engineering services to develop plans and specifications for the building, facility, or
8 structure and contract for their construction. Upon the completion of construction
9 satisfactory to the department, title to the building, facility, or structure shall vest
10 in the state. No person may construct any building, facility, or structure under this
11 subsection without the prior approval of the department regarding plans and
12 specifications, materials, suitability, design, capacity, or location. The plans and
13 specifications for any building, structure, or facility donated under sub. (2) (eg) shall
14 also be subject to the approval of the building commission.

15 **SECTION 1153nxp.** 28.012 (7) of the statutes is created to read:

16 28.012 (7) Any easements granted under sub. (4) or s. 28.02 (5) and any leases
17 under s. 23.305 or 26.08 by the department shall have the restrictions necessary to
18 preserve and protect the land subject to the lease or easement for the purposes for
19 which it was acquired or made part of the state forests.

20 **SECTION 1153nxq.** 28.012 (8) of the statutes is created to read:

21 28.012 (8) (a) In this subsection, “easement” includes a negative easement, a
22 restrictive covenant, a covenant running with the land, and any other right for a
23 lawful use of the property together with the right to acquire all negative easements,
24 restrictive covenants, covenants running with the land, and all rights for use of
25 property.

*under the jurisdiction
of the department*

1 (b) The department may acquire any easement for the benefit of any area in the
2 state forests. *other than southern state forests*

3 **SECTION 1153nrx.** 28.012 (9) of the statutes is created to read:

4 28.012 (9) If there are areas of the state forests *other than sta* that are inaccessible because
5 they are surrounded by lands not belonging to the state, and if the department
6 determines that the usefulness or value of these areas for ~~the state park system or~~
7 *these* state forests will be increased if there is access to them over lands not belonging to
8 the state, the department may acquire the land necessary to construct highways that
9 will furnish the needed access.”.

10 **101.** Page 481, line 16: after that line insert:

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

12 **28.02 (title) State forests forest lands.**

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

14 28.02 (1) DEFINED. “State forests forest lands” include all lands granted to the
15 state by an act of congress entitled, “An act granting lands to the state of Wisconsin
16 for forestry purposes,” approved June 27, 1906; all lands donated to the state by the
17 Nebagamon Lumber Company for forestry purposes; all lands acquired pursuant to
18 chapter 450, laws of 1903, chapter 264, laws of 1905, chapter 638, laws of 1911, and
19 chapter 639, laws of 1911, or under ss. 1494–41 to 1494–62, 1915 stats., and all lands
20 subsequently acquired for forestry purposes. Unless an island is designated as state
21 forest land by the department, “state forest lands” do not include lands granted to
22 the state by an act of congress entitled, “An act granting unsurveyed and unattached
23 islands to the state of Wisconsin for forestry purposes,” approved August 22, 1912.

24 The department may designate as state forest lands any lands within state forest

1 boundaries which were purchased with other conservation funds and where forestry
2 would not conflict with a more intensive use.

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

3
4 28.035 (2) The department shall ~~enter into an~~ comply with the agreement
5 entered into with the Wisconsin department of the American Legion for hunting in
6 the state forest lands described as lots 3, 4, 6 and 7 of section 8 and lots 2 and 3 of
7 section 17, township 38 north, range 7 east, Oneida County, which are used in
8 connection with Camp American Legion and which the Legion is now maintaining
9 on this location as a restoration camp for sick and disabled veterans and their
10 dependents.

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

11 28.035 (3) (b) The ownership of all of the buildings and equipment of the camp
12 shall revert to the state upon the discontinuance of the use thereof for such purposes.
13 On or before January 15 of each year the department of the American Legion shall
14 file with the governor, the department of veterans affairs ~~and the department of~~
15 ~~natural resources, and the department of forestry~~ a written report of the operations
16 and the financial status of the camp.

SECTION 1153pm. 28.045 of the statutes is created to read:

17
18
19 **28.045 Designation of trails and areas.** (1) In this section, "special use
20 area" includes a trail, campground, or picnic area.

21 (2) The department shall designate special use areas in state forests, other
22 than southern state forests, and shall indicate the location of each special use area
23 in one of the following manners:

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

insert
67-2

insert
67-17

1 (b) By indicating its location on a sign outside any office of the department that
2 is located within the same state forest.

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

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

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

insert
8-8

9 **102.** Page 481, line 24: after that line insert:

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

12 28.06 (2m) SURCHARGE. A person who purchases a seedling under sub. (2) shall
13 pay, in addition to the price of the seedling charged under sub. (2), a surcharge for
14 each seedling purchased. Beginning on the effective date of this subsection
15 [revisor inserts date], and ending on June 30, 2002, the surcharge shall be 2 cents
16 for each seedling. Beginning on July 1, 2002, the surcharge shall be 3 cents for each
17 seedling. All surcharges collected under this subsection shall be deposited in the
18 ~~conservation~~ forestry fund.

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

20 28.08 Income. All income from state forest lands shall be paid into the state
21 treasury to the credit of the ~~conservation~~ forestry fund.

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

23 28.11 (5m) (a) (intro.) The department may make grants, from the
24 appropriation under s. ~~20.370 (5) (b-w)~~ 20.375 (2) (w), to counties having lands

1 entered under sub. (4) to fund all of the following for one professional forester in the
2 position of county forest administrator or assistant county forest administrator.”

3 **103.** Page 482, line 17: after that line insert:

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

6 28.11 (5r)(b) The department may make grants, from the appropriation under
7 s. ~~20.370 (5) (bw)~~ 20.375 (2) (w), to counties having lands entered under sub. (4) to
8 fund the cost of activities designed to improve sustainable forestry on the lands.

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

10 28.11 (8) (a) *Acreage payments.* As soon after April 20 of each year as feasible,
11 the department shall pay to each town treasurer 30 cents per acre, based on the
12 acreage of such lands as of the preceding June 30, as a grant out of the appropriation
13 made by s. ~~20.370 (5) (bv)~~ 20.375 (2) (vm) on each acre of county lands entered under
14 this section.

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

16 28.11 (8) (b) 1. A county having established and maintaining a county forest
17 under this section is eligible to receive from the state from the appropriations under
18 s. ~~20.370 (5) (bq)~~ 20.375 (2) (t) and ~~(bs)~~ (u) an annual payment as a noninterest
19 bearing loan to be used for the purchase, development, preservation and
20 maintenance of the county forest lands and the payment shall be credited to a county
21 account to be known as the county forestry aid fund. A county board may, by a
22 resolution adopted during the year and transmitted to the department by December
23 31, request to receive a payment of not more than 50 cents for each acre of land
24 entered and designated as “county forest land”. The department shall review the

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

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

10 28.11 (8) (b) 2. The department may allot additional interest free forestry aid
11 loans on a project basis to individual counties to permit the counties to undertake
12 meritorious and economically productive forestry operations, including land
13 acquisitions. These additional aids may not be used for the construction of
14 recreational facilities or for fish and game management projects. Application shall
15 be made in the manner and on forms prescribed by the department and specify the
16 purpose for which the additional aids will be used. The department shall make an
17 investigation as it deems necessary to satisfy itself that the project is feasible,
18 desirable and consistent with the comprehensive plan. If the department so finds,
19 it may make allotments in such amounts as it determines to be reasonable and
20 proper and charge the allotments to the forestry fund account of the county. These
21 allotments shall be credited by the county to the county forestry aid fund. After
22 determining the loans as required under subd. 1., the department shall make the
23 remainder of the amounts appropriated under s. ~~20.370 (5) (bq)~~ 20.375 (2) (t) and ~~(bs)~~
24 (u) for that fiscal year available for loans under this subdivision. The department

1 shall also make loans under this subdivision from the appropriations under s. ~~20.370~~
2 ~~(5) (bt)~~ 20.375 (2) (um) and ~~(bu)~~ (v).

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

4 28.11 (9) (am) The acreage loan severance share payments shall be deposited
5 in the ~~conservation~~ forestry fund and credited to the appropriation under s. ~~20.370~~
6 ~~(5) (bq)~~ 20.375 (2) (t), and the project loan severance share payments shall be
7 deposited in the ~~conservation~~ forestry fund and credited to the appropriation under
8 s. ~~20.370 (5) (bu)~~ 20.375 (2) (v).

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

10 28.11 (9) (ar) 1. Notwithstanding s. 20.001 (3) (c), if the sum of the
11 unencumbered balances in the appropriations under s. ~~20.370 (5) (bq), (bt)~~ 20.375 (2)
12 (t), (um), and (bu) (v) exceeds \$400,000 on June 30 of any fiscal year, the amount in
13 excess of \$400,000 shall lapse from the appropriation under s. ~~20.370 (5) (bq)~~ 20.375
14 (2) (t) to the ~~conservation~~ forestry fund, except as provided in subd. 2.

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

16 28.11 (9) (ar) 2. Notwithstanding s. 20.001 (3) (c), if the amount in the
17 appropriation under s. ~~20.370 (5) (bq)~~ 20.375 (2) (t) is insufficient for the amount that
18 must lapse under subd. 1., the remainder that is necessary for the lapse shall lapse
19 from the appropriation under s. ~~20.370 (5) (bu)~~ 20.375 (2) (v).

20 **SECTION 1153yc.** 28.90 (title) of the statutes is created to read:

21 **28.90 (title) Enforcement.**

22 **SECTION 1153yf.** 28.90 (1) of the statutes is created to read:

23 28.90 (1) ENFORCEMENT DUTIES. (a) The department shall enforce all of the laws
24 that the department is required to administer for the state forests and shall bring,

1 or cause to be brought, actions and proceedings in the name of the state for that
2 purpose.

3 (b) All sheriffs, deputy sheriffs, coroners, and other police officers are deputy
4 state forest rangers, and shall assist the department and its rangers in the
5 enforcement of this chapter whenever notice of a violation of this chapter is given to
6 them by the department or its rangers.

7 **SECTION 1153yg.** 28.92 of the statutes is created to read:

8 **28.92 State forest rangers.** (1) The persons appointed by the department
9 to enforce the laws relating to state forests shall be known as state forest rangers and
10 shall be subject to ch. 230.

11 (2) The department shall provide to all state forest rangers, before exercising
12 any of their powers, a commission issued by the department under its seal, to read
13 substantially as follows:

14 STATE OF WISCONSIN

15 DEPARTMENT OF FORESTRY

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

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

22 In testimony whereof, the secretary has hereunto affixed the secretary's
23 signature and the official seal of the department, at its office in the city of Madison,
24 Wisconsin, this day of,

25 (Seal)

STATE OF WISCONSIN

DEPARTMENT OF FORESTRY

By

1
2
3 (3) The department shall furnish to each state forest ranger at the time of the
4 ranger's appointment, a pocket identification folder in the same form and substance
5 as the folder described in s. 23.10 (5), except that the impression shall be the seal of
6 the department.

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

11 **SECTION 1153yj.** 28.94 of the statutes is created to read:

12 **28.94 Resisting or falsely impersonating a state forest ranger.** Any
13 person who does any of the following may be fined not more than \$10,000 or
14 imprisoned for not more than 9 months or both:

15 (1) Assaults or otherwise resists or obstructs any state forest ranger in the
16 performance of his or her duties.

17 (2) Falsely represents himself or herself to be a state forest ranger or assumes
18 to act as a state forest ranger without having been first appointed.

19 **SECTION 1153ym.** 28.98 of the statutes is created to read:

20 **28.98 General penalty provision.** Any person who violates any provision
21 of this chapter or any rule promulgated or order issued under this chapter for which
22 no other penalty is prescribed is subject to a forfeiture of not more than \$100.”

NOTE: MGG - I converted this to a "create"

23 **104.** Page 498, line 6: after that line insert:

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

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

6 **105.** Page 499, line 4: after that line insert:

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

8 30.50 (4s) “Law enforcement officer” has the meaning specified under s. 165.85
9 (2) (c) and includes a person appointed as a conservation warden ~~by the department~~
10 under s. 23.10 (1) or a state forest ranger appointed under s. 28.92.”.

11 **106.** Page 507, line 12: after that line insert:

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

13 30.54 (2) If a person applies for a replacement certificate under sub. (1),
14 ~~conservation wardens or local law enforcement officials~~ law enforcement officers,
15 after presenting appropriate credentials to the owner or legal representative of the
16 owner named in the certificate of title, shall inspect the boat’s engine serial number
17 or hull identification number, for purposes of verification or enforcement.

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

19 **30.544 Inspection of boats purchased out-of-state.** For purposes of
20 enforcement, ~~conservation wardens or local law enforcement officials~~ law
21 enforcement officers, after presenting appropriate credentials to the owner of a boat
22 which was purchased outside of this state and which is subject to the certificate of
23 title requirements of this chapter, shall inspect the boat’s engine serial number or
24 hull identification number.”.