

1 **107.** Page 507, line 23: after that line insert:

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

3 30.67 (2) (a) If a boating accident results in death or injury to any person, the
4 disappearance of any person from a boat under circumstances indicating death or
5 injury, or property damage, every operator of a boat involved in an accident shall,
6 without delay and by the quickest means available, give notice of the accident to a
7 ~~conservation warden or local~~ law enforcement officer and shall file a written report
8 with the department on the form prescribed by it. The department shall promulgate
9 rules necessary to keep accident reporting requirements in conformity with rules
10 adopted by the U.S. coast guard.”.

11 **108.** Page 509, line 25: after that line insert:

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

13 30.92 (1) (b) “Governmental unit” means the department of natural resources,
14 the department of forestry, a municipality, a lake sanitary district, a public inland
15 lake protection and rehabilitation district organized under ch. 33, the Milwaukee
16 River revitalization council, the Lower Wisconsin State Riverway board, the Fox
17 River management commission, or any other local governmental unit, as defined in
18 s. 66.0131 (1) (a), that is established for the purpose of lake management.”.

19 **109.** Page 510, line 13: after that line insert:

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

21 30.92 (3) (b) 7. Location of the proposed project within the region identified in
22 s. ~~25.29 (7) (a)~~ 25.28 (3) (am).”.

23 **110.** Page 512, line 6: after that line insert:

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

1 32.02 (15m) The department of forestry with the approval of the appropriate
2 standing committees of each house of the legislature as determined by the presiding
3 officer thereof and as authorized by law, for acquisition of lands.

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

5 32.035 (3) PROCEDURE. The condemnor shall notify the department of any
6 project involving the actual or potential exercise of the powers of eminent domain
7 affecting a farm operation. If the condemnor is the department of natural resources
8 or the department of forestry, the notice required by this subsection shall be given
9 at the time that permission of the ~~senate and assembly~~ appropriate standing
10 committees on natural resources is sought under s. 23.09 (2) (d) ~~or~~, 27.01 (2) (a), or
11 28.02 (2). To prepare an agricultural impact statement under this section, the
12 department may require the condemnor to compile and submit information about an
13 affected farm operation. The department shall charge the condemnor a fee
14 approximating the actual costs of preparing the statement. The department may not
15 publish the statement if the fee is not paid.”.

16 **111.** Page 532, line 13: after that line insert:

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

18 40.02 (17) (n) Notwithstanding par. (d), each participant who is a state forest
19 ranger on or after the effective date of this paragraph [revisor inserts date], shall
20 be granted creditable service as a protective occupation participant for all covered
21 service as a state forest ranger that was earned on or after the effective date of this
22 paragraph [revisor inserts date], but may not be granted creditable service as a
23 protective occupation participant for any covered service as a state forest ranger that
24 was earned before the effective date of this paragraph [revisor inserts date],

1 unless that service was earned while the participant was classified under sub. (48)
2 (a) and s. 40.06 (1) (d) as a protective occupation participant.”.

3 **112.** Page 533, line 2: after that line insert:

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

5 40.02 (48) (c) In s. 40.65, “protective occupation participant” means a
6 participating employee who is a police officer, fire fighter, an individual determined
7 by a participating employer under par. (a) or (bm) to be a protective occupation
8 participant, county undersheriff, deputy sheriff, state probation and parole officer,
9 county traffic police officer, conservation warden, state forest ranger, field
10 conservation employee of the department of natural resources or the department of
11 forestry who is subject to call for forest fire control or warden duty, member of the
12 state traffic patrol, state motor vehicle inspector, University of Wisconsin System
13 full-time police officer, guard or any other employee whose principal duties are
14 supervision and discipline of inmates at a state penal institution, excise tax
15 investigator employed by the department of revenue, person employed under s. 61.66
16 (1), or special criminal investigation agent employed by the department of justice.”.

17 **113.** Page 534, line 23: after that line insert:

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

19 40.65 (4w) A state forest ranger who becomes a protective occupation
20 participant on or after the effective date of this subsection [revisor inserts date],
21 is not entitled to a duty disability benefit under this section for an injury or disease
22 occurring before the effective date of this subsection [revisor inserts date].”.

23 **114.** Page 536, line 14: after that line insert:

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

1 42.09 (2) (b) The state fair park board shall allow the department of natural
2 resources and the department of forestry access to and use of the buildings,
3 appurtenances, fixtures, exhibits and other structures and facilities described in par.
4 (a) so that the ~~department~~ departments may prepare, display and dismantle exhibits
5 during events occurring at state fair park.”.

6 **115.** Page 538, line 5: after that line insert:

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

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

11 **116.** Page 660, line 5: after that line insert:

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

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

21 **117.** Page 665, line 7: after that line insert:

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

23 59.52 (6) (a) *How acquired; purposes.* Take and hold land acquired under ch.
24 75 and acquire, lease or rent property, real and personal, for public uses or purposes

1 of any nature, including without limitation acquisitions for county buildings,
2 airports, parks, recreation, highways, dam sites in parks, parkways and
3 playgrounds, flowages, sewage and waste disposal for county institutions, lime pits
4 for operation under s. 59.70 (24), equipment for clearing and draining land and
5 controlling weeds for operation under s. 59.70 (18), ambulances, acquisition and
6 transfer of real property to the state for new collegiate institutions or research
7 facilities, and for transfer to the state for state parks, for state forests and for the
8 other uses and purposes specified in s. 23.09 (2) (d).”.

9 **118.** Page 669, line 11: after that line insert:

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

11 59.74 (2) (g) Every land surveyor and every officer of the department of natural
12 resources, every officer of the department of forestry and the district attorney shall
13 enforce this subsection.”.

14 **119.** Page 678, line 22: after that line insert:

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

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

24 **120.** Page 679, line 21: after that line insert:

1 **"SECTION 2019mn.** 66.0221 (1) of the statutes, as affected by 2001 Wisconsin
2 Act (this act), is amended to read:

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

24 **121.** Page 680, line 5: after that line insert:

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

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

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

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

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

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

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

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

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

9 **122.** Page 705, line 24: after that line insert:

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

11 70.113 (1) (intro.) As soon after April 20 of each year as is feasible the
12 department of natural resources shall pay to the city, village, or town treasurer all
13 of the following amounts from the following appropriations for each acre situated in
14 the municipality of ~~state forest lands, as defined in s. 28.02 (1),~~ state parks under s.
15 27.01 and state public shooting, trapping or fishing grounds and reserves or refuges
16 operated thereon, acquired at any time under s. 29.10, 1943 stats., s. 23.09 (2) (d) or
17 29.749 (1) or from the appropriations made by s. 20.866 (2) (tp) by the department
18 of natural resources or leased from the federal government by the department of
19 natural resources:

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

21 70.113 (1m) As soon after April 20 of each year as is feasible, the department
22 of forestry shall pay to the city, village, or town treasurer all of the following amounts
23 from the following appropriations for each acre situated in the municipality that is
24 state forest land, as defined in s. 28.02 (1).

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

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

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

4 70.113 (2) (a) Towns, cities or villages shall be paid for forest lands as defined
5 in s. 28.02 (1), state parks under s. 27.01, and other lands acquired under s. 23.09 (2)
6 (d), 23.27, 23.29, 23.293, 23.31, or 29.749 (1) located within such municipality and
7 acquired after June 30, 1969. Such payments shall be ~~made from the appropriation~~
8 ~~under s. 20.370 (5) (da) or (dq) and~~ remitted by the department of natural resources
9 or the department of forestry in the amounts certified by the department of revenue
10 according to par. (b).

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

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

13 70.114 (1) (d) “Purchase price” means the amount paid by the department of
14 natural resources or by the department of forestry for a fee simple interest in real
15 property. “Purchase price” does not include administrative costs incurred by ~~the~~
16 either department to acquire the land, such as legal fees, appraisal costs or recording
17 fees. If real estate is transferred by gift to the applicable department ~~by gift~~ or is sold
18 to the applicable department for an amount that is less than the estimated fair
19 market value of the property as shown on the property tax bill prepared for the prior
20 year under s. 74.09, “purchase price” means an amount equal to the estimated fair
21 market value of the property as shown on that tax bill. If the real estate is exempt
22 from taxation at the time that it is transferred or sold to the applicable department
23 and if the property was not sold at an arm’s-length sale, “purchase price” means the
24 fair market value of the real estate at the time that the applicable department takes
25 title to it.

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

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

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

6 70.114 (3) ASCERTAINING RATE. Each year, the department of natural resources
7 and the department of forestry shall ascertain from the clerks of the taxation district
8 the aggregate net general property tax rate for taxation districts to which aids are
9 paid under this section.

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

11 70.114 (4) (a) On or before January 31, the department of natural resources
12 shall pay to each treasurer of a taxation district, with respect to each parcel of land
13 acquired by that is under the jurisdiction of the department and that is within the
14 taxation district on or before January 1 of the preceding year, ~~an~~.

15 (c) The amount to be paid under par. (a) or (b) shall be determined by
16 multiplying each parcel's estimated value equated to the average level of assessment
17 in the taxation district by the aggregate net general property tax rate that would
18 apply to the parcel of land if it were taxable, as shown on property tax bills prepared
19 for that year under s. 74.09.

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

21 70.114 (4) (b) On or before January 31, the department of forestry shall pay to
22 each treasurer of a taxation district, with respect to each parcel of state land acquired
23 that is under the jurisdiction of the department of forestry and that is within the
24 taxation district on or before January 1 of the preceding year.”

1 **123.** Page 706, line 7: after that line insert:

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

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

14 **124.** Page 831, line 23: after that line insert:

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

16 **71.59 (1m) PERMITTED USES.** The designation by the department of natural
17 resources or by the department of forestry of any farmland in this state, for which
18 a claim under this section may be filed, as part of the ice age trail, under s. 23.17, is
19 a permitted use under a farmland preservation agreement, or a certificate of a zoning
20 authority, under sub. (1) (b).”.

21 **125.** Page 843, line 5: after that line insert:

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

23 **77.02 (1) PETITION.** The owner of an entire quarter quarter section, fractional
24 lot or government lot as determined by U.S. government survey plat, excluding

1 public roads and railroad rights-of-way that may have been sold, may file with the
2 department of ~~natural resources~~ forestry a petition stating that the owner believes
3 the lands therein described are more useful for growing timber and other forest crops
4 than for any other purpose, that the owner intends to practice forestry thereon, that
5 all persons holding encumbrances thereon have joined in the petition and requesting
6 that such lands be approved as “Forest Croplands” under this subchapter. Whenever
7 any such land is encumbered by a mortgage or other indenture securing any issue
8 of bonds or notes, the trustee named in such mortgage or indenture or any
9 amendment thereto may join in such petition, and such action shall for the purpose
10 of this section be deemed the action of all holders of such bonds or notes.

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

12 77.02 (2) NOTICE OF HEARING, ADJOURNMENT. Upon receipt of such petition the
13 department of ~~natural resources~~ forestry shall investigate the same and shall file a
14 listing of descriptions with the town chairperson. For petitions received prior to May
15 1, the department shall within the same calendar year cause a notice that such
16 petition has been filed to be published as a class 3 notice, under ch. 985, in the
17 newspaper having the largest general circulation in the county in which the lands
18 are located, and notice by registered mail shall be given to the town clerk of any town
19 in which the lands are located. Such notice shall contain the name of the petitioner,
20 a description of the lands and a statement that any resident of or taxpayer in the
21 town may within 15 days from the date of publication of the notice file a request with
22 the department that it conduct a public hearing on the petition. Upon receipt of such
23 a request the department shall conduct a public hearing on the petition. The
24 department may conduct a public hearing on any petition without a request, if it
25 deems it advisable to do so. Notice of the time and place of such hearing and a

1 description, in specific or general terms, as the department deems advisable, of the
2 property requested to be approved as "Forest Croplands" shall be given to persons
3 making the request, the owner of such land and to the assessor of towns in which it
4 is situated, by mail, at least one week before the day of hearing. The notice also shall
5 be published as a class 1 notice, under ch. 985, in a newspaper having general
6 circulation in the county in which such land is located, at least one week before the
7 day of the hearing. Such hearing may be adjourned and no notice of the time and
8 place of such adjourned hearing need be given, excepting the announcement thereof
9 by the presiding officer at the hearing at which the adjournment is had.

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

11 **77.02 (3) DECISION, COPIES.** After receiving all the evidence offered at any
12 hearing held on the petition and after making such independent investigation as it
13 sees fit the department shall make its findings of fact and make and enter an order
14 accordingly. If it finds that the facts give reasonable assurance that a stand of
15 merchantable timber will be developed on such descriptions within a reasonable
16 time, and that such descriptions are then held permanently for the growing of timber
17 under sound forestry practices, rather than for agricultural, mineral, shoreland
18 development of navigable waters, recreational, residential or other purposes, and
19 that all persons holding encumbrances against such descriptions have in writing
20 agreed to the petition, the order entered shall grant the request of the petitioner on
21 condition that all unpaid taxes against said descriptions be paid within 30 days
22 thereafter; otherwise the department of ~~natural resources~~ forestry shall deny the
23 request of the petitioner. If the request of the petitioner is granted, a copy of such
24 order shall be filed with the department of revenue, the supervisor of equalization
25 and the clerk of each town, and the order shall be recorded with the register of deeds

1 of each county, in which any of the lands affected by the order are located. The
2 register of deeds shall record the entry, transfer or withdrawal of all forest croplands
3 in a suitable manner on the county records. The register of deeds may collect
4 recording fees under s. 59.43 (2) from the owner. Any order of the department
5 relating to the entry of forest croplands issued on or before November 20 of any year
6 shall take effect on January 1 of the following calendar year, but all orders issued
7 after November 20 shall take effect on January 1 of the calendar year following the
8 calendar year in which orders issued on or before November 20 would have been
9 effective.

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

11 **77.03 Taxation of forest croplands.** After the filing and recording of the
12 order with the officers under s. 77.02 (3) the lands described therein shall be “Forest
13 Croplands”, on which taxes shall thereafter be payable only as provided under this
14 subchapter. The enactment of ss. 77.01 to 77.14, petition by the owner and the
15 making of the order under s. 77.02 (3) shall constitute a contract between the state
16 and the owner, running with the lands, for a period of 25 or 50 years at the election
17 of the applicant at the time the petition is filed, unless withdrawn under s. 77.10,
18 with privilege of renewal by mutual agreement between the owner and the state,
19 whereby the state as an inducement to owners and prospective purchasers of forest
20 croplands to come under ss. 77.01 to 77.14 agrees that, unless withdrawn under s.
21 77.10, no change in or repeal of ss. 77.01 to 77.14 shall apply to any land then
22 accepted as forest croplands, except as the department of natural resources forestry
23 and the owner may expressly agree in writing and except as provided in s. 77.17. If
24 at the end of the contract period the land is not designated as managed forest land
25 under subch. VI, the merchantable timber on the land shall be estimated by an

1 estimator jointly agreed upon by the department of ~~natural resources~~ forestry and
2 the owner, and if the department and the owner fail to agree on an estimator, the
3 judge of the circuit court of the district in which the lands lie shall appoint a qualified
4 forester, whose estimate shall be final, and the cost thereof shall be borne jointly by
5 the department of ~~natural resources~~ forestry and the owner; and the 10% severance
6 tax paid on the stumpage thereon in the same manner as if the stumpage had been
7 cut. The owners by such contract consent that the public may hunt and fish on the
8 lands, subject to such rules as the department of natural resources prescribes
9 regulating hunting and fishing.

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

11 **77.04 (2) TAX PER ACRE; PAYMENT; PENALTY.** The “acreage share” shall be
12 computed at the rate of 10 cents per acre on all lands entered prior to 1972. On all
13 lands entered after December 31, 1971, the “acreage share” shall be computed every
14 10 years to the nearest cent by the department of revenue at the rate of 20 cents per
15 acre multiplied by a ratio using the equalized value of the combined residential,
16 commercial, manufacturing, agricultural, swamp, or waste and productive forest
17 land classes under s. 70.32 (2) within the state in 1972 as the denominator, and using
18 equalized value for these combined land classes in 1982 and every 10th year
19 thereafter as the numerator. All owners shall pay to the taxation district treasurer
20 the acreage share on each description on or before January 31. If the acreage share
21 is not paid when due to the taxation district treasurer it shall be subject to interest
22 and penalty as provided under ss. 74.11 (11), 74.12 (10) and 74.47. These lands shall
23 be returned as delinquent and a tax certificate under subch. VII of ch. 74 shall be
24 issued on them. After 2 years from the date of the issuance of a tax certificate, the
25 county clerk shall promptly take a tax deed under ch. 75. On taking such deed the

1 county clerk shall certify that fact and specify the descriptions to the department of
2 natural resources forestry.

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

4 **77.05 State contribution.** The department of natural resources forestry shall
5 pay before June 30 annually to the town treasurer, from the appropriation under s.
6 ~~20.370 (5) (bv)~~ 20.375 (2) (vm), 20 cents for each acre of land in the town that is
7 described as forest croplands under this subchapter.

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

9 **77.06 (1) CUTTING TIMBER REGULATED.** No person shall cut any merchantable
10 wood products on any forest croplands where the forest crop taxes are delinquent nor
11 until 30 days after the owner has filed with the department of natural resources
12 forestry a notice of intention to cut, specifying by descriptions and the estimated
13 amount of wood products to be removed and the proportion of present volume to be
14 left as growing stock in the area to be cut. The department of natural resources
15 forestry may require a bond executed by some surety company licensed in this state
16 or other surety for such amount as may reasonably be required for the payment to
17 the department of natural resources forestry of the severance tax hereinafter
18 provided. The department, after examination of the lands specified, may prescribe
19 the amount of forest products to be removed. Cutting in excess of the amount
20 prescribed shall render the owner liable to double the severance tax prescribed in s.
21 77.06 (5) and subject to cancellation under s. 77.10. Merchantable wood products
22 include all wood products except wood used for fuel by the owner.

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

24 **77.06 (2) APPRAISAL OF TIMBER, ZONES.** Each year the department of natural
25 resources forestry, at the time and place it shall fix and after such public notice as

1 it deems reasonable, shall hold a public hearing. After the hearing the department
2 shall make and file, open to public inspection, a determination of the reasonable
3 stumpage values of the wood products usually grown in the several towns in which
4 any forest croplands lie. A public hearing under this section shall be held prior to
5 August 1 of each year and the determination of stumpage values made by the
6 department of ~~natural resources~~ forestry shall take effect on November 1 of that year.
7 If the department of ~~natural resources~~ forestry finds there is a material variance in
8 the stumpage values in the different localities, it may fix separate zones and
9 determine the values for each zone.

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

11 77.06 (3) REVALUATION. As to any locality or zone in which the department of
12 ~~natural resources~~ forestry deems there has been no material variance from the
13 preceding year in stumpage values, it may omit to make any new valuation in any
14 year, in which event the last preceding valuation shall continue in force until
15 changed in a succeeding year.

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

17 77.06 (4) CUTTING REPORTED. Within 30 days after completion of cutting on any
18 land description, but not more than one year after filing of the notice of intention to
19 cut, the owner shall transmit to the department of ~~natural resources~~ forestry on
20 forms provided by the department a written statement of the products so cut,
21 specifying the variety of wood, kind of product, and quantity of each variety and kind
22 as shown by the scale or measurement thereof made on the ground as cut, skidded,
23 loaded, delivered, or by tree scale certified by a qualified forester when stumpage is
24 sold by tree measurement. The department of ~~natural resources~~ forestry may accept
25 such reports as sufficient evidence of the facts, or may either with or without hearing

1 and notice of time and place thereof to such owner, investigate and determine the fact
2 of the quantity of each variety and kind of product so cut during said periods
3 preceding such reports.

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

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

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

16 77.07 (2) PENALTY, COLLECTIONS. If any severance tax remain unpaid for 30 days
17 after it becomes due, there shall then be added a penalty of 10%, and such tax and
18 penalty shall thereafter draw interest at the rate of one per cent per month until paid.
19 At the expiration of said 30 days the department of ~~natural resources~~ forestry shall
20 report to the attorney general any unpaid severance tax, adding said penalty, and the
21 attorney general shall thereupon proceed to collect the same with penalty and
22 interest by suit against the owner and by attachment or other legal means to enforce
23 the lien and by action on the bond mentioned in s. 77.06 (1), or by any or all such
24 means.

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

1 **77.08 Supplemental severance tax.** At any time within one year after any
2 cutting should have been reported, the department of ~~natural resources~~ forestry
3 after due notice to the owner and opportunity to be heard, and on evidence duly made
4 a matter of record, may determine whether the quantity of wood products cut from
5 any such land, did in fact substantially exceed the amount on which the severance
6 tax theretofore levied was based, and if so shall assess a supplemental severance tax
7 which, in all respects, shall have the same force and effect as the former severance
8 tax, except only it shall not be a lien on any property the title of which has passed
9 to a purchaser for value without notice.

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

11 77.09 (1) Any person who fails to report or shall intentionally make any false
12 statement or report to the department of ~~natural resources~~ forestry required by s.
13 77.06 shall forfeit not more than \$1,000. An action under this section shall not be
14 a bar to a cancellation of entry and order of withdrawal under s. 77.10.

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

16 77.10 (1) (a) The department of ~~natural resources~~ forestry shall on the
17 application of the department of revenue or the owner of any forest croplands or the
18 town board of the town in which said lands lie and may on its own motion at any time
19 cause an investigation to be made and hearing to be had as to whether any forest
20 croplands shall continue under this subchapter. If on such hearing after due notice
21 to and opportunity to be heard by the department of revenue, the town and the owner,
22 the department of ~~natural resources~~ forestry finds that any such lands are not
23 meeting the requirements set forth in s. 77.02 or that the owner has made use of the
24 land for anything other than forestry or has failed to practice sound forestry on the
25 land, the department of ~~natural resources~~ forestry shall cancel the entry of such

1 description and issue an order of withdrawal, and the owner shall be liable for the
2 tax and penalty under sub. (2). Copies of the order of withdrawal specifying the
3 description shall be filed by the department of ~~natural resources~~ forestry with all
4 officers designated to receive copies of the order of entry and withdrawal and this
5 subchapter shall not thereafter apply to the lands withdrawn, except s. 77.07 so far
6 as it may be needed to collect any previously levied severance or supplemental
7 severance tax. If the owner shall not repay the amounts on or before the last day of
8 February next succeeding the return of such lands to the general property tax roll
9 as provided in sub. (4), the department of ~~natural resources~~ forestry shall certify to
10 the county treasurer the descriptions and the amounts due, and the county treasurer
11 shall sell such lands as delinquent as described in s. 77.04 (2). Whenever any county
12 clerk has certified to the taking of tax deed under s. 77.04 (2) the department of
13 ~~natural resources~~ forestry shall issue an order of withdrawal as to the lands covered
14 in such tax deed. Such order may also be issued when examination of tax records
15 reveals prolonged delinquency and noncompliance with the requirements of s. 77.04
16 (2).

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

18 77.10 (1) (b) Whenever any owner of forest croplands conveys such land the
19 owner shall, within 10 days of the date of the deed, file with the department of
20 ~~natural resources~~ forestry on forms prepared by the department a transfer of
21 ownership signed by the owner and an acceptance of transfer signed by the grantee
22 certifying that the grantee intends to continue the practice of forestry on such land.
23 The department of ~~natural resources~~ forestry shall immediately issue a notice of
24 transfer to all officers designated to receive copies of orders of entry and withdrawal.
25 Whenever a purchaser of forest croplands declines to certify his or her intention to

1 continue the practice of forestry thereon, such action shall constitute cause for
2 cancellation of entry under par. (a) without hearing.

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

4 77.10 (2) (a) 1. Any owner of forest croplands may elect to withdraw all or any
5 of such lands from under this subchapter, by filing with the department of ~~natural~~
6 ~~resources~~ forestry a declaration withdrawing from this subchapter any description
7 owned by such person which he or she specified, and by payment by such owner to
8 the department of ~~natural resources~~ forestry within 60 days the amount of tax due
9 from the date of entry or the most recent date of renewal, whichever is later, as
10 determined by the department of revenue under s. 77.04 (1) with simple interest
11 thereon at 12% per year, less any severance tax and supplemental severance tax or
12 acreage share paid thereon, with interest computed according to the rule of partial
13 payments at the rate of 12% per year.

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

15 77.10 (2) (a) 2. The amount of the tax shall be determined by the department
16 of revenue and furnished to the department of ~~natural resources~~ forestry, which shall
17 determine the exact amount of payment. When the tax rate or assessed value ratio
18 of the current year has not been determined the rate of the preceding tax year may
19 be used. On receiving such payment the department of ~~natural resources~~ forestry
20 shall issue an order of withdrawal and file copies thereof with the department of
21 revenue, the supervisor of equalization and the clerk of the town, and shall record
22 the order with the register of deeds of the county, in which the land lies. The land
23 shall then cease to be forest croplands.

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

1 77.10 (2) (b) Upon receipt of any taxes under this section by the state, the
2 department of ~~natural resources forestry~~ shall first deduct all moneys paid by the
3 state on account of the lands under s. 77.05 with interest on the moneys computed
4 according to the rule of partial payments at the rate of interest paid under par. (a)
5 by the person withdrawing such lands. The department shall within 20 days remit
6 the balance to the town treasurer who shall pay 20% to the county treasurer and
7 retain the remainder.

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

9 77.10 (4) **TAXATION AFTER WITHDRAWAL.** When any description ceases to be a part
10 of the forest croplands, by virtue of any order of withdrawal issued by the department
11 of ~~natural resources forestry~~, taxes thereafter levied thereon shall be payable and
12 collectible as if such description had never been under this subchapter.

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

14 **77.11 Accounts of department of ~~natural resources forestry~~.** The
15 department of ~~natural resources forestry~~ shall keep a set of forest croplands books
16 in which shall always appear as to each description in each town containing any
17 forest croplands, the amount of taxes paid by the state to the town and received by
18 the state from the owner. All tax payments shall be paid out of and receipts credited
19 to the forestry ~~account of the conservation~~ fund.

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

21 77.13 (1) On and after July 20, 1985, no person may petition the department
22 of ~~natural resources forestry~~ requesting it to approve any land as forest croplands
23 under this subchapter.

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

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

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

6 **77.14 Forest croplands information, protection, appropriation.** The
7 department of ~~natural resources~~ forestry shall publish and distribute information
8 regarding the method of taxation of forest croplands under this subchapter, and may
9 employ a fire warden in charge of fire prevention in forest croplands. All actual and
10 necessary expenses incurred by the department of ~~natural resources~~ forestry or by
11 the department of revenue in the performance of their duties under this subchapter
12 shall be paid from the appropriation made in s. ~~20.370 (1) (mu)~~ 20.375 (2) (g) upon
13 certification by the department incurring such expenses.

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

15 77.16 (1) In this section “department” means the department of ~~natural~~
16 ~~resources~~ forestry.”.

17 **126.** Page 848, line 9: after that line insert:

18 **“SECTION 2247c.** 77.81 (1) of the statutes is amended to read:

19 77.81 (1) “Department” means the department of ~~natural resources~~ forestry.”.

20 **127.** Page 848, line 25: after that line insert:

21 **“SECTION 2247pg.** 77.82 (2) (intro.) of the statutes is amended to read:

22 77.82 (2) PETITION. (intro.) Any owner of land may petition the department to
23 designate any eligible parcel of land as managed forest land. A petition may include
24 any number of eligible parcels under the same ownership in a single municipality.

1 Each petition shall be submitted on a form provided by the department and shall be
2 accompanied by a nonrefundable \$10 application fee unless a different amount of the
3 fee is established by the department by rule at an amount equal to the average
4 expense to the department of recording an order issued under this subchapter. The
5 fee shall be deposited in the ~~conservation~~ forestry fund and credited to the
6 appropriation under s. ~~20.370 (1) (er)~~ 20.375 (2) (qr). Each petition shall include all
7 of the following:

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

9 77.82 (4) ADDITIONS TO MANAGED FOREST LAND. An owner may petition the
10 department to designate as managed forest land an additional parcel of land in the
11 same municipality if the additional parcel is at least 3 acres in size and is contiguous
12 to any of the owner's designated land. The petition shall be accompanied by a
13 nonrefundable \$10 application fee unless a different amount of the fee is established
14 in the same manner as the fee under sub. (2). The fee shall be deposited in the
15 ~~conservation~~ forestry fund and credited to the appropriation under s. ~~20.370 (1) (er)~~
16 20.375 (2) (qr). The petition shall be submitted on a department form and shall
17 contain any additional information required by the department.

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

19 77.82 (4m) (bn) A petition under this subsection shall be accompanied by a
20 nonrefundable \$100 application fee which shall be deposited in the ~~conservation~~
21 forestry fund and credited to the appropriation under s. ~~20.370 (1) (er)~~ 20.375 (2)
22 (qr).”.

23 **128.** Page 849, line 3: after that line insert:

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

1 77.84 (3) (b) Immediately after receiving the certification of the county clerk
2 that a tax deed has been taken, the department shall issue an order withdrawing the
3 land as managed forest land. The notice requirement under s. 77.88 (1) does not
4 apply to the department's action under this paragraph. The department shall notify
5 the county treasurer of the amount of the withdrawal tax, as determined under s.
6 77.88 (5), and the amount of the tax shall be payable to the department under s. 75.36
7 (3) if the property is sold by the county. The amount shall be credited to the
8 ~~conservation forestry~~ fund.

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

10 **77.85 State contribution.** The department shall pay before June 30 annually
11 the municipal treasurer, from the appropriation under s. ~~20.370 (5) (bv)~~ 20.375 (2)
12 (vm), 20 cents for each acre of land in the municipality that is designated as managed
13 forest land under this subchapter.

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

15 **77.87 (3) PAYMENT.** A tax assessed under sub. (1) or (2) is due and payable to
16 the department on the last day of the month following the date the certificate is
17 mailed to the owner. The department shall collect interest at the rate of 12% per year
18 on any tax that is paid later than the due date. Amounts received shall be credited
19 to the ~~conservation forestry~~ fund.

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

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

1 and credited to the appropriation under s. ~~20.370 (1) (er)~~ 20.375 (2) (qr). The
2 department shall immediately notify each person entitled to notice under s. 77.82 (8).

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

4 77.88 (7) PAYMENT; DELINQUENCY. A tax under sub. (5) is due and payable to the
5 department on the last day of the month following the effective date of the
6 withdrawal order. Amounts received shall be credited to the ~~conservation~~ forestry
7 fund. If the owner of the land fails to pay the tax, the department shall certify to the
8 taxation district clerk the amount due. The taxation district clerk shall enter the
9 delinquent amount on the property tax roll as a special charge.

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

11 77.89 (1) PAYMENT TO MUNICIPALITIES. By June 30 of each year, the department,
12 from the appropriation under s. ~~20.370 (5) (bv)~~ 20.375 (2) (vm), shall pay 50% of each
13 payment received under s. 77.84 (3) (b), 77.87 (3) or 77.88 (7) to the treasurer of the
14 municipality in which is located the land to which the payment applies.

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

16 77.89 (3) CONSERVATION FORESTRY FUND CREDIT. The municipal treasurer shall
17 pay all amounts received under s. 77.84 (2) (b) to the county treasurer, as provided
18 under ss. 74.25 and 74.30. The county treasurer shall, by June 30 of each year, pay
19 all amounts received under this subsection to the department. All amounts received
20 by the department shall be credited to the ~~conservation~~ forestry fund and shall be
21 reserved for land acquisition and resource management activities relating to the
22 state forests.

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

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

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

5 77.91 (5) RECORDING. Each register of deeds who receives notice of an order
6 under this subchapter shall record the action as provided under s. 59.43 (1). The
7 department shall pay the register of deeds the fee specified under s. 59.43 (2) (ag) 1.
8 from the appropriation under s. ~~20.370 (1) (er)~~ 20.375 (2) (qr). If the amount in the
9 appropriation under s. ~~20.370 (1) (er)~~ 20.375 (2) (qr) in any fiscal year is insufficient
10 to pay the full amount required under this subsection in that fiscal year, the
11 department shall pay the balance from the appropriation under s. ~~20.370 (1) (mu)~~
12 20.375 (2) (q).”.

13 **129.** Page 856, line 3: after that line insert:

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

15 80.05 (2) (b) Give notice by registered mail to the department of natural
16 resources, to the department of forestry and to the county land conservation
17 committee in each county through which the highway may pass.

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

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

1 shall state the fact and the notice shall be signed by the commissioners, otherwise
2 by the chairperson of the board.

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

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

11 **130.** Page 861, line 17: after that line insert:

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

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

under the jurisdiction of the
department of natural resources

1 of each county in which any part of the proposed change is situated. A copy of the
2 decision shall be filed in the office of the clerk of each county in which a change is
3 made or proposed. Where the distance along the deviation from the existing location
4 exceeds 5 miles the change shall constitute an addition to the state trunk highway
5 system. The preexisting route shall continue to be a state trunk highway unless the
6 county board of each county in which any part of the relocation lies and the
7 department mutually agree to its discontinuance as a state trunk highway.
8 Whenever such county board or boards and the department cannot so agree the
9 department shall report the problem to the next ensuing session of the legislature
10 for determination.”.

11 **131.** Page 868, line 2: after that line insert:

other than a
southern
state forest

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

13 84.28 (1) Moneys from the appropriation under s. 20.370 (7) (mc) 20.375 (3) (b)
14 may be expended for the renovation, marking and maintenance of a town or county
15 highway located within the boundaries of any state park, state forest or other
16 property under the jurisdiction of the department of natural resources. Moneys from
17 the appropriation under s. 20.370 (7) (mc) may be expended for the renovation,
18 marking and maintenance of a town or county highway located within the
19 boundaries of any state park, ^{or any southern state forest} in the lower Wisconsin state riverway, as defined in s.
20 30.40 (15), or on other property under the jurisdiction of the department of natural
21 resources. Outside the lower Wisconsin state riverway, as defined in s. 30.40 (15),
22 or outside the boundaries of these parks, forests or other property, moneys from the
23 appropriation under s. 20.370 (7) (mc) may be expended for the renovation, marking
24 and maintenance of roads which the department of natural resources certifies are

1 utilized by a substantial number of visitors to ^{these} state parks, ^{RAIN} state forests or other
2 property under the jurisdiction of the department of natural resources. The
3 department of natural resources shall authorize expenditures from the
4 appropriation under s. 20.370 (7) (mc) under this subsection. The department of
5 natural resources shall rank projects eligible for assistance funding from the
6 appropriation under s. 20.370 (7) (mc) under a priority system and funding may be
7 restricted to those projects with highest priority. Outside the boundaries of the state
8 forests, moneys from the appropriation under s. 20.375 (3) (b) may be expended for
9 the renovation, marking, and maintenance of roads which the department of forestry
10 certifies are utilized by a substantial number of visitors to ^{these} state forests. The
11 department of forestry shall authorize expenditures from the appropriation under
12 s. 20.375 (3) (b) under this subsection. The department of forestry shall rank projects
13 eligible for funding from the appropriation under s. 20.375 (3) (b) under a priority
14 system and funding may be restricted to those projects with the highest priority.

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

16 84.28 (2) The department may administer a program for the construction,
17 maintenance, and marking of roads, including fire roads, service areas, trailer, or
18 vehicle parking stalls or parking areas and other facilities consistent with highway
19 construction and for the marking of scenic routes in the state parks, state forests, the
20 lower Wisconsin state riverway as defined under s. 30.40 (15), state fish hatcheries,
21 other public used areas under the jurisdiction of the department of natural resources
22 or the department of forestry, and other public lands as defined in ch. 24, for
23 highways or fire roads leading from the most convenient state trunk highways to
24 such lands, and for the relocation and construction of state trunk highways in or near
25 state parks when required in the interests of public safety. Within the limitations

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

16 **132.** Page 881, line 4: after that line insert:

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

18 86.315 (1) From the appropriation under s. 20.395 (1) (fu), the department
19 shall annually, on March 10, pay to counties having county forests established under
20 ch. 28, for the improvement of public roads within the county forests which are open
21 and used for travel and which are not state or county trunk highways or town roads
22 and for which no aids are paid under s. 86.30, the amount of \$336 per mile of road
23 designated in the comprehensive county forest land use plan as approved by the
24 county board and the department of ~~natural resources~~ forestry. If the amount

1 appropriated under s. 20.395 (1) (fu) is insufficient to make the payments required
2 under this subsection, the department shall prorate the amount appropriated in the
3 manner it considers desirable.”.

4 **133.** Page 912, line 2: after that line insert:

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

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

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

10 106.215 (7) (c) *Conservation fund appropriation.* Notwithstanding par. (a),
11 moneys appropriated under s. 20.445 (6) (u) ~~that are not derived from the forestation~~
12 ~~state tax under s. 70.58~~ may be utilized for any project approved by the board
13 regardless of whether the project consists in whole or in part of conservation
14 activities.”.

15 **134.** Page 917, line 22: after that line insert:

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

17 **118.025 Arbor day observance.** A school principal may request one free tree
18 provided from state forest nurseries by the department of ~~natural resources~~ forestry
19 under s. 28.06 for each 4th grade pupil in the school for planting in conjunction with
20 an annual observance and celebration of arbor day.”.

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

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

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

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

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

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

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

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

13 **137.** Page 960, line 10: after that line insert:

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

15 165.85 (4) (b) 1. No person may be appointed as a law enforcement or tribal law
16 enforcement officer, except on a temporary or probationary basis, unless the person
17 has satisfactorily completed a preparatory program of law enforcement training
18 approved by the board and has been certified by the board as being qualified to be
19 a law enforcement or tribal law enforcement officer. The program shall include 400
20 hours of training, except that the program for law enforcement officers who serve as
21 rangers for the department of natural resources or the department of forestry
22 includes 240 hours of training. The board shall promulgate a rule under ch. 227
23 providing a specific curriculum for a 400–hour conventional program and a 240–hour
24 ranger program. The rule shall ensure that there is an adequate amount of training

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

10 230.08 (2) (e) 4p. Forestry — 1.

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

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

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

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

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

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

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

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

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

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

7 230.36 (2m) (a) 5. A conservation field employee of the department of natural
8 resources or the department of forestry who is subject to call for fire control duty.”.

9 **142.** Page 1090, line 13: after that line insert:

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

11 **303.04 Correctional farms.** The board of commissioners of public lands, the
12 department of natural resources, the department of forestry, and the department
13 may select from the state forest reserves a quantity of land not to exceed 5,000 acres
14 and convert the same into farms for the state prisons.”.

15 **143.** Page 1094, line 6: after that line insert:

16 “**SECTION 3390v.** 340.01 (3) (b) of the statutes is amended to read:

17 340.01 (3) (b) Conservation wardens’ vehicles, state forest rangers’ vehicles or
18 foresters’ trucks, whether publicly or privately owned.”.

19 **144.** Page 1103, line 23: after that line insert:

20 “**SECTION 3407m.** 341.65 (2) (b) of the statutes is amended to read:

21 341.65 (2) (b) Any municipal or university police officer, sheriff’s deputy, county
22 traffic patrolman, state traffic officer, state forest ranger or conservation warden who
23 discovers any unregistered motor vehicle located upon any highway may cause the
24 motor vehicle to be immobilized with an immobilization device or removed to a

1 suitable place of impoundment. Upon immobilization or removal of the motor
2 vehicle, the officer, state forest ranger or conservation warden shall notify the sheriff
3 or chief of police of the location of the immobilized or impounded motor vehicle and
4 the reason for the immobilization or impoundment.”.

5 **145.** Page 1104, line 13: after that line insert:

6 “**SECTION 3408t.** 342.40 (3) (a) of the statutes is amended to read:

7 342.40 (3) (a) Any municipal or university police officer, police officer appointed
8 under s. 16.84 (2), sheriff’s deputy, county traffic patrolman, state traffic officer, state
9 forest ranger or conservation warden who discovers any motor vehicle, trailer,
10 semitrailer, or mobile home on any public highway or private or public property
11 which has been abandoned shall cause the vehicle to be removed to a suitable place
12 of impoundment. Upon removal of the vehicle the officer, state forest ranger or
13 conservation warden shall notify the sheriff or chief of police of the abandonment and
14 of the location of the impounded vehicle.”.

15 **146.** Page 1129, line 6: after that line insert:

16 “**SECTION 3445c.** 347.06 (1) of the statutes is amended to read:

17 347.06 (1) Except as provided in subs. (2) ~~and~~, (4), and (5), no person may
18 operate a vehicle upon a highway during hours of darkness unless all headlamps, tail
19 lamps, and clearance lamps with which such vehicle is required to be equipped are
20 lighted. Parking lamps as defined in s. 347.27 shall not be used for this purpose.

21 **SECTION 3445d.** 347.06 (5) of the statutes is created to read:

22 347.06 (5) A state forest ranger appointed under s. 28.92 may operate a vehicle
23 owned or leased by the department of forestry upon a highway during hours of

1 darkness without lighted headlamps, tail lamps, or clearance lamps in the
2 performance of his or her duties.”

3 **147.** Page 1134, line 23: after that line insert:

4 “SECTION 3457m. 350.01 (9g) of the statutes is amended to read:

5 350.01 (9g) “Law enforcement officer” has the meaning specified under s.
6 165.85 (2) (c) and includes a person appointed as a conservation warden by the
7 department under s. 23.10 (1) or a state forest ranger appointed under s. 28.92.”

8 **148.** Page 1140, line 11: after that line insert:

9 “SECTION 3483m. 350.12 (4) (b) (intro.) of the statutes, as affected by 2001
10 Wisconsin Act (this act), is amended to read:

11 350.12 (4) (b) *Trail aids and related costs.* (intro.) The moneys appropriated
12 under ~~s. ss. 20.370 (1) (mq) and (5) (cb), (cr), (cs), and (cw)~~ and 20.375 (3) (sq) shall
13 be used for development and maintenance, the cooperative snowmobile sign
14 program, major reconstruction or rehabilitation to improve bridges on existing
15 approved trails, trail rehabilitation, signing of snowmobile routes, and state
16 snowmobile trails, and areas and distributed as follows.”

17 **149.** Page 1140, line 19: after that line insert:

18 “SECTION 3484m. 350.12 (4) (bg) 1. of the statutes, as affected by 2001
19 Wisconsin Act (this act), is amended to read:

20 350.12 (4) (bg) 1. Of the moneys appropriated under s. 20.370 (5) (cs), the
21 department of natural resources shall make available in fiscal year 2001–02 and
22 each fiscal year thereafter an amount equal to the amount calculated under s. 25.29
23 (1) (d) 2. to make payments to the department of forestry or a county under par. (bm)
24 for trail maintenance costs incurred in the previous fiscal year that exceed the

1 maximum specified under par. (b) 1. before expending any of the amount for the other
2 purposes specified in par. (b).”

3 **150.** Page 1141, line 4: after that line insert:

4 “**SECTION 3485c.** 350.12 (4) (bm) (intro.) of the statutes is amended to read:

5 350.12 (4) (bm) *Supplemental trail aid payments; eligibility.* (intro.) A county
6 or the department of forestry shall be eligible for payments under par. (bg) if it
7 applies for the aid and if all of the following apply:

8 **SECTION 3485g.** 350.12 (4) (bm) 1. of the statutes is amended to read:

9 350.12 (4) (bm) 1. The actual cost incurred by the department of forestry or the
10 county in maintaining its trails that are qualified under par. (b) 1. or 4. in the
11 previous fiscal year exceeds the maximum of \$250 per mile per year under par. (b)
12 1.

13 **SECTION 3485n.** 350.12 (4) (bm) 2. of the statutes is amended to read:

14 350.12 (4) (bm) 2. Of the actual cost incurred by the department of forestry or
15 the county in maintaining its trails that are qualified under par. (b) 1. or 4. for the
16 fiscal year applicable under subd. 1., the actual cost incurred in grooming the trails
17 exceeds a maximum of \$130 per mile per year.

18 **SECTION 3485r.** 350.12 (4) (br) of the statutes is amended to read:

19 350.12 (4) (br) *Supplemental trail aid payments; insufficient funding.* If the
20 aid that is payable to counties and to the department of forestry under par. (bm)
21 exceeds the moneys available under par. (bg), the department of natural resources
22 may prorate the payments or may request the joint committee on finance to take
23 action under s. 13.101. The requirement of a finding of emergency under s. 13.101
24 (3) (a) 1. does not apply to such a request.

1 **SECTION 3485w.** 350.12 (4) (c) 1. of the statutes is amended to read:

2 350.12 (4) (c) 1. Any moneys appropriated under s. 20.370 ~~(1) (mq)~~, (3) (aq) or
3 (9) (mw) or 20.375 (3) (sg) that lapse shall revert to the snowmobile account in the
4 conservation fund.”.

5 **151.** Page 1143, line 2: after that line insert:

6 **“SECTION 3491d.** 350.14 (1) of the statutes is amended to read:

7 350.14 (1) The snowmobile recreational council shall carry out studies and
8 make recommendations to the legislature, governor, department of natural
9 resources, department of forestry, and department of transportation on all matters
10 related to this chapter or otherwise affecting snowmobiles and snowmobiling.

11 **SECTION 3491h.** 350.145 (3) (a) 1. of the statutes is amended to read:

12 350.145 (3) (a) 1. Before June 30 of each even-numbered year, the department
13 shall consult with the department of forestry and the snowmobile recreational
14 council on the proposed changes for the succeeding biennium in the appropriations
15 and laws that affect snowmobiles and snowmobiling.

16 **SECTION 3491p.** 350.15 (3) (a) of the statutes is amended to read:

17 350.15 (3) (a) If a snowmobile accident results in the death of any person, or
18 in an injury that requires the treatment of a person by a physician, the operator of
19 each snowmobile involved in the accident shall give notice of the accident to a
20 ~~conservation warden or local~~ law enforcement officer as soon as possible and, within
21 10 days after the accident, shall file a written report of the accident with the
22 department on the form prescribed by it.

23 **SECTION 3491t.** 350.17 (1) of the statutes is amended to read:

1 350.17 (1) ~~Any officer of the state traffic patrol under s. 110.07 (1), inspector~~
2 ~~under s. 110.07 (3), warden of the department under s. 23.10, county sheriff or~~
3 ~~municipal peace officer~~ law enforcement officer may enforce the provisions of this
4 chapter.”.

5 **152.** Page 1200, line 8: after that line insert:

6 “**SECTION 3815m.** 800.02 (2) (a) (intro.) of the statutes is amended to read:

7 800.02 (2) (a) (intro.) The citation shall be signed by a peace officer or endorsed
8 by a municipal attorney or, if applicable, signed by a conservation warden or a state
9 forest ranger. In addition, the governing body of a municipality authorized to adopt
10 the use of citations may designate by ordinance or resolution other municipal
11 officials who may issue citations with respect to ordinances which are directly
12 related to the official responsibilities of the officials. Officials granted the authority
13 to issue citations may delegate, with the approval of the governing body, the
14 authority to employees. Authority delegated to an official or employee may be
15 revoked only in the same manner by which it is conferred. The citation shall contain
16 substantially the following information:”.

17 **153.** Page 1219, line 4: after that line insert:

18 “**SECTION 3866d.** 895.52 (2) (a) 2. of the statutes is amended to read:

19 895.52 (2) (a) 2. A duty to inspect the property, except as provided under ~~s.~~ ss.
20 23.115 (2) and 28.045 (3).

21 **SECTION 3866h.** 895.52 (3) (b) of the statutes is amended to read:

22 895.52 (3) (b) A death or injury caused by a malicious act or by a malicious
23 failure to warn against an unsafe condition of which an officer, employee or agent
24 knew, which occurs on property designated by the department of natural resources

1 under s. 23.115, designated by the department of forestry under s. 28.045 or
2 designated by another state agency for a recreational activity.

3 **SECTION 3866p.** 895.53 (1) (am) of the statutes is created to read:

4 895.53 (1) (am) "State forest ranger" means a person appointed as a state forest
5 ranger by the department of forestry under s. 28.92.

6 **SECTION 3866t.** 895.53 (2) of the statutes is amended to read:

7 895.53 (2) Any person withdrawing blood at the request of a traffic officer, law
8 enforcement officer, state forest ranger, or conservation warden for the purpose of
9 determining the presence or quantity of alcohol, controlled substances, controlled
10 substance analogs or any combination of alcohol, controlled substances and
11 controlled substance analogs is immune from any civil or criminal liability for the
12 act, except for civil liability for negligence in the performance of the act."

13 **154.** Page 1250, line 14: after that line insert:

14 **"SECTION 3984t.** 951.01 (4) of the statutes is amended to read:

15 951.01 (4) "Law enforcement officer" has the meaning assigned under s. 967.02
16 (5), but does not include a conservation warden appointed under s. 23.10 or a state
17 forest ranger."

***NOTE: SECTION 9137(~~(5mk)~~) (5x) and (5y) will need redrafting once the effective date is finalized.

18 **155.** Page 1348, line 6: after that line insert:

19 "(9zw) TRANSFER OF THE DIVISION OF FORESTRY TO THE DEPARTMENT OF FORESTRY.

20 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
21 liabilities of the department of natural resources that are primarily related to the
22 functions of the division of forestry, as determined by the secretary of administration,
23 shall become the assets and liabilities of the department of forestry. If either

insert
119-17
INSERT 119-17B ✓
Insert 119-17C ✓

1 department is dissatisfied with the secretary's determination, that department may
2 bring the matter to the cochairpersons of the joint committee on finance for
3 consideration by the committee, and the committee shall affirm or modify the
4 decision.

5 (b) *Employee transfers.*

6 1. All incumbent employees holding positions in the department of natural
7 resources relating primarily to the functions of the division of forestry, as determined
8 by the secretary of administration, are transferred on the effective date of this
9 subdivision to the department of forestry. If either department is dissatisfied with
10 the secretary's determination, that department may bring the matter to the
11 cochairpersons of the joint committee on finance for consideration by the committee,
12 and the committee shall affirm or modify the decision.

13 2. The secretary of administration shall determine which incumbent
14 employees holding positions in the department of natural resources that relate
15 primarily to general administration and program support will be transferred to the
16 department of forestry. If either department is dissatisfied with the secretary's
17 determination, that department may bring the matter to the cochairpersons of the
18 joint committee on finance for consideration by the committee, and the committee
19 shall affirm or modify the decision.

20 (c) *Employee status.* Employees transferred under paragraph (b) shall have the
21 same rights and status under subchapter V of chapter 111 and chapter 230 of the
22 statutes in the department of forestry that they enjoyed in the department of natural
23 resources immediately before the transfer. Notwithstanding section 230.28 (4) of the
24 statutes, no employee so transferred who has attained permanent status in class is
25 required to serve a probationary period.

1 (d) *Tangible personal property.* On the effective date of this paragraph, all
2 tangible personal property, including records, of the department of natural resources
3 that is primarily related to the functions of the division of forestry, as determined by
4 the secretary of administration, shall be transferred to the department of forestry.
5 If either department is dissatisfied with the secretary's determination, that
6 department may bring the matter to the cochairpersons of the joint committee on
7 finance for consideration by the committee, and the committee shall affirm or modify
8 the decision.

9 (e) *Contracts.* All contracts entered into by the department of natural resources
10 in effect on the effective date of this paragraph that are primarily related to the
11 functions of the division of forestry, as determined by the secretary of administration,
12 remain in effect and are transferred to the department of forestry. If either
13 department is dissatisfied with the secretary's determination, that department may
14 bring the matter to the cochairpersons of the joint committee on finance for
15 consideration by the committee, and the committee shall affirm or modify the
16 decision. The department of forestry shall carry out any such contractual obligations
17 unless modified or rescinded by the department of forestry to the extent allowed
18 under the contract.

19 (f) *Rules and orders.* All rules promulgated by the department of natural
20 resources that are primarily related to the functions of the division of forestry, as
21 determined by the secretary of administration, and that are in effect on the effective
22 date of this paragraph remain in effect until their specified expiration dates or until
23 amended or repealed by the department of forestry. All orders issued by the
24 department of natural resources that are primarily related to the functions of the
25 division of forestry, as determined by the secretary of administration, and that are

1 in effect on the effective date of this paragraph remain in effect until their specified
2 expiration dates or until modified or rescinded by the department of forestry. If
3 either department is dissatisfied with the secretary's determination, that
4 department may bring the matter to the cochairpersons of the joint committee on
5 finance for consideration by the committee, and the committee shall affirm or modify
6 the decision.

7 (g) *Pending matters.* Any matter pending with the department of natural
8 resources on the effective date of this paragraph that is primarily related to the
9 functions of the division of forestry, as determined by the secretary of administration,
10 is transferred to the department of forestry and all materials submitted to or actions
11 taken by the department of natural resources with respect to the pending matter are
12 considered as having been submitted to or taken by the department of forestry. If
13 either department is dissatisfied with the secretary's determination, that
14 department may bring the matter to the cochairpersons of the joint committee on
15 finance for consideration by the committee, and the committee shall affirm or modify
16 the decision.

17 (h) *Position changes.*

18 1. The authorized FTE positions for the department of natural resources are
19 decreased by 3.5 FED positions related to forests funded from the appropriation
20 under section 20.370 (1) (my) of the statutes.

21 ~~2. The authorized FTE positions for the department of natural resources are~~
22 ~~decreased by 12.25 FED positions related to state parks funded from the~~
23 ~~appropriation under section 20.370 (1) (my) of the statutes.~~

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The authorized FTE positions for the department of natural resources are decreased by 2.0 FED positions related to southern ^{state} forests funded from the appropriation under section 20.370 (1) (my) of the statutes.

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3. The authorized FTE positions for the department of natural resources are decreased by 1.48 PR positions related to forestry funded from the appropriation under section 20.370 (8) (mk) of the statutes.

5

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~~5. The authorized FTE positions for the department of natural resources are decreased by 0.76 PR position related to state parks funded from the appropriation under section 20.370 (8) (mk) of the statutes.~~

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6. There are authorized for the department of forestry 59.47 FTE GPR positions to be funded from the appropriation under section 20.375 (1) (a) of the statutes, as affected by this act.

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7. There are authorized for the department of forestry 59.47 FTE GPR positions related to state parks to be funded from the appropriation under section 20.375 (1) (a) of the statutes, as affected by this act.

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8. There are authorized for the department of forestry 11.17 FTE GPR positions related to administration and technology to be funded from the appropriation under section 20.375 (1) (a) of the statutes, as affected by this act.

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9. There are authorized for the department of forestry 14.04 FTE GPR positions related to customer service to be funded from the appropriation under section 20.375 (1) (a) of the statutes, as affected by this act.

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10. There is authorized for the department of forestry 0.76 FTE PR-S position to be funded from the appropriation under section 20.375 (1) (k) of the statutes, as created by this act.

1 11. There are authorized for the department of forestry 96.78 FTE SEG
2 positions related to state parks to be funded from the appropriation under section
3 20.375 (1) (q) of the statutes, as created by this act.

4 12. There are authorized for the department of forestry 3.3 FTE SEG positions
5 related to land program management to be funded from the appropriation under
6 section 20.375 (1) (q) of the statutes, as created by this act.

7 13. There are authorized for the department of forestry 8.37 FTE SEG positions
8 related to facilities and lands to be funded from the appropriation under section
9 20.375 (1) (q) of the statutes, as created by this act.

10 14. There are authorized for the department of forestry 44.75 FTE SEG
11 positions related to southern forests to be funded from the appropriation under
12 section 20.375 (1) (q) of the statutes, as created by this act.

13 15. There is authorized for the department of forestry 0.61 FTE SEG position
14 related to enforcement and science to be funded from the appropriation under section
15 20.375 (1) (q) of the statutes, as created by this act.

16 16. There are authorized for the department of forestry 15.17 FTE SEG
17 positions related to administration and technology to be funded from the
18 appropriation under section 20.375 (1) (q) of the statutes, as created by this act.

19 17. There are authorized for the department of forestry 4.29 FTE SEG positions
20 related to customer service to be funded from the appropriation under section 20.375
21 (1) (q) of the statutes, as created by this act.

22 18. There are authorized for the department of forestry 2.5 FTE SEG positions
23 to be funded from the appropriation under section 20.375 (1) (sv) of the statutes, as
24 affected by this act.

1 19. There are authorized for the department of forestry 12.25 FED positions
2 related to state parks to be funded from the appropriation under section 20.375 (1)
3 (x) of the statutes, as created by this act.

4 20. There are authorized for the department of forestry 2.0 FTE FED positions
5 related to southern forests to be funded from the appropriation under section 20.375
6 (1) (x) of the statutes, as created by this act.

7 21. There are authorized for the department of forestry 1.48 FTE PR positions
8 to be funded from the appropriation under section 20.375 (2) (k) of the statutes, as
9 created by this act.

10 22. There are authorized for the department of forestry 432.94 FTE SEG
11 positions related to forestry to be funded from the appropriation under section 20.375
12 (2) (q) of the statutes, as created by this act.

13 23. There are authorized for the department of forestry 31.41 FTE SEG
14 positions related to land program management to be funded from the appropriation
15 under section 20.375 (2) (q) of the statutes, as created by this act.

16 24. There are authorized for the department of forestry 31.16 FTE SEG
17 positions related to land facilities and lands to be funded from the appropriation
18 under section 20.375 (2) (q) of the statutes, as created by this act.

19 25. There are authorized for the department of forestry 10.03 FTE SEG
20 positions related to enforcement and science to be funded from the appropriation
21 under section 20.375 (2) (q) of the statutes, as affected by this act.

22 26. There are authorized for the department of forestry 76.55 FTE SEG
23 positions related to administration and technology to be funded from the
24 appropriation under section 20.375 (2) (q) of the statutes, as created by this act.

1 27. There are authorized for the department of forestry 29.91 FTE SEG
2 positions related to customer service to be funded from the appropriation under
3 section 20.375 (2) (q) of the statutes, as created by this act.

4 28. There are authorized for the department of forestry 3.5 FTE FED positions
5 to be funded from the appropriation under section 20.375 (2) (x) of the statutes, as
6 created by this act.

7 (9zy) APPOINTMENT OF FORESTRY SECRETARY; EARLY APPOINTMENT.

8 Notwithstanding the effective date of the treatment of section 15.45 of the statutes
9 by this act, the governor may nominate and with the advice and consent of the senate
10 appoint, before July 1, 2002, the secretary of forestry to take office on July 1, 2002.”

11 **156.** Page 1421, line 23: after that line insert:

12 “(1z) DEPARTMENT OF FORESTRY. The repeal of sections 15.343, 20.370 (1) (er),
13 23.09 (2) (d) 1., 23.09 (2) (d) 5., ^{27.016 (1) (c),} and 70.114 (1) (a) of the statutes; the renumbering of
14 sections 20.370 (1) (ct), 20.370 (1) (cu), 20.370 (1) (cv), 20.370 (1) (Lt), ~~20.370 (1) (mq)~~
15 20.370 (1) (mz), 20.370 (5) (av), 20.370 (5) (ay), 20.370 (5) (bq), 20.370 (5) (br), 20.370
16 (5) (bs), 20.370 (5) (bt), 20.370 (5) (bu), 20.370 (5) (bv), 20.370 (5) (bw), 20.370 (5) (bx),
17 20.370 (5) (by), 20.370 (5) (dx), 23.09 (11) (a), 23.097 (1) (by SECTION 1037m), 25.29
18 (7) (intro.), 27.01 (7) (h), and 27.01 (7m) (a) of the statutes; the renumbering and
19 amendment of sections 20.370 (1) (cq), 20.370 (1) (cr), 20.370 (1) (cs), ~~20.370 (1) (mq)~~
20 ~~20.370 (1) (ms)~~ 20.370 (5) (as), 20.370 (au), 23.09 (17m) (a), 25.29 (7) (a), 25.29 (7)
21 (b), and 27.01 (7m) (b) of the statutes; the amendment of sections 1.055 (1), 1.056,
22 13.101 (6) (a) (by SECTION 99m), 14.82 (1) (intro.), 15.225 (2) (c), 16.967 (6) (by SECTION
23 343p), 20.115 (7) (qc) (by SECTION 425c), 20.143 (1) (t), 20.285 (1) (qm), 20.285 (1) (rc),
24 ^{20.370 (1) (eq),} 20.370 (1) (mu), 20.370 (5) (da), 20.370 (5) (dq), 20.370 (7) (fa), 20.370 (7) (ft), 20.370

20.370 (4) (aw),

1 (7) (mc), ^{20.380(2)(g)} 20.866 (1) (u) (by SECTION 962b), 23.09 (2p) (a), 23.09 (2p) (b), 23.09 (3) (a),
 2 23.09 (17m) (b), 23.09 (18) (a), 23.09 (18) (b), 23.09 (18) (c), 23.09 (21m), 23.09 (26)
 3 (a), 23.09 (26) (am) 2., 23.0917 (1) (c), 23.0917 (3) (a) (by SECTION 1034hm), 23.092 (5)
 4 (a), 23.094 (4) (a), 23.095 (1m) (title), 23.095 (1m) (a), 23.0955 (2) (am), 23.0956 (1)
 5 (intro.), 23.0957 (2) (intro.), 23.0957 (3) (d), 23.096 (2) (a), 23.096 (3) (intro.), 23.096
 6 (4) (a) 1., 23.096 (4) (a) 2., 23.096 (4) (b), 23.098 (1) (ag), 23.098 (2), 23.098 (3), 23.098
 7 (4) (a), 23.098 (4) (am), 23.098 (4) (b), 23.11 (1), 23.13, 23.14 (1) and (2), 23.15 (title),
 8 23.15 (1), 23.15 (2), 23.15 (3), 23.15 (4), 23.15 (5) (a), 23.15 (5) (b), 23.175 (3m), 23.26
 9 (3), 23.29 (2), 23.293 (4), 23.293 (5), 23.305 (title), 23.305 (2), 23.305 (3), 23.33 (1) (ig),
 10 23.33 (5) (a), 23.33 (5m) (c) 4., 23.33 (5m) (c) 5., 23.33 (8) (c), 23.33 (9) (b) (intro.), 23.33
 11 (12) (a), 24.39 (1), 24.39 (2), 25.29 (1) (a), 25.29 (6) (by SECTION 1119c), 25.295 (1) (b),
 12 26.01, 26.06 (1), ^{26.08(1)} 26.08 (2) (a), 26.08 (3), 26.11 (6), 26.11 (7) (a) (by SECTION 1148c),
 13 26.11 (7) (b), 26.12 (2), 26.14 (2), 26.20 (6) (b), ^{26.22} 26.30 (2), 26.30 (4), 26.37 (1) (intro.),
 14 26.37 (1) (a), 26.37 (1) (b), 26.37 (1) (c), 26.37 (1) (d), 26.37 (1) (e), 26.37 (1) (f), 26.37
 15 (1) (g), 26.39 (2) and (3), 27.01 (7) (a) 3., 27.01 (7) (gu), 27.01 (10) (b), 27.01 (10) (d)
 16 1., 27.01 (10) (d) 2., 27.01 (10) (d) 3., 27.01 (10) (d) 4., 27.01 (10) (d) 5., 27.01 (10) (d)
 17 6., 27.01 (10) (e), 27.01 (10) (f), 27.01 (10) (g) (intro.), 27.01 (10) (h), 27.01 (11) (a),
 18 27.01 (11) (b) (intro.), 27.01 (11) (cm) 1., 27.01 (11) (cm) 2., 27.01 (11) (i), ~~27.016(1)~~
 19 ^{28.01} 27.019 (12), 28.005, ^{28.02(1)} 28.02 (title), ^{28.02(2)} 28.02 (1), ^{28.03(1)} 28.035 (2), ^{28.03(3)} 28.035 (3) (b), 28.06 (2m)
 20 (by SECTION 1153qc), ^{28.04(2)} 28.08, 28.11 (5m) (a) (intro.), ^{28.04(2)} 28.11 (5r) (b), ^{28.04(2)} 28.11 (8) (a), 28.11
 21 (8) (b) 1., 28.11 (8) (b) 2., 28.11 (9) (am), 28.11 (9) (ar) 1., 28.11 (9) (ar) 2., 30.277 (1m)
 22 (a), 30.50 (4s), 30.54 (2), 30.544, 30.67 (2) (a), 30.92 (1) (b), 30.92 (3) (b) 7., 32.035 (3),
 23 40.02 (48) (c), 42.09 (2) (b), 44.57 (1) (c), 59.01, 59.52 (6) (a), 59.74 (2) (g), 66.0217 (9)
 24 (b), 66.0221 (1) (by SECTION 2019mn), 66.0235 (5), 66.0307 (4) (a) 1., 66.0407 (5),
 25 70.113 (1) (intro.), 70.113 (2) (a), 70.114 (1) (d), 70.114 (2), 70.114 (3), 70.114 (4) (a),

(c), 28.04 (3)(a), 28.04 (3)(b), 28.05(1),

1 70.58, 71.59 (1m), 77.02 (1), 77.02 (2), 77.02 (3), 77.03, 77.04 (2), 77.05, 77.06 (1),
2 77.06 (2), 77.06 (3), 77.06 (4), 77.06 (5), 77.07 (2), 77.08, 77.09 (1), 77.10 (1) (a), 77.10
3 (1) (b), 77.10 (2) (a) 1., 77.10 (2) (a) 2., 77.10 (2) (b), 77.10 (4), 77.11, 77.13 (1), 77.13
4 (2), 77.14, 77.16 (1), 77.81 (1), 77.82 (2) (intro.), 77.82 (4), 77.82 (4m) (bn), 77.84 (3)
5 (b), 77.85, 77.87 (3), 77.88 (2) (d), 77.88 (7), 77.89 (1), 77.89 (3), 77.91 (4), 77.91 (5),
6 80.05 (2) (b), 80.39 (2), 84.01 (17), 84.02 (3) (a), 84.28 (1), 84.28 (2), 86.315 (1), 106.215
7 (7) (a), 106.215 (7) (c), 118.025, 134.60, 165.25 (4) (a), 165.85 (4) (b) 1., 227.46 (8),
8 230.08 (2) (e) 8., 230.36 (1m) (b) 1. (intro.), 230.36 (1m) (b) 2. (intro.) (by SECTION
9 3081d), 230.36 (2m) (a) 4., 230.36 (2m) (a) 5., 303.04, 340.01 (3) (b), 341.65 (2) (b),
10 342.40 (3) (a), 347.06 (1), 350.01 (9g), 350.12 (4) (b) (intro.) (by SECTION 3483m),
11 350.12 (4) (bg) 1. (by SECTION 3484m), 350.12 (4) (bm) (intro.), 350.12 (4) (bm) 1.,
12 350.12 (4) (bm) 2., 350.12 (4) (br), 350.12 (4) (c) 1., 350.14 (1), 350.145 (3) (a) 1., 350.15
13 (3) (a), 350.17 (1), 800.02 (2) (a) (intro.), 895.52 (2) (a) 2., 895.52 (3) (b), 895.53 (2), and
14 951.01 (4) of the statutes; and the creation of sections 15.45, ^{20.370(1)(mv), 20.370(1)(mx),} 20.375 (intro.), 20.375
15 (2) (title), 20.375 (2) (h), 20.375 (2) (k), 20.375 (2) (q), 20.375 (2) (qf), 20.375 (2) (rq),
16 20.375 (2) (x), 20.375 (3) (title), 20.375 (3) (b), 20.375 (3) (c), 20.375 (3) (d), 20.375 (3)
17 (h), 20.375 (3) (k), 20.375 (3) (q), 20.375 (3) (r), 20.375 (3) (s), ^{20.375(3)(sg), 20.375(3)(st),} 20.375 (3) (t), 20.375 (3)
18 (um), 20.375 (3) (v), 20.375 (3) (x), 20.445 (6) (v), 20.923 (4) (f) 7y., 23.09 (11) (ag), 23.09
19 (17m) (ac), 23.09 (20) (ar), 23.0917 (4r), 23.0919, 23.0955 (2) (c), 23.0956 (3), 23.096
20 (2) (am), 23.096 (3m), 23.097 (1b), 23.098 (2m), 23.15 (1m), 23.15 (4m), 23.15 (5) (c),
21 23.30 (4), 23.33 (9m), 25.17 (1) (fs), 25.17 (1) (fv), 25.28, 25.294, 27.01 (7) (h) 2., 27.01
22 (7m) (a) 2., 27.01 (7m) (b) 2., 28.012 (title), 28.012 (1), 28.012 (2), 28.012 (3), 28.012
23 (4), 28.012 (5), 28.012 (6), 28.012 (7), 28.012 (8), 28.012 (9), ^{28.03(4),} 28.045, 28.90 (title), 28.90
24 (1), 28.92, 28.94, 28.98, 32.02 (15m), 40.02 (17) (n), 40.65 (4w), 70.113 (1m), 70.114
25 (4) (b), 227.43 (1) (bd), 227.43 (2) (am), 227.43 (3) (am), 227.43 (4) (am), 230.08 (2) (e)

①

4p., 347.06 (5), ~~and~~ 895.53 (1) (am) ^{, and 990.01 (39)} of the statutes and SECTION 9137 (9zw) of this act
take effect on July 1, 2002.”

2

3

(END)

— 1WS 293 ✓

Insert 119-17c

b2221/2ins.RK

✓ #. Page 1346, line 17: after "2001-02 and"
insert "the department of forestry shall
provide".

✓ #. Page 1346, line 21: after "2001-02 and"
insert "the department of forestry shall
provide".

2001-2002 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb2221/P1insRK
RNK:.....

INSERT 16-7

SECTION 585im. 20.370 (1) (eq) of the statutes is amended to read:

20.370 (1) (eq) *Parks and forests — operation and maintenance.* From the heritage state parks and forests trust fund, a sum sufficient for grants under s. 27.016 and for the operation and maintenance of the state parks, of the southern state forests, as defined in s. 27.016 (1) (e), and of state recreation areas as provided in s. 27.016 (7).

History: 1971 c. 40, 95; 1971 c. 125 ss. 101 to 121, 522 (1); 1971 c. 211, 215, 277, 330, 336; 1973 c. 12 s. 37; 1973 c. 90, 100; 1973 c. 243 a. 82; 1973 c. 296, 298, 301, 318, 333, 336; 1975 c. 8, 39, 51, 91, 198; 1975 c. 224 ss. 7d, 7f, 7m, 17 to 19p; 1977 c. 29 ss. 181 to 234, 1657 (34); 1977 c. 274, 370, 374, 376, 377; 1977 c. 418 ss. 95 to 110, 929 (37); 1977 c. 421, 432; 1977 c. 447 ss. 42 to 44, 210; 1979 c. 34 ss. 199 to 322, 2102 (39) (a); 1979 c. 221; 1979 c. 361 s. 113; 1981 c. 1, 20, 86, 95, 131, 294, 330; 1981 c. 374 ss. 6, 7, 148, 150; 1983 a. 27 ss. 216m to 269, 2202 (23); 1983 a. 75, 181, 243, 397; 1983 a. 410 ss. 5m to 11, 2202 (38); 1983 a. 413; 1983 a. 416 ss. 1, 19; 1983 a. 426; 1985 a. 16, 22; 1985 a. 29 ss. 282d to 356, 3202 (26) (a), (39) (a), (c), (dm), (i); 1985 a. 46, 60, 65, 120, 202, 296; 1987 a. 27, 98, 110, 290, 295, 298, 305; 1987 a. 312 s. 17; 1987 a. 384, 397, 399, 403, 418; 1989 a. 31, 128, 284, 288, 326; 1989 a. 335 ss. 22m to 30g, 89; 1989 a. 336, 350, 359, 366; 1991 a. 32; 1991 a. 39 ss. 326b to 394, 594c; 1991 a. 254, 269, 300, 309, 315; 1993 a. 16, 75, 166, 213, 343, 349, 415, 421, 453, 464; 1993 a. 490 ss. 18, 271; 1995 a. 27, 201, 225, 227, 296, 378, 459; 1997 a. 27, 33; 1997 a. 237 ss. 33 to 38d, 727g; 1997 a. 248; 1999 a. 9, 32, 74, 92; 1999 a. 150 s. 672; 1999 a. 185.

INSERT 17-3

✓ 1. Page 330, line 8: after that line insert:

“SECTION 600r. 20.370 (4) (aw) of the statutes, as created by 2001 Wisconsin Act (this act), is amended to read:

20.370 (4) (aw) *Water resources — beach maintenance in state parks and state forests.* The amounts in the schedule for the development, operation, and maintenance of beaches located in state parks or southern state forests, as defined in s. 27.016 (1) (e).”

INSERT

2. Page ?, line ? : after that line insert:

INSERT 52-7

SECTION 1146t. 26.08 (1) of the statutes is amended to read:

26.08 (1) The department of forestry may, from time to time, lease parts or parcels of state park lands or state forest lands, other than lands in southern state

5121

plain

forests. The department of natural resources may lease parts or parcels of lands in southern state forests. These leases shall contain proper covenants to guard against trespass and waste. The rents arising from these leases shall be paid into the state treasury to the credit of the proper fund. Licenses also may be granted to prospect for ore or mineral upon any of these lands; but proper security shall be taken that the licensees will fully inform the department that grants a license of every discovery of ore or mineral and will restore the surface to its former condition and value if no discovery of valuable deposits is made. The department that enters into a lease or grants a license shall retain a copy of each lease or license and file the original in the office of the board of commissioners of public lands.

History: 1979 c. 34; 1987 a. 27; 1997 a. 27; 1999 a. 9.

INSERT 54-21

SECTION 1149c. 26.22 of the statutes is amended to read:

26.22 Sales, etc. The department of forestry may sell any timber on the state park or state forest lands ~~which~~, other than lands in southern state forests, that has been damaged by fire or wind, on such terms and in such manner as it shall deem best for the interest of the state. The department of natural resources may sell any timber on lands in southern state forests that has been damaged by fire or wind, on such terms and in such manner as it shall deem best for the interest of the state.

INSERT 63-20

SECTION 1153nxb. 28.01 of the statutes is amended to read:

28.01 Forestry supervision. The department shall execute all matters pertaining to forestry within the jurisdiction of the state, direct the management of

state forests, ⁿother than southern state forests, collect data relative to forest use and conditions and advance the cause of forestry within the state.

INSERT 67-2

SECTION 1153pdg. 28.02 (2) of the statutes is amended to read:

28.02 (2) ACQUISITION. The department of forestry may acquire lands or interest in lands by grant, devise, gift, condemnation or purchase within the boundaries of established state forests or purchase areas; and outside of such boundaries for forest nurseries, tracts for forestry research or demonstration and for forest protection structures, or for access to such properties. The department of natural resources may acquire lands or interest in lands by grant, devise, gift, condemnation, or purchase within the boundaries of southern state forests. In the case of condemnation the department shall first obtain approval from the appropriate standing committees of each house of the legislature as determined by the presiding officer thereof.

History: 1977 c. 29; 1983 a. 192; 1983 a. 423 s. 12; 1985 a. 30 s. 42; 1985 a. 297 s. 76; 1993 a. 16.

SECTION 1153pdm. 28.03 (1) of the statutes is amended to read:

28.03 (1) DEFINED. State forests shall consist of well blocked areas of state owned lands which have been established as state forests ~~by the department.~~

SECTION 1153pdr. 28.03 (3) of the statutes is amended to read:

28.03 (3) DEPARTMENT MAY NAME. The department of forestry or the department of natural resources may designate by appropriate name any state forest not expressly named by the legislature.

SECTION 1153pdu. 28.03 (4) of the statutes is created to read:

CS Southern state forests.

28.03 (4) The department of natural resources may develop and shall operate and maintain the southern state forests.

INSERT 67-17

SECTION 1153phb. 28.04 (2) (a) of the statutes is amended to read:

28.04 (2) (a) The department of forestry shall manage the state forests, other than the southern state forests, and the department of natural resources shall manage the southern state forests, to benefit the present and future generations of residents of this state, recognizing that the state forests contribute to local and statewide economies and to a healthy natural environment. The department departments shall assure the practice of sustainable forestry and use it to assure that state forests can provide a full range of benefits for present and future generations. The department departments shall also assure that the management of state forests is consistent with the ecological capability of the state forest land and with the long-term maintenance of sustainable forest communities and ecosystems. These benefits include soil protection, public hunting, protection of water quality, production of recurring forest products, outdoor recreation, native biological diversity, aquatic and terrestrial wildlife, and aesthetics. The range of benefits provided by the department departments in each state forest shall reflect its unique character and position in the regional landscape.

History: 1995 a. 257.

SECTION 1153phf. 28.04 (2) (b) of the statutes is amended to read:

28.04 (2) (b) In managing the state forests, the department of forestry and the department of natural resources shall recognize that not all benefits under par. (a) can or should be provided in every area of a state forest.

History: 1995 a. 257.

SECTION 1153phk. 28.04 (2) (c) of the statutes is amended to read:

28.04 (2) (c) In managing the state forests, the department of forestry and the department of natural resources shall recognize that management may consist of both active and passive techniques.

History: 1995 a. 257.

SECTION 1153php. 28.04 (3) (a) of the statutes is amended to read:

28.04 (3) (a) The department of forestry shall prepare a plan for each state forest, other than southern state forests, that describes how the state forest will be managed. The department of natural resources shall prepare a plan for each southern state forest that describes how the southern state forest will be managed. The ~~department~~ departments shall work with the public to identify property goals and objectives that are consistent with the purposes under sub. (2). The ~~department~~ departments shall identify in each plan the objectives of management for distinct areas of the state forest.



History: 1995 a. 257.

SECTION 1153phs. 28.04 (3) (b) of the statutes is amended to read:

28.04 (3) (b) The department of forestry and the department of natural resources shall establish procedures for the preparation and modification of these plans, including procedures for public participation. In preparing and modifying plans under this subsection, the ~~department~~ departments shall use the best available information regarding the purposes and benefits of the state forests that ~~the~~ ^{each} department acquires through inventories, evaluations, monitoring and research. In evaluating such information, the ~~department~~ departments shall consider both regional and local scales, including the impact on local economies. As new information becomes available, the department of forestry or the department of

2001-2002 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb2221/2insRCT
RCT:.....

Insert 8-8

1. Page 156, line 10: before that line insert:

“(mv) General program operations —

forestry funds

SEG A

-0- 4,245,500

(mx) General program operations —

federal forestry funds

SEG-F C

-0- -0-”.

Insert 123-6

4. The authorized FTE positions for the department of natural resources are increased by 44.75 SEG positions funded from the appropriation under section 20.370 (1) (mv) of the statutes, as created by this act.

5. The authorized FTE positions for the department of natural resources are increased by 2.0 FED positions funded from the appropriation under section 20.370 (1) (mx) of the statutes, as created by this act.

natural resources shall adapt its management of the state forest and, if necessary, the plan for the state forest.

History: 1995 a. 257.

INSERT 68-8

SECTION 1153pr. 28.05 (1) of the statutes is amended to read:

28.05 (1) LIMITATIONS. Cutting shall be limited to trees marked or designated for cutting by a forester in the professional series of the state classified civil service or by ~~a department designated~~ an employee of the department of forestry or the department of natural resources who is equally qualified by reason of long, practical experience. The department of forestry, with respect to state forests other than southern state forests, and the department of natural resources with respect to southern state forests, may sell products removed in cultural or salvage cuttings and standing timber designated in timber sale contracts, but all sales shall be based on tree scale or on the scale, measure or count of the cut products. ~~The~~ That department may require that a person purchasing products or standing timber under a timber sale contract provide surety for the proper performance of the contract either directly or through a bond furnished by a surety company authorized to do business in this state.

Strike space

History: 1989 a. 79; 1999 a. 9.

Yr
INSERT 119-17

✓ **3.** Page 1280, line 22: after that line insert:

SECTION 4034 ~~pr.~~ 990.01 (39) of the statutes is created to read:

990.01 (39) SOUTHERN STATE FOREST. "Southern state forest" means a state forest that is located within the region specified in s. 25.28 (3) (am).".

Insert 24-18 ✓

#. Page 341, line 15: after that line insert:

~~Section~~ 20.380 (2) (q) of the statutes is amended to read:

SECTION 632g. ↑

20.380 (2) (q) *Kickapoo reserve management board; general program operations.* From the ~~con-~~ forestry servation fund, the amounts in the schedule for the general program operations of the Kickapoo reserve management board under s. 41.41. ') .

History: 1995 a. 27, ss. 515b to 515m, 752 to 772, 1070, 1071, 1075, 1076, 1081a, 1084; 1995 a. 216, 225; 1997 a. 27; 1999 a. 9, 84.

(end of insert —)

2001-2002 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb2221/ins M6
MGG:.....

Insert 17-8

591g
SECTION 22. 20.370 (1) (mv) of the statutes is created to read:

20.370 (1) (mv) *General program operations — forestry funds.* From the forestry fund, the amounts in the schedule for general program operations that relate to the southern state forests.

591r
SECTION 22. 20.370 (1) (mx) of the statutes is created to read:

20.370 (1) (mx) *General program operations — federal forestry funds.* From the forestry fund, all moneys received as federal aid for the southern state forests, as authorized by the governor under s. 16.54 for the purposes for which received.

Insert 21-21

629 dom
SECTION 22. 20.375 (2) (rq) of the statutes, as created by 2001 Wisconsin Act ... (this act), is amended to read:

20.375 (2) (rq) *Resource aids* ~~private conservation organizations; Great Lakes Forestry Museum.~~ As a continuing appropriation, the amounts in the schedule for annual grants to nonprofit conservation organizations under ss. 23.0955 and 23.0956 and for a grant to the Great Lakes Forestry Museum under 2001 Wisconsin Act ... (this act), section 9137 (5mk). "

INSERT 23-22

SECTION 22. 20.375 (3) (sg) of the statutes is created to read:

2629 dzb
20.375 (3) (sg) *State snowmobile trails and areas.* The amounts in the schedule from the snowmobile account in the conservation fund for state snowmobile trails and areas in the ~~southern~~ state forests, other than the southern state forest.

629 dzc
SECTION 22. 20.375 (3) (sr) of the statutes is created to read:

20.375 (3) (sr) *General program operations* — *all-terrain vehicle projects*. From the conservation fund, the amounts in the schedule from moneys received from the all-terrain vehicle fees under s. 23.33 (2) (c) to (e) for ~~the~~ all-terrain vehicle projects in the state forests, other than the southern state forests.

state

STET

Insert 119-17B

1. Page 1346, line 3: delete lines 3 to 14 and substitute:

“(5mk) GREAT LAKES FORESTRY MUSEUM.

section of the statutes

(a) In fiscal year 2001-02, from the appropriation under ~~s~~ 20.370 (5) (aw) as affected by this act, the department of natural resources shall award a grant in an amount not to exceed \$150,000 to an organization known as the Great Lakes Forestry Museum to develop a facility in the city of Rice Lake for educating the public about the history of forestry and logging in this state. In fiscal year 2002-03, from the appropriation under ~~s~~ 20.375 (2) (rq) as created by this act, the department of forestry shall award a grant in an amount not to exceed \$150,000 to the same organization for the same purpose. The amount of the funding shall be equal to the amount of contributions towards the facility from funding sources other than this state.

paragraph

(b) Within 6 months after spending the full amount of the grants under ~~per~~ (a), the organization shall submit to the department of natural resources and the department of forestry a report detailing how the grant proceeds were used.”.

Insert 124-3

2. Page 1422, line 10: substitute “2002” for “2003”.

3. Page 1422, line 10: after that line insert:

“(1) GREAT LAKES FORESTRY MUSEUM. The treatment of section 20.375 (2) (rq) (by SECTION 629dom) of the statutes takes effect on July 1, 2003.”.

ES
A - Forestry