

1 **28.005 Definition.** “Department” when used in this chapter without other
2 words of description or qualification means the department of ~~natural resources~~
3 forestry.

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

5 **28.01 Forestry supervision.** The department shall execute all matters
6 pertaining to forestry within the jurisdiction of the state, direct the management of
7 state forests, other than southern state forests, collect data relative to forest use and
8 conditions and advance the cause of forestry within the state.

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

10 **28.012 (title) Powers of department.**

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

12 **28.012 (1)** For the state forests, other than southern state forests, the
13 department may accept and administer, in the name of the state, any gifts, grants,
14 bequests, and devises, including land, interests in land and funds made available to
15 the department by the federal government under any act of congress relating to any
16 of the functions of the department.

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

18 **28.012 (2)** The department may extend or consolidate lands or waters suitable
19 for the state forests, other than the southern state forests, by the exchange of other
20 lands or waters under its supervision.

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

22 **28.012 (3)** The department may accept donations of buildings, facilities, and
23 structures to be constructed upon lands owned by this state in the state forests, other
24 than the southern state forests.

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

1 28.012 (4) The department may grant easements to parts or parcels of areas
2 in the state forests, other than the southern state forests.

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

4 28.012 (5) All funds included in the gifts, grants, bequests, and devises received
5 or expected to be received by the department for the state forests under its
6 jurisdiction in a biennium shall be included in the statement of its actual and
7 estimated receipts and disbursements for such biennium required to be contained in
8 the biennial state budget report under s. 16.46. Those funds shall be considered to
9 be, and shall be treated the same as, other actual and estimated receipts and
10 disbursements of the department. The department may acknowledge the receipt of
11 any funding from a particular person or group in any department pamphlet, bulletin,
12 or other publication.

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

14 28.012 (6) The donor of any building, facility, or structure under sub. (3) may
15 contract for this construction according to plans and specifications provided by the
16 department or may enter into a contract for professional architectural and
17 engineering services to develop plans and specifications for the building, facility, or
18 structure and contract for their construction. Upon the completion of construction
19 satisfactory to the department, title to the building, facility, or structure shall vest
20 in the state. No person may construct any building, facility, or structure under this
21 subsection without the prior approval of the department regarding plans and
22 specifications, materials, suitability, design, capacity, or location. The plans and
23 specifications for any building, structure, or facility donated under sub. (2) (eg) shall
24 also be subject to the approval of the building commission.

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

1 28.012 (7) Any easements granted under sub. (4) or s. 28.02 (5) and any leases
2 under s. 23.305 or 26.08 by the department shall have the restrictions necessary to
3 preserve and protect the land subject to the lease or easement for the purposes for
4 which it was acquired or made part of the state forests.

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

6 28.012 (8) (a) In this subsection, “easement” includes a negative easement, a
7 restrictive covenant, a covenant running with the land, and any other right for a
8 lawful use of the property together with the right to acquire all negative easements,
9 restrictive covenants, covenants running with the land, and all rights for use of
10 property.

11 (b) The department may acquire any easement for the benefit of any area in the
12 state forests, other than southern state forests.

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

14 28.012 (9) If there are areas of the state forests under the jurisdiction of the
15 department that are inaccessible because they are surrounded by lands not
16 belonging to the state, and if the department determines that the usefulness or value
17 of these areas for these state forests will be increased if there is access to them over
18 lands not belonging to the state, the department may acquire the land necessary to
19 construct highways that will furnish the needed access.”

20 **94.** Page 481, line 16: after that line insert:

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

22 **28.02 (title) State forests forest lands.**

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

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

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

15 28.02 (2) ACQUISITION. The department of forestry may acquire lands or
16 interest in lands by grant, devise, gift, condemnation or purchase within the
17 boundaries of established state forests or purchase areas; and outside of such
18 boundaries for forest nurseries, tracts for forestry research or demonstration and for
19 forest protection structures, or for access to such properties. The department of
20 natural resources may acquire lands or interest in lands by grant, devise, gift,
21 condemnation, or purchase within the boundaries of southern state forests. In the
22 case of condemnation the department shall first obtain approval from the
23 appropriate standing committees of each house of the legislature as determined by
24 the presiding officer thereof.

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

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

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

4 28.03 (3) DEPARTMENT MAY NAME. The department of forestry or the department
5 of natural resources may designate by appropriate name any state forest not
6 expressly named by the legislature.

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

8 28.03 (4) SOUTHERN STATE FORESTS. The department of natural resources may
9 develop and shall operate and maintain the southern state forests.

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

11 28.035 (2) The department shall ~~enter into an~~ comply with the agreement
12 entered into with the Wisconsin department of the American Legion for hunting in
13 the state forest lands described as lots 3, 4, 6 and 7 of section 8 and lots 2 and 3 of
14 section 17, township 38 north, range 7 east, Oneida County, which are used in
15 connection with Camp American Legion and which the Legion is now maintaining
16 on this location as a restoration camp for sick and disabled veterans and their
17 dependents.

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

19 28.035 (3) (b) The ownership of all of the buildings and equipment of the camp
20 shall revert to the state upon the discontinuance of the use thereof for such purposes.
21 On or before January 15 of each year the department of the American Legion shall
22 file with the governor, the department of veterans affairs ~~and the department of~~
23 ~~natural resources, and the department of forestry~~ a written report of the operations
24 and the financial status of the camp.

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

1 28.04 (2) (a) The department of forestry shall manage the state forests, other
2 than the southern state forests, and the department of natural resources shall
3 manage the southern state forests, to benefit the present and future generations of
4 residents of this state, recognizing that the state forests contribute to local and
5 statewide economies and to a healthy natural environment. The ~~department~~
6 departments shall assure the practice of sustainable forestry and use it to assure
7 that state forests can provide a full range of benefits for present and future
8 generations. The ~~department~~ departments shall also assure that the management
9 of state forests is consistent with the ecological capability of the state forest land and
10 with the long-term maintenance of sustainable forest communities and ecosystems.
11 These benefits include soil protection, public hunting, protection of water quality,
12 production of recurring forest products, outdoor recreation, native biological
13 diversity, aquatic and terrestrial wildlife, and aesthetics. The range of benefits
14 provided by the ~~department~~ departments in each state forest shall reflect its unique
15 character and position in the regional landscape.

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

17 28.04 (2) (b) In managing the state forests, the department of forestry and the
18 department of natural resources shall recognize that not all benefits under par. (a)
19 can or should be provided in every area of a state forest.

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

21 28.04 (2) (c) In managing the state forests, the department of forestry and the
22 department of natural resources shall recognize that management may consist of
23 both active and passive techniques.

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

1 28.04 (3) (a) The department of forestry shall prepare a plan for each state
2 forest, other than southern state forests, that describes how the state forest will be
3 managed. The department of natural resources shall prepare a plan for each
4 southern state forest that describes how the southern state forest will be managed.
5 The ~~department~~ departments shall work with the public to identify property goals
6 and objectives that are consistent with the purposes under sub. (2). The ~~department~~
7 departments shall identify in each plan the objectives of management for distinct
8 areas of the state forest.

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

10 28.04 (3) (b) The department of forestry and the department of natural
11 resources shall establish procedures for the preparation and modification of these
12 plans, including procedures for public participation. In preparing and modifying
13 plans under this subsection, the ~~department~~ departments shall use the best
14 available information regarding the purposes and benefits of the state forests that
15 ~~the~~ each department acquires through inventories, evaluations, monitoring and
16 research. In evaluating such information, the ~~department~~ departments shall
17 consider both regional and local scales, including the impact on local economies. As
18 new information becomes available, the department of forestry or the department of
19 natural resources shall adapt its management of the state forest and, if necessary,
20 the plan for the state forest.

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

22 **28.045 Designation of trails and areas.** (1) In this section, “special use
23 area” includes a trail, campground, or picnic area.

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

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

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

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

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

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

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

15 28.05 (1) LIMITATIONS. Cutting shall be limited to trees marked or designated
16 for cutting by a forester in the professional series of the state classified civil service
17 or by ~~a department-designated~~ an employee of the department of forestry or the
18 department of natural resources who is equally qualified by reason of long, practical
19 experience. The department of forestry, with respect to state forests other than
20 southern state forests, and the department of natural resources with respect to
21 southern state forests, may sell products removed in cultural or salvage cuttings and
22 standing timber designated in timber sale contracts, but all sales shall be based on
23 tree scale or on the scale, measure or count of the cut products. ~~The~~ That department
24 may require that a person purchasing products or standing timber under a timber
25 sale contract provide surety for the proper performance of the contract either directly

1 or through a bond furnished by a surety company authorized to do business in this
2 state.”.

3 **95.** Page 481, line 24: after that line insert:

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

6 28.06 (2m) SURCHARGE. A person who purchases a seedling under sub. (2) shall
7 pay, in addition to the price of the seedling charged under sub. (2), a surcharge for
8 each seedling purchased. Beginning on the effective date of this subsection ...
9 [revisor inserts date], and ending on June 30, 2002, the surcharge shall be 2 cents
10 for each seedling. Beginning on July 1, 2002, the surcharge shall be 3 cents for each
11 seedling. All surcharges collected under this subsection shall be deposited in the
12 conservation forestry fund.

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

14 **28.08 Income.** All income from state forest lands shall be paid into the state
15 treasury to the credit of the conservation forestry fund.

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

17 28.11 (5m) (a) (intro.) The department may make grants, from the
18 appropriation under s. ~~20.370 (5) (bw)~~ 20.375 (2) (w), to counties having lands
19 entered under sub. (4) to fund all of the following for one professional forester in the
20 position of county forest administrator or assistant county forest administrator.”.

21 **96.** Page 482, line 17: after that line insert:

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

1 28.11 (5r)(b) The department may make grants, from the appropriation under
2 s. ~~20.370 (5) (bw)~~ 20.375 (2) (w), to counties having lands entered under sub. (4) to
3 fund the cost of activities designed to improve sustainable forestry on the lands.

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

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

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

11 28.11 (8) (b) 1. A county having established and maintaining a county forest
12 under this section is eligible to receive from the state from the appropriations under
13 s. ~~20.370 (5) (be)~~ 20.375 (2) (t) and ~~(bs)~~ (u) an annual payment as a noninterest
14 bearing loan to be used for the purchase, development, preservation and
15 maintenance of the county forest lands and the payment shall be credited to a county
16 account to be known as the county forestry aid fund. A county board may, by a
17 resolution adopted during the year and transmitted to the department by December
18 31, request to receive a payment of not more than 50 cents for each acre of land
19 entered and designated as “county forest land”. The department shall review the
20 request and approve the request if the request is found to be consistent with the
21 comprehensive county forest land use plan. If any lands purchased from the fund
22 are sold, the county shall restore the purchase price to the county forestry aid fund.
23 The department shall pay to the county the amount due to it on or before March 31
24 of each year, based on the acreage of the lands as of the preceding June 30. If the
25 amounts in the appropriations under s. ~~20.370 (5) (be)~~ 20.375 (2) (t) and ~~(bs)~~ (u) are

1 not sufficient to pay all of the amounts approved by the department under this
2 subdivision, the department shall pay eligible counties on a prorated basis.

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

4 28.11 (8) (b) 2. The department may allot additional interest free forestry aid
5 loans on a project basis to individual counties to permit the counties to undertake
6 meritorious and economically productive forestry operations, including land
7 acquisitions. These additional aids may not be used for the construction of
8 recreational facilities or for fish and game management projects. Application shall
9 be made in the manner and on forms prescribed by the department and specify the
10 purpose for which the additional aids will be used. The department shall make an
11 investigation as it deems necessary to satisfy itself that the project is feasible,
12 desirable and consistent with the comprehensive plan. If the department so finds,
13 it may make allotments in such amounts as it determines to be reasonable and
14 proper and charge the allotments to the forestry fund account of the county. These
15 allotments shall be credited by the county to the county forestry aid fund. After
16 determining the loans as required under subd. 1., the department shall make the
17 remainder of the amounts appropriated under s. ~~20.370 (5) (bq)~~ 20.375 (2) (t) and ~~(bs)~~
18 (u) for that fiscal year available for loans under this subdivision. The department
19 shall also make loans under this subdivision from the appropriations under s. ~~20.370~~
20 ~~(5) (bt)~~ 20.375 (2) (um) and ~~(bu)~~ (v).

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

22 28.11 (9) (am) The acreage loan severance share payments shall be deposited
23 in the ~~conservation~~ forestry fund and credited to the appropriation under s. ~~20.370~~
24 ~~(5) (bq)~~ 20.375 (2) (t), and the project loan severance share payments shall be

1 deposited in the ~~conservation~~ forestry fund and credited to the appropriation under
2 s. ~~20.370 (5) (bu)~~ 20.375 (2) (v).

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

4 28.11 (9) (ar) 1. Notwithstanding s. 20.001 (3) (c), if the sum of the
5 unencumbered balances in the appropriations under s. ~~20.370 (5) (bq), (bt)~~ 20.375 (2)
6 (t), (um), and ~~(bu) (v)~~ exceeds \$400,000 on June 30 of any fiscal year, the amount in
7 excess of \$400,000 shall lapse from the appropriation under s. ~~20.370 (5) (bq)~~ 20.375
8 (2) (t) to the ~~conservation~~ forestry fund, except as provided in subd. 2.

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

10 28.11 (9) (ar) 2. Notwithstanding s. 20.001 (3) (c), if the amount in the
11 appropriation under s. 20.370 (5) (bq) 20.375 (2) (t) is insufficient for the amount that
12 must lapse under subd. 1., the remainder that is necessary for the lapse shall lapse
13 from the appropriation under s. ~~20.370 (5) (bu)~~ 20.375 (2) (v).

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

15 **28.90 (title) Enforcement.**

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

17 28.90 (1) ENFORCEMENT DUTIES. (a) The department shall enforce all of the laws
18 that the department is required to administer for the state forests and shall bring,
19 or cause to be brought, actions and proceedings in the name of the state for that
20 purpose.

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

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

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

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

6 **28.94 Resisting or falsely impersonating a state forest ranger.** Any
7 person who does any of the following may be fined not more than \$10,000 or
8 imprisoned for not more than 9 months or both:

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

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

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

14 **28.98 General penalty provision.** Any person who violates any provision
15 of this chapter or any rule promulgated or order issued under this chapter for which
16 no other penalty is prescribed is subject to a forfeiture of not more than \$100.”.

17 **97.** Page 498, line 6: after that line insert:

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

19 30.277 (1m) (a) Beginning in fiscal year 1992–93, from the appropriation under
20 s. 20.866 (2) (tz), the department shall award grants to governmental units to assist
21 them in projects on or adjacent to rivers that flow through urban areas. The
22 department may award these grants from the appropriation under s. 20.866 (2) (ta)
23 beginning on July 1, 2000, subject to the agreement under s. 23.0917 (4r).”.

24 **98.** Page 499, line 4: after that line insert:

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

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

5 **99.** Page 507, line 12: after that line insert:

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

7 30.54 (2) If a person applies for a replacement certificate under sub. (1),
8 ~~conservation wardens or local law enforcement officials~~ law enforcement officers,
9 after presenting appropriate credentials to the owner or legal representative of the
10 owner named in the certificate of title, shall inspect the boat’s engine serial number
11 or hull identification number, for purposes of verification or enforcement.

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

13 **30.544 Inspection of boats purchased out-of-state.** For purposes of
14 enforcement, ~~conservation wardens or local law enforcement officials~~ law
15 enforcement officers, after presenting appropriate credentials to the owner of a boat
16 which was purchased outside of this state and which is subject to the certificate of
17 title requirements of this chapter, shall inspect the boat’s engine serial number or
18 hull identification number.”.

19 **100.** Page 507, line 23: after that line insert:

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

21 30.67 (2) (a) If a boating accident results in death or injury to any person, the
22 disappearance of any person from a boat under circumstances indicating death or
23 injury, or property damage, every operator of a boat involved in an accident shall,
24 without delay and by the quickest means available, give notice of the accident to a

1 ~~conservation warden or local law enforcement officer~~ and shall file a written report
2 with the department on the form prescribed by it. The department shall promulgate
3 rules necessary to keep accident reporting requirements in conformity with rules
4 adopted by the U.S. coast guard.”.

5 **101.** Page 509, line 25: after that line insert:

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

7 30.92 (1) (b) “Governmental unit” means the department of natural resources,
8 the department of forestry, a municipality, a lake sanitary district, a public inland
9 lake protection and rehabilitation district organized under ch. 33, the Milwaukee
10 River revitalization council, the Lower Wisconsin State Riverway board, the Fox
11 River management commission, or any other local governmental unit, as defined in
12 s. 66.0131 (1) (a), that is established for the purpose of lake management.”.

13 **102.** Page 510, line 13: after that line insert:

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

15 30.92 (3) (b) 7. Location of the proposed project within the region identified in
16 s. ~~25.29 (7) (a)~~ 25.28 (3) (am).”.

17 **103.** Page 512, line 6: after that line insert:

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

19 32.02 (15m) The department of forestry with the approval of the appropriate
20 standing committees of each house of the legislature as determined by the presiding
21 officer thereof and as authorized by law, for acquisition of lands.

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

23 32.035 (3) PROCEDURE. The condemnor shall notify the department of any
24 project involving the actual or potential exercise of the powers of eminent domain

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

10 **104.** Page 532, line 13: after that line insert:

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

12 40.02 (17) (n) Notwithstanding par. (d), each participant who is a state forest
13 ranger on or after the effective date of this paragraph [revisor inserts date], shall
14 be granted creditable service as a protective occupation participant for all covered
15 service as a state forest ranger that was earned on or after the effective date of this
16 paragraph [revisor inserts date], but may not be granted creditable service as a
17 protective occupation participant for any covered service as a state forest ranger that
18 was earned before the effective date of this paragraph [revisor inserts date],
19 unless that service was earned while the participant was classified under sub. (48)
20 (a) and s. 40.06 (1) (d) as a protective occupation participant.”.

21 **105.** Page 533, line 2: after that line insert:

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

23 40.02 (48) (c) In s. 40.65, “protective occupation participant” means a
24 participating employee who is a police officer, fire fighter, an individual determined

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

11 **106.** Page 534, line 23: after that line insert:

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

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

17 **107.** Page 536, line 14: after that line insert:

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

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

24 **108.** Page 538, line 5: after that line insert:

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

2 44.57 (1) (c) Game farms, fish hatcheries, nurseries, and other production
3 facilities operated by the department of natural resources or the department of
4 forestry.”

5 **109.** Page 660, line 5: after that line insert:

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

7 **59.01 Body corporate; status.** Each county in this state is a body corporate,
8 authorized to sue and be sued, to acquire and hold, lease or rent real and personal
9 estate for public uses or purposes, including lands acquired under ch. 75, to sell, lease
10 and convey the same, including the authority to enter into leases or contracts with
11 the state for a period of years for the uses and purposes specified in ~~s.~~ ss. 23.09 (2)
12 (d) and 28.02 (2), to make such contracts and to do such other acts as are necessary
13 and proper to the exercise of the powers and privileges granted and the performance
14 of the legal duties charged upon it.”

15 **110.** Page 665, line 7: after that line insert:

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

17 **59.52 (6) (a) How acquired; purposes.** Take and hold land acquired under ch.
18 75 and acquire, lease or rent property, real and personal, for public uses or purposes
19 of any nature, including without limitation acquisitions for county buildings,
20 airports, parks, recreation, highways, dam sites in parks, parkways and
21 playgrounds, flowages, sewage and waste disposal for county institutions, lime pits
22 for operation under s. 59.70 (24), equipment for clearing and draining land and
23 controlling weeds for operation under s. 59.70 (18), ambulances, acquisition and
24 transfer of real property to the state for new collegiate institutions or research

1 facilities, and for transfer to the state for state parks, for state forests and for the
2 other uses and purposes specified in s. 23.09 (2) (d).”.

3 **111.** Page 669, line 11: after that line insert:

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

5 59.74 (2) (g) Every land surveyor and every officer of the department of natural
6 resources, every officer of the department of forestry and the district attorney shall
7 enforce this subsection.”.

8 **112.** Page 678, line 22: after that line insert:

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

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

18 **113.** Page 679, line 21: after that line insert:

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

21 66.0221 (1) Upon its own motion, a city or village by a two-thirds vote of the
22 entire membership of its governing body may enact an ordinance annexing territory
23 which comprises a portion of a town or towns and which was completely surrounded
24 by territory of the city or village on December 2, 1973. The ordinance shall include

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

18 **114.** Page 680, line 5: after that line insert:

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

20 **66.0223 Annexation of territory owned by a city or village.** In addition
21 to other methods provided by law and subject to ss. 59.692 (7) and 66.0307 (7),
22 territory owned by and lying near but not necessarily contiguous to a village or city
23 may be annexed to a village or city by ordinance enacted by the board of trustees of
24 the village or the common council of the city, provided that in the case of

1 noncontiguous territory the use of the territory by the city or village is not contrary
2 to any town or county zoning regulation. The ordinance shall contain the exact
3 description of the territory annexed and the names of the towns from which
4 detached, and attaches the territory to the village or city upon the filing of 7 certified
5 copies of the ordinance in the office of the secretary of state, together with 7 copies
6 of a plat showing the boundaries of the territory attached. Two copies of the
7 ordinance and plat shall be forwarded by the secretary of state to the department of
8 transportation, one copy to the department of administration, one copy to the
9 department of natural resources, one copy to the department of forestry, one copy to
10 the department of revenue and one copy to the department of public instruction.
11 Within 10 days of filing the certified copies, a copy of the ordinance and plat shall be
12 mailed or delivered to the clerk of the county in which the annexed territory is
13 located. Section 66.0217 (11) applies to annexations under this section.

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

15 66.0235 (5) APPORTIONMENT BOARD. The boards or councils of the local
16 governmental units, or committees selected for that purpose, acting together,
17 constitute an apportionment board. When a local governmental unit is dissolved
18 because all of its territory is transferred the board or council of the local
19 governmental unit existing at the time of dissolution shall, for the purpose of this
20 section, continue to exist as the governing body of the local governmental unit until
21 there has been an apportionment of assets by agreement of the interested local
22 governmental units or by an order of the circuit court. After an agreement for
23 apportionment of assets has been entered into between the interested local
24 governmental units, or an order of the circuit court becomes final, a copy of the
25 apportionment agreement, or of the order, certified to by the clerks of the interested

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

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

20 66.0307 (4) (a) 1. The department, the department of natural resources, the
21 department of forestry, the department of agriculture, trade and consumer
22 protection and the department of transportation.

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

24 66.0407 (5) This section does not apply to Canada thistle or annual noxious
25 weeds that are located on land that the department of natural resources or the

1 department of forestry owns, occupies, or controls and that is maintained in whole
2 or in part as habitat for wild birds by ~~the~~ either department of natural resources.”.

3 **115.** Page 705, line 24: after that line insert:

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

5 70.113 (1) (intro.) As soon after April 20 of each year as is feasible the
6 department of natural resources shall pay to the city, village, or town treasurer all
7 of the following amounts from the following appropriations for each acre situated in
8 the municipality of ~~state forest lands, as defined in s. 28.02 (1),~~ state parks under s.
9 27.01 and state public shooting, trapping or fishing grounds and reserves or refuges
10 operated thereon, acquired at any time under s. 29.10, 1943 stats., s. 23.09 (2) (d) or
11 29.749 (1) or from the appropriations made by s. 20.866 (2) (tp) by the department
12 of natural resources or leased from the federal government by the department of
13 natural resources:

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

15 70.113 (1m) As soon after April 20 of each year as is feasible, the department
16 of forestry shall pay to the city, village, or town treasurer all of the following amounts
17 from the following appropriations for each acre situated in the municipality that is
18 state forest land, as defined in s. 28.02 (1).

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

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

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

22 70.113 (2) (a) Towns, cities or villages shall be paid for forest lands as defined
23 in s. 28.02 (1), state parks under s. 27.01, and other lands acquired under s. 23.09 (2)
24 (d), 23.27, 23.29, 23.293, 23.31, or 29.749 (1) located within such municipality and

1 acquired after June 30, 1969. Such payments shall be ~~made from the appropriation~~
2 ~~under s. 20.370 (5) (da) or (dg)~~ and remitted by the department of natural resources
3 or the department of forestry in the amounts certified by the department of revenue
4 according to par. (b).

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

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

7 70.114 (1) (d) “Purchase price” means the amount paid by the department of of
8 natural resources or by the department of forestry for a fee simple interest in real
9 property. “Purchase price” does not include administrative costs incurred by ~~the~~
10 either department to acquire the land, such as legal fees, appraisal costs or recording
11 fees. If real estate is transferred by gift to the applicable department ~~by gift~~ or is sold
12 to the applicable department for an amount that is less than the estimated fair
13 market value of the property as shown on the property tax bill prepared for the prior
14 year under s. 74.09, “purchase price” means an amount equal to the estimated fair
15 market value of the property as shown on that tax bill. If the real estate is exempt
16 from taxation at the time that it is transferred or sold to the applicable department
17 and if the property was not sold at an arm’s-length sale, “purchase price” means the
18 fair market value of the real estate at the time that the applicable department takes
19 title to it.

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

21 70.114 (2) APPLICATION. For all land acquired after December 31, 1991, the
22 department of natural resources and the department of forestry shall pay aids in lieu
23 of taxes under this section and not under s. 70.113.

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

1 70.114 (3) ASCERTAINING RATE. Each year, the department of natural resources
2 and the department of forestry shall ascertain from the clerks of the taxation district
3 the aggregate net general property tax rate for taxation districts to which aids are
4 paid under this section.

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

6 70.114 (4) (a) On or before January 31, the department of natural resources
7 shall pay to each treasurer of a taxation district, with respect to each parcel of land
8 acquired by that is under the jurisdiction of the department and that is within the
9 taxation district on or before January 1 of the preceding year, ~~an~~.

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

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

16 70.114 (4) (b) On or before January 31, the department of forestry shall pay to
17 each treasurer of a taxation district, with respect to each parcel of state land acquired
18 that is under the jurisdiction of the department of forestry and that is within the
19 taxation district on or before January 1 of the preceding year.”.

20 **116.** Page 706, line 7: after that line insert:

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

22 **70.58 Forestation state tax.** There is levied an annual tax of two-tenths of
23 one mill for each dollar of the assessed valuation of the property of the state as
24 determined by the department of revenue under s. 70.57, for the purpose of

1 acquiring, preserving and developing the forests of the state and for the purpose of
2 forest crop law and county forest law administration and aid payments, for grants
3 to forestry cooperatives under s. 36.56, and for the acquisition, purchase and
4 development of forests described under s. ~~25.29 (7) (a)~~ 25.28 (3) (am) and (b), the
5 proceeds of the tax to be paid into the ~~conservation~~ forestry fund. The tax shall not
6 be levied in any year in which general funds are appropriated for the purposes
7 specified in this section, equal to or in excess of the amount which the tax would
8 produce.”.

9 **117.** Page 831, line 23: after that line insert:

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

11 71.59 (1m) PERMITTED USES. The designation by the department of natural
12 resources or by the department of forestry of any farmland in this state, for which
13 a claim under this section may be filed, as part of the ice age trail, under s. 23.17, is
14 a permitted use under a farmland preservation agreement, or a certificate of a zoning
15 authority, under sub. (1) (b).”.

16 **118.** Page 843, line 5: after that line insert:

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

18 77.02 (1) PETITION. The owner of an entire quarter quarter section, fractional
19 lot or government lot as determined by U.S. government survey plat, excluding
20 public roads and railroad rights-of-way that may have been sold, may file with the
21 department of ~~natural resources~~ forestry a petition stating that the owner believes
22 the lands therein described are more useful for growing timber and other forest crops
23 than for any other purpose, that the owner intends to practice forestry thereon, that
24 all persons holding encumbrances thereon have joined in the petition and requesting

1 that such lands be approved as “Forest Croplands” under this subchapter. Whenever
2 any such land is encumbered by a mortgage or other indenture securing any issue
3 of bonds or notes, the trustee named in such mortgage or indenture or any
4 amendment thereto may join in such petition, and such action shall for the purpose
5 of this section be deemed the action of all holders of such bonds or notes.

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

7 **77.02 (2) NOTICE OF HEARING, ADJOURNMENT.** Upon receipt of such petition the
8 department of ~~natural resources~~ forestry shall investigate the same and shall file a
9 listing of descriptions with the town chairperson. For petitions received prior to May
10 1, the department shall within the same calendar year cause a notice that such
11 petition has been filed to be published as a class 3 notice, under ch. 985, in the
12 newspaper having the largest general circulation in the county in which the lands
13 are located, and notice by registered mail shall be given to the town clerk of any town
14 in which the lands are located. Such notice shall contain the name of the petitioner,
15 a description of the lands and a statement that any resident or taxpayer in the
16 town may within 15 days from the date of publication of the notice file a request with
17 the department that it conduct a public hearing on the petition. Upon receipt of such
18 a request the department shall conduct a public hearing on the petition. The
19 department may conduct a public hearing on any petition without a request, if it
20 deems it advisable to do so. Notice of the time and place of such hearing and a
21 description, in specific or general terms, as the department deems advisable, of the
22 property requested to be approved as “Forest Croplands” shall be given to persons
23 making the request, the owner of such land and to the assessor of towns in which it
24 is situated, by mail, at least one week before the day of hearing. The notice also shall
25 be published as a class 1 notice, under ch. 985, in a newspaper having general

1 circulation in the county in which such land is located, at least one week before the
2 day of the hearing. Such hearing may be adjourned and no notice of the time and
3 place of such adjourned hearing need be given, excepting the announcement thereof
4 by the presiding officer at the hearing at which the adjournment is had.

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

6 77.02 (3) DECISION, COPIES. After receiving all the evidence offered at any
7 hearing held on the petition and after making such independent investigation as it
8 sees fit the department shall make its findings of fact and make and enter an order
9 accordingly. If it finds that the facts give reasonable assurance that a stand of
10 merchantable timber will be developed on such descriptions within a reasonable
11 time, and that such descriptions are then held permanently for the growing of timber
12 under sound forestry practices, rather than for agricultural, mineral, shoreland
13 development of navigable waters, recreational, residential or other purposes, and
14 that all persons holding encumbrances against such descriptions have in writing
15 agreed to the petition, the order entered shall grant the request of the petitioner on
16 condition that all unpaid taxes against said descriptions be paid within 30 days
17 thereafter; otherwise the department of ~~natural resources~~ forestry shall deny the
18 request of the petitioner. If the request of the petitioner is granted, a copy of such
19 order shall be filed with the department of revenue, the supervisor of equalization
20 and the clerk of each town, and the order shall be recorded with the register of deeds
21 of each county, in which any of the lands affected by the order are located. The
22 register of deeds shall record the entry, transfer or withdrawal of all forest croplands
23 in a suitable manner on the county records. The register of deeds may collect
24 recording fees under s. 59.43 (2) from the owner. Any order of the department
25 relating to the entry of forest croplands issued on or before November 20 of any year

1 shall take effect on January 1 of the following calendar year, but all orders issued
2 after November 20 shall take effect on January 1 of the calendar year following the
3 calendar year in which orders issued on or before November 20 would have been
4 effective.

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

6 **77.03 Taxation of forest croplands.** After the filing and recording of the
7 order with the officers under s. 77.02 (3) the lands described therein shall be “Forest
8 Croplands”, on which taxes shall thereafter be payable only as provided under this
9 subchapter. The enactment of ss. 77.01 to 77.14, petition by the owner and the
10 making of the order under s. 77.02 (3) shall constitute a contract between the state
11 and the owner, running with the lands, for a period of 25 or 50 years at the election
12 of the applicant at the time the petition is filed, unless withdrawn under s. 77.10,
13 with privilege of renewal by mutual agreement between the owner and the state,
14 whereby the state as an inducement to owners and prospective purchasers of forest
15 croplands to come under ss. 77.01 to 77.14 agrees that, unless withdrawn under s.
16 77.10, no change in or repeal of ss. 77.01 to 77.14 shall apply to any land then
17 accepted as forest croplands, except as the department of ~~natural resources~~ forestry
18 and the owner may expressly agree in writing and except as provided in s. 77.17. If
19 at the end of the contract period the land is not designated as managed forest land
20 under subch. VI, the merchantable timber on the land shall be estimated by an
21 estimator jointly agreed upon by the department of ~~natural resources~~ forestry and
22 the owner, and if the department and the owner fail to agree on an estimator, the
23 judge of the circuit court of the district in which the lands lie shall appoint a qualified
24 forester, whose estimate shall be final, and the cost thereof shall be borne jointly by
25 the department of ~~natural resources~~ forestry and the owner; and the 10% severance

1 tax paid on the stumpage thereon in the same manner as if the stumpage had been
2 cut. The owners by such contract consent that the public may hunt and fish on the
3 lands, subject to such rules as the department of natural resources prescribes
4 regulating hunting and fishing.

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

6 **77.04 (2) TAX PER ACRE; PAYMENT; PENALTY.** The “acreage share” shall be
7 computed at the rate of 10 cents per acre on all lands entered prior to 1972. On all
8 lands entered after December 31, 1971, the “acreage share” shall be computed every
9 10 years to the nearest cent by the department of revenue at the rate of 20 cents per
10 acre multiplied by a ratio using the equalized value of the combined residential,
11 commercial, manufacturing, agricultural, swamp, or waste and productive forest
12 land classes under s. 70.32 (2) within the state in 1972 as the denominator, and using
13 equalized value for these combined land classes in 1982 and every 10th year
14 thereafter as the numerator. All owners shall pay to the taxation district treasurer
15 the acreage share on each description on or before January 31. If the acreage share
16 is not paid when due to the taxation district treasurer it shall be subject to interest
17 and penalty as provided under ss. 74.11 (11), 74.12 (10) and 74.47. These lands shall
18 be returned as delinquent and a tax certificate under subch. VII of ch. 74 shall be
19 issued on them. After 2 years from the date of the issuance of a tax certificate, the
20 county clerk shall promptly take a tax deed under ch. 75. On taking such deed the
21 county clerk shall certify that fact and specify the descriptions to the department of
22 natural resources forestry.

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

24 **77.05 State contribution.** The department of natural resources forestry shall
25 pay before June 30 annually to the town treasurer, from the appropriation under s.

1 ~~20.370 (5) (bv)~~ 20.375 (2) (vm), 20 cents for each acre of land in the town that is
2 described as forest croplands under this subchapter.

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

4 77.06 (1) CUTTING TIMBER REGULATED. No person shall cut any merchantable
5 wood products on any forest croplands where the forest crop taxes are delinquent nor
6 until 30 days after the owner has filed with the department of ~~natural resources~~
7 forestry a notice of intention to cut, specifying by descriptions and the estimated
8 amount of wood products to be removed and the proportion of present volume to be
9 left as growing stock in the area to be cut. The department of ~~natural resources~~
10 forestry may require a bond executed by some surety company licensed in this state
11 or other surety for such amount as may reasonably be required for the payment to
12 the department of ~~natural resources~~ forestry of the severance tax hereinafter
13 provided. The department, after examination of the lands specified, may prescribe
14 the amount of forest products to be removed. Cutting in excess of the amount
15 prescribed shall render the owner liable to double the severance tax prescribed in s.
16 77.06 (5) and subject to cancellation under s. 77.10. Merchantable wood products
17 include all wood products except wood used for fuel by the owner.

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

19 77.06 (2) APPRAISAL OF TIMBER, ZONES. Each year the department of ~~natural~~
20 ~~resources~~ forestry, at the time and place it shall fix and after such public notice as
21 it deems reasonable, shall hold a public hearing. After the hearing the department
22 shall make and file, open to public inspection, a determination of the reasonable
23 stumpage values of the wood products usually grown in the several towns in which
24 any forest croplands lie. A public hearing under this section shall be held prior to
25 August 1 of each year and the determination of stumpage values made by the

1 department of ~~natural resources~~ forestry shall take effect on November 1 of that year.
2 If the department of ~~natural resources~~ forestry finds there is a material variance in
3 the stumpage values in the different localities, it may fix separate zones and
4 determine the values for each zone.

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

6 77.06 (3) REVALUATION. As to any locality or zone in which the department of
7 ~~natural resources~~ forestry deems there has been no material variance from the
8 preceding year in stumpage values, it may omit to make any new valuation in any
9 year, in which event the last preceding valuation shall continue in force until
10 changed in a succeeding year.

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

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

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

1 **77.06 (5) TAX LEVY ON RIGHT TO CUT TIMBER.** The department of ~~natural resources~~
2 forestry shall assess and levy against the owner a severance tax on the right to cut
3 and remove wood products covered by reports under this section, at the rate of 10%
4 of the value of the wood products based upon the stumpage value then in force. Upon
5 making the assessment, the department of ~~natural resources~~ forestry shall mail a
6 duplicate of the certificate by registered mail to the owner who made the report of
7 cutting at the owner's last-known post-office address. The tax assessed is due and
8 payable to the department of ~~natural resources~~ forestry on the last day of the next
9 calendar month after mailing the certificate. The proceeds of the tax shall be paid
10 into the forestry ~~account of the conservation~~ fund for distribution under s. 77.07 (3).

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

12 **77.07 (2) PENALTY, COLLECTIONS.** If any severance tax remain unpaid for 30 days
13 after it becomes due, there shall then be added a penalty of 10%, and such tax and
14 penalty shall thereafter draw interest at the rate of one per cent per month until paid.
15 At the expiration of said 30 days the department of ~~natural resources~~ forestry shall
16 report to the attorney general any unpaid severance tax, adding said penalty, and the
17 attorney general shall thereupon proceed to collect the same with penalty and
18 interest by suit against the owner and by attachment or other legal means to enforce
19 the lien and by action on the bond mentioned in s. 77.06 (1), or by any or all such
20 means.

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

22 **77.08 Supplemental severance tax.** At any time within one year after any
23 cutting should have been reported, the department of ~~natural resources~~ forestry
24 after due notice to the owner and opportunity to be heard, and on evidence duly made
25 a matter of record, may determine whether the quantity of wood products cut from

1 any such land, did in fact substantially exceed the amount on which the severance
2 tax theretofore levied was based, and if so shall assess a supplemental severance tax
3 which, in all respects, shall have the same force and effect as the former severance
4 tax, except only it shall not be a lien on any property the title of which has passed
5 to a purchaser for value without notice.

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

7 77.09 (1) Any person who fails to report or shall intentionally make any false
8 statement or report to the department of ~~natural resources~~ forestry required by s.
9 77.06 shall forfeit not more than \$1,000. An action under this section shall not be
10 a bar to a cancellation of entry and order of withdrawal under s. 77.10.

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

12 77.10 (1) (a) The department of ~~natural resources~~ forestry shall on the
13 application of the department of revenue or the owner of any forest croplands or the
14 town board of the town in which said lands lie and may on its own motion at any time
15 cause an investigation to be made and hearing to be had as to whether any forest
16 croplands shall continue under this subchapter. If on such hearing after due notice
17 to and opportunity to be heard by the department of revenue, the town and the owner,
18 the department of ~~natural resources~~ forestry finds that any such lands are not
19 meeting the requirements set forth in s. 77.02 or that the owner has made use of the
20 land for anything other than forestry or has failed to practice sound forestry on the
21 land, the department of ~~natural resources~~ forestry shall cancel the entry of such
22 description and issue an order of withdrawal, and the owner shall be liable for the
23 tax and penalty under sub. (2). Copies of the order of withdrawal specifying the
24 description shall be filed by the department of ~~natural resources~~ forestry with all
25 officers designated to receive copies of the order of entry and withdrawal and this

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

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

14 77.10 (1) (b) Whenever any owner of forest croplands conveys such land the
15 owner shall, within 10 days of the date of the deed, file with the department of
16 ~~natural resources~~ forestry on forms prepared by the department a transfer of
17 ownership signed by the owner and an acceptance of transfer signed by the grantee
18 certifying that the grantee intends to continue the practice of forestry on such land.
19 The department of ~~natural resources~~ forestry shall immediately issue a notice of
20 transfer to all officers designated to receive copies of orders of entry and withdrawal.
21 Whenever a purchaser of forest croplands declines to certify his or her intention to
22 continue the practice of forestry thereon, such action shall constitute cause for
23 cancellation of entry under par. (a) without hearing.

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

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

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

12 77.10 (2) (a) 2. The amount of the tax shall be determined by the department
13 of revenue and furnished to the department of ~~natural resources forestry~~, which shall
14 determine the exact amount of payment. When the tax rate or assessed value ratio
15 of the current year has not been determined the rate of the preceding tax year may
16 be used. On receiving such payment the department of ~~natural resources forestry~~
17 shall issue an order of withdrawal and file copies thereof with the department of
18 revenue, the supervisor of equalization and the clerk of the town, and shall record
19 the order with the register of deeds of the county, in which the land lies. The land
20 shall then cease to be forest croplands.

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

22 77.10 (2) (b) Upon receipt of any taxes under this section by the state, the
23 department of ~~natural resources forestry~~ shall first deduct all moneys paid by the
24 state on account of the lands under s. 77.05 with interest on the moneys computed
25 according to the rule of partial payments at the rate of interest paid under par. (a)

1 by the person withdrawing such lands. The department shall within 20 days remit
2 the balance to the town treasurer who shall pay 20% to the county treasurer and
3 retain the remainder.

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

5 77.10 (4) TAXATION AFTER WITHDRAWAL. When any description ceases to be a part
6 of the forest croplands, by virtue of any order of withdrawal issued by the department
7 of ~~natural resources forestry~~, taxes thereafter levied thereon shall be payable and
8 collectible as if such description had never been under this subchapter.

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

10 **77.11 Accounts of department of ~~natural resources forestry~~.** The
11 department of ~~natural resources forestry~~ shall keep a set of forest croplands books
12 in which shall always appear as to each description in each town containing any
13 forest croplands, the amount of taxes paid by the state to the town and received by
14 the state from the owner. All tax payments shall be paid out of and receipts credited
15 to the forestry ~~account of the conservation~~ fund.

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

17 77.13 (1) On and after July 20, 1985, no person may petition the department
18 of ~~natural resources forestry~~ requesting it to approve any land as forest croplands
19 under this subchapter.

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

21 77.13 (2) On and after January 1, 1986, the department of ~~natural resources~~
22 ~~forestry~~ may not act on any petition requesting the designation of land as forest
23 croplands, issue any order entering land as forest croplands or enter into a renewal
24 of any forest croplands contract under this subchapter.

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

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

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

10 77.16 (1) In this section “department” means the department of ~~natural~~
11 ~~resources~~ forestry.”

12 **119.** Page 848, line 9: after that line insert:

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

14 77.81 (1) “Department” means the department of ~~natural resources~~ forestry.”

15 **120.** Page 848, line 25: after that line insert:

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

17 77.82 (2) PETITION. (intro.) Any owner of land may petition the department to
18 designate any eligible parcel of land as managed forest land. A petition may include
19 any number of eligible parcels under the same ownership in a single municipality.
20 Each petition shall be submitted on a form provided by the department and shall be
21 accompanied by a nonrefundable \$10 application fee unless a different amount of the
22 fee is established by the department by rule at an amount equal to the average
23 expense to the department of recording an order issued under this subchapter. The
24 fee shall be deposited in the ~~conservation~~ forestry fund and credited to the

1 appropriation under s. ~~20.370 (1) (er)~~ 20.375 (2) (qr). Each petition shall include all
2 of the following:

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

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

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

14 77.82 (4m) (bn) A petition under this subsection shall be accompanied by a
15 nonrefundable \$100 application fee which shall be deposited in the conservation
16 forestry fund and credited to the appropriation under s. ~~20.370 (1) (er)~~ 20.375 (2)
17 (qr).”.

18 **121.** Page 849, line 3: after that line insert:

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

20 77.84 (3) (b) Immediately after receiving the certification of the county clerk
21 that a tax deed has been taken, the department shall issue an order withdrawing the
22 land as managed forest land. The notice requirement under s. 77.88 (1) does not
23 apply to the department's action under this paragraph. The department shall notify
24 the county treasurer of the amount of the withdrawal tax, as determined under s.

1 77.88 (5), and the amount of the tax shall be payable to the department under s. 75.36
2 (3) if the property is sold by the county. The amount shall be credited to the
3 ~~conservation forestry~~ fund.

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

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

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

10 **77.87 (3) PAYMENT.** A tax assessed under sub. (1) or (2) is due and payable to
11 the department on the last day of the month following the date the certificate is
12 mailed to the owner. The department shall collect interest at the rate of 12% per year
13 on any tax that is paid later than the due date. Amounts received shall be credited
14 to the ~~conservation forestry~~ fund.

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

16 **77.88 (2) (d)** Within 10 days after a transfer of ownership, the former owner
17 shall, on a form provided by the department, file with the department a report of the
18 transfer signed by the former owner and the transferee. The report shall be
19 accompanied by a \$20 fee which shall be deposited in the ~~conservation forestry~~ fund
20 and credited to the appropriation under s. ~~20.370 (1) (er)~~ 20.375 (2) (qr). The
21 department shall immediately notify each person entitled to notice under s. 77.82 (8).

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

23 **77.88 (7) PAYMENT; DELINQUENCY.** A tax under sub. (5) is due and payable to the
24 department on the last day of the month following the effective date of the
25 withdrawal order. Amounts received shall be credited to the ~~conservation forestry~~

1 fund. If the owner of the land fails to pay the tax, the department shall certify to the
2 taxation district clerk the amount due. The taxation district clerk shall enter the
3 delinquent amount on the property tax roll as a special charge.

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

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

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

10 77.89 (3) ~~CONSERVATION FORESTRY FUND CREDIT.~~ The municipal treasurer shall
11 pay all amounts received under s. 77.84 (2) (b) to the county treasurer, as provided
12 under ss. 74.25 and 74.30. The county treasurer shall, by June 30 of each year, pay
13 all amounts received under this subsection to the department. All amounts received
14 by the department shall be credited to the conservation forestry fund and shall be
15 reserved for land acquisition and resource management activities relating to the
16 state forests.

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

18 77.91 (4) EXPENSES. Except as provided in sub. (5), the department's expenses
19 for the administration of this subchapter shall be paid from the appropriation under
20 s. ~~20.370 (1) (mu)~~ 20.375 (2) (q).

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

22 77.91 (5) RECORDING. Each register of deeds who receives notice of an order
23 under this subchapter shall record the action as provided under s. 59.43 (1). The
24 department shall pay the register of deeds the fee specified under s. 59.43 (2) (ag) 1.
25 from the appropriation under s. ~~20.370 (1) (er)~~ 20.375 (2) (qr). If the amount in the

1 appropriation under s. ~~20.370 (1) (er)~~ 20.375 (2) (qr) in any fiscal year is insufficient
2 to pay the full amount required under this subsection in that fiscal year, the
3 department shall pay the balance from the appropriation under s. ~~20.370 (1) (mu)~~
4 20.375 (2) (q).”

5 **122.** Page 856, line 3: after that line insert:

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

7 80.05 (2) (b) Give notice by registered mail to the department of natural
8 resources, to the department of forestry and to the county land conservation
9 committee in each county through which the highway may pass.

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

11 80.39 (2) NOTICE. Upon such petition the county board or the commissioners
12 appointed by the board shall give notice of the time and place they will meet to decide
13 on the petition. The notice shall be published as a class 2 notice, under ch. 985. The
14 notice shall also be given to the ~~department~~ secretary of natural resources ~~by serving~~
15 ~~a copy upon the secretary of natural resources~~ and to the secretary of forestry either
16 by registered mail or personally. If the board appoints a committee to act, the notice
17 shall state the fact and the notice shall be signed by the commissioners, otherwise
18 by the chairperson of the board.

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

20 84.01 (17) IMPROVEMENTS FOR NEXT 6 YEARS. In each odd-numbered year, the
21 department of transportation shall determine, as far as possible, what
22 improvements will be made during the following 6-year period, and shall notify the
23 county clerks prior to February 1 of each even-numbered year, as to the
24 improvements in their respective counties. Such notice shall also be given to the

1 department of natural resources, to the department of forestry and to the
2 department of agriculture, trade and consumer protection.”.

3 **123.** Page 861, line 17: after that line insert:

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

5 84.02 (3) (a) Changes may be made in the state trunk system by the
6 department, if it deems that the public good is best served by making the changes.
7 The department, in making the changes, may lay out new highways by the procedure
8 under this subsection. Due notice shall be given to the localities concerned of the
9 intention to make changes or discontinuances, and if the change proposes to lay a
10 highway via a new location and the distance along such deviation from the existing
11 location exceeds 2 1/2 miles, then a hearing in or near the region affected by the
12 proposed change shall be held prior to making the change effective. The notice shall
13 also be given to the secretary of natural resources and to the secretary of forestry
14 either by registered mail or personally. Whenever the department decides to thus
15 change more than 2 1/2 miles of the system the change shall not be effective until the
16 decision of the department has been referred to and approved by the county board
17 of each county in which any part of the proposed change is situated. A copy of the
18 decision shall be filed in the office of the clerk of each county in which a change is
19 made or proposed. Where the distance along the deviation from the existing location
20 exceeds 5 miles the change shall constitute an addition to the state trunk highway
21 system. The preexisting route shall continue to be a state trunk highway unless the
22 county board of each county in which any part of the relocation lies and the
23 department mutually agree to its discontinuance as a state trunk highway.
24 Whenever such county board or boards and the department cannot so agree the

1 department shall report the problem to the next ensuing session of the legislature
2 for determination.”.

3 **124.** Page 868, line 2: after that line insert:

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

5 84.28 (1) Moneys from the appropriation under s. ~~20.370 (7) (mc)~~ 20.375 (3) (b)
6 may be expended for the renovation, marking and maintenance of a town or county
7 highway located within the boundaries of any ~~state park, state forest or other~~
8 property under the jurisdiction of the department of natural resources, other than
9 a southern state forest. Moneys from the appropriation under s. ~~20.370 (7) (mc)~~ may
10 be expended for the renovation, marking and maintenance of a town or county
11 highway located within the boundaries of any state park or any southern state forest,
12 in the lower Wisconsin state riverway, as defined in s. 30.40 (15), or on other property
13 under the jurisdiction of the department of natural resources. Outside the lower
14 Wisconsin state riverway, as defined in s. 30.40 (15), or outside the boundaries of
15 these parks, forests or other property under the jurisdiction of the department of
16 natural resources, moneys from the appropriation under s. ~~20.370 (7) (mc)~~ may be
17 expended for the renovation, marking and maintenance of roads which the
18 department of natural resources certifies are utilized by a substantial number of
19 visitors to these state parks, state forests or other property under the jurisdiction of
20 the department of natural resources. The department of natural resources shall
21 authorize expenditures from the appropriation under s. 20.370 (7) (mc) under this
22 subsection. The department of natural resources shall rank projects eligible for
23 assistance funding from the appropriation under s. 20.370 (7) (mc) under a priority
24 system and funding may be restricted to those projects with highest priority. Outside

1 the boundaries of the state forests under the jurisdiction of the department of
2 forestry, moneys from the appropriation under s. 20.375 (3) (b) may be expended for
3 the renovation, marking, and maintenance of roads which the department of forestry
4 certifies are utilized by a substantial number of visitors to these state forests. The
5 department of forestry shall authorize expenditures from the appropriation under
6 s. 20.375 (3) (b) under this subsection. The department of forestry shall rank projects
7 eligible for funding from the appropriation under s. 20.375 (3) (b) under a priority
8 system and funding may be restricted to those projects with the highest priority.

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

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

1 defined in s. 30.40 (15), and outside the limits of the park, state forest, and public
2 land areas, direct connections to the most convenient state trunk highway may be
3 built or maintained under this section. Roads in unincorporated areas within 5 miles
4 of the boundaries of the Horicon national wildlife refuge or the Horicon marsh
5 wildlife area may be built or maintained under this section upon request of the town
6 board, if the department of transportation certifies that such roads are or will be used
7 by a substantial number of visitors to such area. Costs incurred under this section
8 shall be the responsibility of the department of natural resources, department of
9 forestry, commissioners of public lands or town board, as appropriate.”

10 **125.** Page 881, line 4: after that line insert:

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

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

22 **126.** Page 912, line 2: after that line insert:

23 “SECTION 2586r. 106.215 (7) (c) of the statutes is repealed.

24 **127.** Page 917, line 22: after that line insert:

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

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

6 **128.** Page 939, line 16: after that line insert:

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

8 **134.60 Cutting or transportation of evergreens.** No person may cut for
9 sale in its natural condition and untrimmed, with or without roots, any evergreen or
10 coniferous tree, branch, bough, bush, sapling or shrub, from the lands of another
11 without the written consent of the owner, whether such land is publicly or privately
12 owned. The written consent shall contain the legal description of the land where the
13 tree, branch, bough, bush, sapling or shrub was cut, as well as the name of the legal
14 owner. The written consent or a certified copy of the consent shall be carried by every
15 person in charge of the cutting or removing of the trees, branches, boughs, bushes,
16 saplings or shrubs, and shall be exhibited to any officer of the law, state forest ranger,
17 forest patrol officer, conservation warden, or other officer of the department of
18 natural resources or the department of forestry at the officer’s request at any time.
19 The officer may inspect the trees, branches, boughs, bushes, saplings or shrubs when
20 being transported in any vehicle or other means of conveyance and may investigate
21 to determine whether or not this section has been complied with. The officer may
22 stop any vehicle or means of conveyance found carrying any trees, branches, boughs,
23 bushes, saplings or shrubs upon any public highway of this state for the purpose of
24 making such inspection and investigation, and may seize and hold, subject to the

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

15 **129.** Page 959, line 7: after that line insert:

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

17 165.25 (4) (a) The department of justice shall furnish all legal services required
18 by the investment board, the lottery division in the department of revenue, the public
19 service commission, the department of transportation, the department of natural
20 resources, the department of forestry, the department of tourism, and the
21 department of employcc trust funds, together with any other services, including
22 stenographic and investigational, as are necessarily connected with the legal work.”.

23 **130.** Page 960, line 10: after that line insert:

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

1 165.85 (4) (b) 1. No person may be appointed as a law enforcement or tribal law
2 enforcement officer, except on a temporary or probationary basis, unless the person
3 has satisfactorily completed a preparatory program of law enforcement training
4 approved by the board and has been certified by the board as being qualified to be
5 a law enforcement or tribal law enforcement officer. The program shall include 400
6 hours of training, except that the program for law enforcement officers who serve as
7 rangers for the department of natural resources or the department of forestry
8 includes 240 hours of training. The board shall promulgate a rule under ch. 227
9 providing a specific curriculum for a 400-hour conventional program and a 240-hour
10 ranger program. The rule shall ensure that there is an adequate amount of training
11 for each program to enable the person to deal effectively with domestic abuse
12 incidents. The training under this subdivision shall include training on emergency
13 detention standards and procedures under s. 51.15, emergency protective placement
14 standards and procedures under s. 55.06 (11) and information on mental health and
15 developmental disabilities agencies and other resources that may be available to
16 assist the officer in interpreting the emergency detention and emergency protective
17 placement standards, making emergency detentions and emergency protective
18 placements and locating appropriate facilities for the emergency detentions and
19 emergency protective placements of persons. The training under this subdivision
20 shall include training on police pursuit standards, guidelines and driving techniques
21 established under par. (cm) 2. b. The period of temporary or probationary
22 employment established at the time of initial employment shall not be extended by
23 more than one year for an officer lacking the training qualifications required by the
24 board. The total period during which a person may serve as a law enforcement and
25 tribal law enforcement officer on a temporary or probationary basis without

1 completing a preparatory program of law enforcement training approved by the
2 board shall not exceed 2 years, except that the board shall permit part-time law
3 enforcement and tribal law enforcement officers to serve on a temporary or
4 probationary basis without completing a program of law enforcement training
5 approved by the board to a period not exceeding 3 years. For purposes of this section,
6 a part-time law enforcement or tribal law enforcement officer is a law enforcement
7 or tribal law enforcement officer who routinely works not more than one-half the
8 normal annual work hours of a full-time employee of the employing agency or unit
9 of government. Law enforcement training programs including municipal, county
10 and state programs meeting standards of the board are acceptable as meeting these
11 training requirements.”.

12 **131.** Page 1003, line 12: after that line insert:

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

14 227.43 (1) (bd) Assign a hearing examiner to preside over any hearing of a
15 contested case which is required to be conducted by the department of forestry and
16 which is not conducted by the secretary of forestry.

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

18 227.43 (2) (am) The department of forestry shall notify the division of hearings
19 and appeals of every pending hearing to which the administrator of the division is
20 required to assign a hearing examiner under sub. (1) (bd) after the department of
21 forestry is notified that a hearing on the matter is required.

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

23 227.43 (3) (am) The administrator of the division of hearings and appeals may
24 set the fees to be charged for any services rendered to the department of forestry by

1 a hearing examiner under this section. The fees shall cover the total cost of the
2 services less any costs covered by the appropriation under s. 20.505 (4) (f).

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

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

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

8 227.46 (8) If the hearing examiner assigned under s. 227.43 (1) (b) renders the
9 final decision in a contested case and the decision is subject to judicial review under
10 s. 227.52, the department of natural resources may petition for judicial review. If the
11 hearing examiner assigned under s. 227.43 (1) (bd) renders the final decision in a
12 contested case and the decision is subject to judicial review under s. 227.52, the
13 department of forestry may petition for judicial review. If the hearing examiner
14 assigned under s. 227.43 (1) (br) renders the final decision in a contested case and
15 the decision is subject to judicial review under s. 227.52, the department of
16 transportation may petition for judicial review.”.

17 **132.** Page 1004, line 20: after that line insert:

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

19 230.08 (2) (e) 4p. Forestry — 1.

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

21 230.08 (2) (e) 8. Natural resources — 7 6.”.

22 **133.** Page 1008, line 16: after that line insert:

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

1 230.36 (1m) (b) 1. (intro.) A state forest ranger or field employee of the
2 department of natural resources or the department of forestry who is subject to call
3 for forest fire control duty or fire watcher employed at the Wisconsin Veterans Home
4 at King or at the facilities operated by the department of veterans affairs under s.
5 45.385, and lifeguard, at all times while.”.

6 **134.** Page 1008, line 23: after that line insert:

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

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

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

17 230.36 (2m) (a) 5. A conservation field employee of the department of natural
18 resources or the department of forestry who is subject to call for fire control duty.”.

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

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

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

1 **136.** Page 1094, line 6: after that line insert:

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

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

5 **137.** Page 1103, line 23: after that line insert:

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

7 341.65 (2) (b) Any municipal or university police officer, sheriff’s deputy, county
8 traffic patrolman, state traffic officer, state forest ranger or conservation warden who
9 discovers any unregistered motor vehicle located upon any highway may cause the
10 motor vehicle to be immobilized with an immobilization device or removed to a
11 suitable place of impoundment. Upon immobilization or removal of the motor
12 vehicle, the officer, state forest ranger or conservation warden shall notify the sheriff
13 or chief of police of the location of the immobilized or impounded motor vehicle and
14 the reason for the immobilization or impoundment.”.

15 **138.** Page 1104, line 13: after that line insert:

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

17 342.40 (3) (a) Any municipal or university police officer, police officer appointed
18 under s. 16.84 (2), sheriff’s deputy, county traffic patrolman, state traffic officer, state
19 forest ranger or conservation warden who discovers any motor vehicle, trailer,
20 semitrailer, or mobile home on any public highway or private or public property
21 which has been abandoned shall cause the vehicle to be removed to a suitable place
22 of impoundment. Upon removal of the vehicle the officer, state forest ranger or
23 conservation warden shall notify the sheriff or chief of police of the abandonment and
24 of the location of the impounded vehicle.”.

1 **139.** Page 1129, line 6: after that line insert:

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

3 347.06 (1) Except as provided in subs. (2) ~~and~~, (4), and (5), no person may
4 operate a vehicle upon a highway during hours of darkness unless all headlamps, tail
5 lamps, and clearance lamps with which such vehicle is required to be equipped are
6 lighted. Parking lamps as defined in s. 347.27 shall not be used for this purpose.

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

8 347.06 (5) A state forest ranger appointed under s. 28.92 may operate a vehicle
9 owned or leased by the department of forestry upon a highway during hours of
10 darkness without lighted headlamps, tail lamps, or clearance lamps in the
11 performance of his or her duties.”.

12 **140.** Page 1134, line 23: after that line insert:

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

14 350.01 (9g) “Law enforcement officer” has the meaning specified under s.
15 165.85 (2) (c) and includes a person appointed as a conservation warden by the
16 department under s. 23.10 (1) or a state forest ranger appointed under s. 28.92.”.

17 **141.** Page 1140, line 11: after that line insert:

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

20 350.12 (4) (b) *Trail aids and related costs.* (intro.) The moneys appropriated
21 under s. ss. 20.370 (1) (mq) and (5) (cb), (cr), (cs), and (cw) and 20.375 (3) (sg) shall
22 be used for development and maintenance, the cooperative snowmobile sign
23 program, major reconstruction or rehabilitation to improve bridges on existing

1 approved trails, trail rehabilitation, signing of snowmobile routes, and state
2 snowmobile trails, and areas and distributed as follows.”.

3 **142.** Page 1140, line 19: after that line insert:

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

6 350.12 (4) (bg) 1. Of the moneys appropriated under s. 20.370 (5) (cs), the
7 department of natural resources shall make available in fiscal year 2001–02 and
8 each fiscal year thereafter an amount equal to the amount calculated under s. 25.29
9 (1) (d) 2. to make payments to itself, to the department of forestry, or to a county under
10 par. (bm) for trail maintenance costs incurred in the previous fiscal year that exceed
11 the maximum specified under par. (b) 1. before expending any of the amount for the
12 other purposes specified in par. (b).”.

13 **143.** Page 1141, line 4: after that line insert:

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

15 350.12 (4) (bm) *Supplemental trail aid payments; eligibility.* (intro.) A county
16 or the department of forestry shall be eligible for payments under par. (bg) if it
17 applies for the aid and if all of the following apply:

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

19 350.12 (4) (bm) 1. The actual cost incurred by the department of forestry or the
20 county in maintaining its trails that are qualified under par. (b) 1. or 4. in the
21 previous fiscal year exceeds the maximum of \$250 per mile per year under par. (b)
22 1.

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

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

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

6 350.12 (4) (br) *Supplemental trail aid payments; insufficient funding.* If the
7 aid that is payable to counties ~~and,~~ to the department of natural resources, and to
8 the department of forestry under par. (bm) exceeds the moneys available under par.
9 (bg), the department of natural resources may prorate the payments or may request
10 the joint committee on finance to take action under s. 13.101. The requirement of a
11 finding of emergency under s. 13.101 (3) (a) 1. does not apply to such a request.

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

13 350.12 (4) (c) 1. Any moneys appropriated under s. 20.370 (1) (mq), (3) (aq) or
14 (9) (mw) or 20.375 (3) (sg) that lapse shall revert to the snowmobile account in the
15 conservation fund.”.

16 **144.** Page 1143, line 2: after that line insert:

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

18 350.14 (1) The snowmobile recreational council shall carry out studies and
19 make recommendations to the legislature, governor, department of natural
20 resources, department of forestry, and department of transportation on all matters
21 related to this chapter or otherwise affecting snowmobiles and snowmobiling.

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

23 350.145 (3) (a) 1. Before June 30 of each even-numbered year, the department
24 shall consult with the department of forestry and the snowmobile recreational

1 council on the proposed changes for the succeeding biennium in the appropriations
2 and laws that affect snowmobiles and snowmobiling.

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

4 350.15 (3) (a) If a snowmobile accident results in the death of any person, or
5 in an injury that requires the treatment of a person by a physician, the operator of
6 each snowmobile involved in the accident shall give notice of the accident to a
7 ~~conservation warden or local~~ law enforcement officer as soon as possible and, within
8 10 days after the accident, shall file a written report of the accident with the
9 department on the form prescribed by it.

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

11 350.17 (1) Any ~~officer of the state traffic patrol under s. 110.07 (1), inspector~~
12 ~~under s. 110.07 (3), warden of the department under s. 23.10, county sheriff or~~
13 ~~municipal peace officer~~ law enforcement officer may enforce the provisions of this
14 chapter.”.

15 **145.** Page 1200, line 8: after that line insert:

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

17 800.02 (2) (a) (intro.) The citation shall be signed by a peace officer or endorsed
18 by a municipal attorney or, if applicable, signed by a conservation warden or a state
19 forest ranger. In addition, the governing body of a municipality authorized to adopt
20 the use of citations may designate by ordinance or resolution other municipal
21 officials who may issue citations with respect to ordinances which are directly
22 related to the official responsibilities of the officials. Officials granted the authority
23 to issue citations may delegate, with the approval of the governing body, the
24 authority to employees. Authority delegated to an official or employee may be

1 revoked only in the same manner by which it is conferred. The citation shall contain
2 substantially the following information:”.

3 **146.** Page 1219, line 4: after that line insert:

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

5 895.52 (2) (a) 2. A duty to inspect the property, except as provided under s. ss.
6 23.115 (2) and 28.045 (3).

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

8 895.52 (3) (b) A death or injury caused by a malicious act or by a malicious
9 failure to warn against an unsafe condition of which an officer, employee or agent
10 knew, which occurs on property designated by the department of natural resources
11 under s. 23.115, designated by the department of forestry under s. 28.045 or
12 designated by another state agency for a recreational activity.

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

14 895.53 (1) (am) “State forest ranger” means a person appointed as a state forest
15 ranger by the department of forestry under s. 28.92.

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

17 895.53 (2) Any person withdrawing blood at the request of a traffic officer, law
18 enforcement officer, state forest ranger, or conservation warden for the purpose of
19 determining the presence or quantity of alcohol, controlled substances, controlled
20 substance analogs or any combination of alcohol, controlled substances and
21 controlled substance analogs is immune from any civil or criminal liability for the
22 act, except for civil liability for negligence in the performance of the act.”.

23 **147.** Page 1250, line 14: after that line insert:

24 “SECTION 3984t. 951.01 (4) of the statutes is amended to read:

1 951.01 (4) “Law enforcement officer” has the meaning assigned under s. 967.02
2 (5), but does not include a conservation warden appointed under s. 23.10 or a state
3 forest ranger.”.

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

4 **148.** Page 1280, line 22: after that line insert:

5 “**SECTION 4034yr.** 990.01 (39) of the statutes is created to read:

6 990.01 (39) SOUTHERN STATE FOREST. “Southern state forest” means a state
7 forest that is located within the region specified in s. 25.28 (3) (am).”.

8 **149.** Page 1346, line 3: delete lines 3 to 14 and substitute:

9 “(5mk) GREAT LAKES FORESTRY MUSEUM.

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

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

1 **150.** Page 1346, line 17: after “2001–02 and” insert “from the appropriation
2 under section 20.375 (2) (w) of the statutes, as affected by this act, the department
3 of forestry shall provide”.

4 **151.** Page 1346, line 21: after “2001–02 and” insert “from the appropriation
5 under section 20.375 (2) (w) of the statutes, as affected by this act, the department
6 of forestry shall provide”.

7 **152.** Page 1348, line 6: after that line insert:

8 “(9zw) TRANSFER OF THE DIVISION OF FORESTRY TO THE DEPARTMENT OF FORESTRY.

9 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
10 liabilities of the department of natural resources that are primarily related to the
11 functions of the division of forestry, as determined by the secretary of administration,
12 shall become the assets and liabilities of 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.

17 (b) *Employee transfers.*

18 1. All incumbent employees holding positions in the department of natural
19 resources relating primarily to the functions of the division of forestry, as determined
20 by the secretary of administration, are transferred on the effective date of this
21 subdivision to the department of forestry. If either department is dissatisfied with
22 the secretary’s determination, that department may bring the matter to the
23 cochairpersons of the joint committee on finance for consideration by the committee,
24 and the committee shall affirm or modify the decision.

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

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

14 (d) *Tangible personal property.* On the effective date of this paragraph, all
15 tangible personal property, including records, of the department of natural resources
16 that is primarily related to the functions of the division of forestry, as determined by
17 the secretary of administration, shall be transferred to the department of forestry.
18 If either department is dissatisfied with the secretary's determination, that
19 department may bring the matter to the cochairpersons of the joint committee on
20 finance for consideration by the committee, and the committee shall affirm or modify
21 the decision.

22 (e) *Contracts.* All contracts entered into by the department of natural resources
23 in effect on the effective date of this paragraph that are primarily related to the
24 functions of the division of forestry, as determined by the secretary of administration,
25 remain in effect and are transferred to the department of forestry. If either

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. The department of forestry shall carry out any such contractual obligations
5 unless modified or rescinded by the department of forestry to the extent allowed
6 under the contract.

7 (f) *Rules and orders.* All rules promulgated by the department of natural
8 resources that are primarily related to the functions of the division of forestry, as
9 determined by the secretary of administration, and that are in effect on the effective
10 date of this paragraph remain in effect until their specified expiration dates or until
11 amended or repealed by the department of forestry. All orders issued by the
12 department of natural resources that are primarily related to the functions of the
13 division of forestry, as determined by the secretary of administration, and that are
14 in effect on the effective date of this paragraph remain in effect until their specified
15 expiration dates or until modified or rescinded by the department of forestry. If
16 either department is dissatisfied with the secretary's determination, that
17 department may bring the matter to the cochairpersons of the joint committee on
18 finance for consideration by the committee, and the committee shall affirm or modify
19 the decision.

20 (g) *Pending matters.* Any matter pending with the department of natural
21 resources on the effective date of this paragraph that is primarily related to the
22 functions of the division of forestry, as determined by the secretary of administration,
23 is transferred to the department of forestry and all materials submitted to or actions
24 taken by the department of natural resources with respect to the pending matter are
25 considered as having been submitted to or taken by the department of forestry. If

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

5 (h) *Position changes.*

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

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

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

15 4. The authorized FTE positions for the department of natural resources are
16 increased by 44.75 SEG positions funded from the appropriation under section
17 20.370 (1) (mv) of the statutes, as created by this act.

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

21 18. There are authorized for the department of forestry 2.5 FTE SEG positions
22 to be funded from the appropriation under section 20.375 (2) (sv) of the statutes, as
23 affected by this act.

1 21. There are authorized for the department of forestry 1.48 FTE PR positions
2 to be funded from the appropriation under section 20.375 (3) (tm) of the statutes, as
3 created by this act.

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

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

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

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

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

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

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

1 (9zy) APPOINTMENT OF FORESTRY SECRETARY; EARLY APPOINTMENT.

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

5 **153.** Page 1421, line 23: after that line insert:

6 “(1z) DEPARTMENT OF FORESTRY. The repeal of sections 15.343, 20.370 (1) (er),
7 23.09 (2) (d) 1., 23.09 (2) (d) 5., 27.016 (1) (c), 70.114 (1) (a), and 106.215 (7) (c) of the
8 statutes; the renumbering of sections 20.370 (1) (ct), 20.370 (1) (cu), 20.370 (1) (cv),
9 20.370 (1) (Lt), 20.370 (1) (mz), 20.370 (5) (at), 20.370 (5) (av), 20.370 (5) (ay), 20.370
10 (5) (bq), 20.370 (5) (br), 20.370 (5) (bs), 20.370 (5) (bt), 20.370 (5) (bu), 20.370 (5) (bv),
11 20.370 (5) (bw), 20.370 (5) (bx), 20.370 (5) (by), 20.370 (5) (dx), 23.09 (11) (a), 23.097
12 (1) (by SECTION 1037m), 25.29 (7) (intro.), 27.01 (7) (h), and 27.01 (7m) (a) of the
13 statutes; the renumbering and amendment of sections 20.370 (1) (cq), 20.370 (1) (cr),
14 20.370 (1) (cs), 20.370 (5) (as), 20.370 (au), 23.09 (17m) (a), 25.29 (7) (a), 25.29 (7) (b),
15 and 27.01 (7m) (b) of the statutes; the amendment of sections 1.055 (1), 1.056, 13.101
16 (6) (a) (by SECTION 99m), 14.82 (1) (intro.), 15.225 (2) (c), 16.967 (6) (by SECTION 343p),
17 20.115 (7) (qc) (by SECTION 425c), 20.143 (1) (t), 20.285 (1) (qm), 20.285 (1) (rc), 20.370
18 (1) (eq), 20.370 (1) (mu), 20.370 (4) (aw), 20.370 (5) (da), 20.370 (5) (dq), 20.370 (7) (fa),
19 20.370 (7) (ft), 20.370 (7) (mc), 20.380 (2) (q), 20.445 (6) (u), 20.445 (6) (y), 20.866 (1)
20 (u) (by SECTION 962b), 20.866 (2) (tu) (by SECTION 969eg), 23.09 (2p) (a), 23.09 (2p) (b),
21 23.09 (3) (a), 23.09 (17m) (b), 23.09 (18) (a), 23.09 (18) (b), 23.09 (18) (c), 23.09 (21m),
22 23.09 (26) (a), 23.09 (26) (am) 2., 23.0917 (1) (c), 23.0917 (3) (a) (by SECTION 1034hm),
23 23.092 (5) (a), 23.094 (4) (a), 23.095 (1m) (title), 23.095 (1m) (a), 23.0955 (2) (am),
24 23.0956 (1) (intro.), 23.0957 (2) (intro.), 23.0957 (3) (d), 23.096 (2) (a), 23.096 (3)

1 (intro.), 23.096 (4) (a) 1., 23.096 (4) (a) 2., 23.096 (4) (b), 23.098 (1) (ag), 23.098 (2),
2 23.098 (3), 23.098 (4) (a), 23.098 (4) (am), 23.098 (4) (b), 23.11 (1), 23.13, 23.14 (1) and
3 (2), 23.15 (title), 23.15 (1), 23.15 (2), 23.15 (3), 23.15 (4), 23.15 (5) (a), 23.15 (5) (b),
4 23.175 (3m), 23.26 (3), 23.29 (2), 23.293 (4), 23.293 (5), 23.295 (2) (intro.), 23.295 (3)
5 (f), 23.305 (title), 23.305 (2), 23.305 (3), 23.33 (1) (ig), 23.33 (5) (a), 23.33 (5m) (c) 4.,
6 23.33 (5m) (c) 5., 23.33 (8) (c), 23.33 (9) (b) (intro.), 23.33 (12) (a), 24.39 (1), 24.39 (2),
7 25.29 (1) (a), 25.29 (6) (by SECTION 1119c), 25.295 (1) (b), 26.01, 26.06 (1), 26.08 (1),
8 26.08 (2) (a), 26.08 (3), 26.11 (6), 26.11 (7) (a) (by SECTION 1148c), 26.11 (7) (b), 26.12
9 (2), 26.14 (2), 26.20 (6) (b), 26.22, 26.30 (2), 26.30 (4), 26.37 (1) (intro.), 26.37 (1) (a),
10 26.37 (1) (b), 26.37 (1) (c), 26.37 (1) (d), 26.37 (1) (e), 26.37 (1) (f), 26.37 (1) (g), 26.39
11 (2) and (3), 27.01 (7) (a) 3., 27.01 (7) (gu), 27.01 (10) (b), 27.01 (10) (d) 1., 27.01 (10)
12 (d) 2., 27.01 (10) (d) 3., 27.01 (10) (d) 4., 27.01 (10) (d) 5., 27.01 (10) (d) 6., 27.01 (10)
13 (e), 27.01 (10) (f), 27.01 (10) (g) (intro.), 27.01 (10) (h), 27.01 (11) (a), 27.01 (11) (b)
14 (intro.), 27.01 (11) (cm) 1., 27.01 (11) (cm) 2., 27.01 (11) (i), 27.019 (12), 28.005, 28.01,
15 28.02 (title), 28.02 (1), 28.02 (2), 28.03 (1), 28.03 (3), 28.035 (2), 28.035 (3) (b), 28.04
16 (2) (a), 28.04 (2) (b), 28.04 (2) (c), 28.04 (3) (a), 28.04 (3) (b), 28.05 (1), 28.06 (2m) (by
17 SECTION 1153qc), 28.08, 28.11 (5m) (a) (intro.), 28.11 (5r) (b), 28.11 (8) (a), 28.11 (8)
18 (b) 1., 28.11 (8) (b) 2., 28.11 (9) (am), 28.11 (9) (ar) 1., 28.11 (9) (ar) 2., 30.277 (1m) (a),
19 30.50 (4s), 30.54 (2), 30.544, 30.67 (2) (a), 30.92 (1) (b), 30.92 (3) (b) 7., 32.035 (3),
20 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)
21 (b), 66.0221 (1) (by SECTION 2019mn), 66.0235 (5), 66.0307 (4) (a) 1., 66.0407 (5),
22 70.113 (1) (intro.), 70.113 (2) (a), 70.114 (1) (d), 70.114 (2), 70.114 (3), 70.114 (4) (a),
23 70.58, 71.59 (1m), 77.02 (1), 77.02 (2), 77.02 (3), 77.03, 77.04 (2), 77.05, 77.06 (1),
24 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
25 (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

1 (2), 77.14, 77.16 (1), 77.81 (1), 77.82 (2) (intro.), 77.82 (4), 77.82 (4m) (bn), 77.84 (3)
2 (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),
3 80.05 (2) (b), 80.39 (2), 84.01 (17), 84.02 (3) (a), 84.28 (1), 84.28 (2), 86.315 (1), 118.025,
4 134.60, 165.25 (4) (a), 165.85 (4) (b) 1., 227.46 (8), 230.08 (2) (e) 8., 230.36 (1m) (b) 1.
5 (intro.), 230.36 (1m) (b) 2. (intro.) (by SECTION 3081d), 230.36 (2m) (a) 5., 303.04,
6 340.01 (3) (b), 341.65 (2) (b), 342.40 (3) (a), 347.06 (1), 350.01 (9g), 350.12 (4) (h)
7 (intro.) (by SECTION 3483m), 350.12 (4) (bg) 1. (by SECTION 3484m), 350.12 (4) (bm)
8 (intro.), 350.12 (4) (bm) 1., 350.12 (4) (bm) 2., 350.12 (4) (br), 350.12 (4) (c) 1., 350.14
9 (1), 350.145 (3) (a) 1., 350.15 (3) (a), 350.17 (1), 800.02 (2) (a) (intro.), 895.52 (2) (a)
10 2., 895.52 (3) (b), 895.53 (2), and 951.01 (4) of the statutes; and the creation of sections
11 15.45, 20.370 (1) (mv), 20.370 (1) (mx), 20.375 (intro.), 20.375 (2) (title), 20.375 (2) (h),
12 20.375 (2) (k), 20.375 (2) (q), 20.375 (2) (qf), 20.375 (2) (rq), 20.375 (2) (x), 20.375 (3)
13 (title), 20.375 (3) (b), 20.375 (3) (c), 20.375 (3) (d), 20.375 (3) (r), 20.375 (3) (s), 20.375
14 (3) (sg), 20.375 (3) (sr), 20.375 (3) (t), 20.375 (3) (tm), 20.375 (3) (tn), 20.375 (3) (um),
15 20.375 (3) (v), 20.375 (3) (x), 20.923 (4) (f) 7y., 23.09 (11) (ag), 23.09 (17m) (ac), 23.09
16 (20) (ar), 23.0917 (4r), 23.0919, 23.0955 (2) (c), 23.0956 (3), 23.096 (2) (am), 23.096
17 (3m), 23.097 (1b), 23.098 (2m), 23.15 (1m), 23.15 (4m), 23.15 (5) (c), 23.30 (4), 23.33
18 (9m), 25.17 (1) (fs), 25.17 (1) (fv), 25.28, 25.294, 27.01 (7) (h) 2., 27.01 (7m) (a) 2., 27.01
19 (7m) (b) 2., 28.012 (title), 28.012 (1), 28.012 (2), 28.012 (3), 28.012 (4), 28.012 (5),
20 28.012 (6), 28.012 (7), 28.012 (8), 28.012 (9), 28.03 (4), 28.045, 28.90 (title), 28.90 (1),
21 28.92, 28.94, 28.98, 32.02 (15m), 40.02 (17) (n), 40.65 (4w), 70.113 (1m), 70.114 (4) (b),
22 227.43 (1) (bd), 227.43 (2) (am), 227.43 (3) (am), 227.43 (4) (am), 230.08 (2) (e) 4p.,
23 347.06 (5), 895.53 (1) (am), and 990.01 (39) of the statutes and SECTION 9137 (9zw)
24 of this act take effect on July 1, 2002.”

