

2007 DRAFTING REQUEST

Bill

Received: 01/08/2007

Received By: mglass

Wanted: As time permits

Identical to LRB:

For: Administration-Budget 6-1040

By/Representing: Grinde

This file may be shown to any legislator: NO

Drafter: mglass

May Contact:

Addl. Drafters:

Subject: Nat. Res. - LWSR stewardship

Extra Copies: RNK

Submit via email: YES

Requester's email:

Carbon copy (CC:) to:

Pre Topic:

DOA:.....Grinde, BB0276 -

Topic:

Stewardship 2000 program reauthorization

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?				_____			S&L
/1	mglass 01/08/2007	wjackson 01/10/2007	nmatzke 01/11/2007	_____	sbasford 01/11/2007		S&L
/2	mglass 01/26/2007 chanaman 01/28/2007	wjackson 01/26/2007	rschluet 01/26/2007	_____	chanaman 01/28/2007		S&L

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/3			nnatzke 01/28/2007	_____ _____	cduerst 01/28/2007		S&L
/4	mglass 01/29/2007 mglass 02/11/2007	chanaman 01/29/2007 wjackson 01/29/2007 jdye 02/12/2007	rschluet 02/12/2007	_____ _____ _____ _____ _____	mbarman 02/12/2007		

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/2	mglass 01/26/2007 chanaman 01/28/2007	wjackson 01/26/2007	rschluet 01/26/2007	_____	chanaman 01/28/2007		S&L

Handwritten signatures and initials:
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Below it, the number '2127' is written.
To the right, the initials 'JF' are written.

Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

/3

nnatzke _____
01/28/2007 _____

cduerst
01/28/2007

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13wj 1/28 nwn 1/28 nwn/cmh 1/28

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/1	mglass 01/08/2007	wjackson 01/10/2007	nmatzke 01/11/2007		sbasford 01/11/2007		

FE Sent For:

12WJ 1/26

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1267

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Pre Topic:

DOA:.....Kirsten Grinde, BB0276 -

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Stewardship 2000 program reauthorizat^on

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/?	mglass	1 W/Lj 1/10	nwn 1/10	nwn/rs 1/11			S&L

FE Sent For:

<END>

2007-09 Budget Bill Statutory Language Drafting Request

- Topic: Stewardship 2000 Program Reauthorization
- Tracking Code: BB0276
- SBO team: ECR
- SBO analyst: Kirsten Grinde
 - Phone: 6-1040
 - Email: Kirsten.Grinde@Wisconsin.gov
- Agency acronym: DNR
- Agency number: 370

The intent of this drafting request is to extend the current Stewardship 2000 Program through fiscal year 2019-20 (another ten years).

The amount of bonding authorized for each fiscal year beginning fiscal year 2010-11 will be \$90 million. The total bonding authorization for the 20-year period (current 10 years plus additional 10 years) will be \$1,472,000,000.

Beginning fiscal year 2010-11 (July 1, 2010), the land acquisition subprogram would be allocated \$67.5 million of the annual \$90 million authorization. The development and local assistance subprogram would be allocated the remaining \$22.5 million of the annual authorization.

Priority - H



State of Wisconsin
2007 - 2008 LEGISLATURE

LRB-1406/3

MGG:.....

wlj

LPS: Please fix request sheet.

1/18/7

delete request sheet on budget sheet

DOA:.....Kirsten Grinde, BB0276 - Stewardship 2000 program reauthorization

FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

1

DONOT BEN

AN ACT ..., relating to: the budget

Analysis by the Legislative Reference Bureau

NATURAL RESOURCES

OTHER NATURAL RESOURCES

Current law authorizes the state to incur public debt by issuing bonds for certain conservation activities under the Warren Knowles-Gaylord Nelson Stewardship 2000 Program (stewardship program), which is administered by the Department of Natural Resources (DNR) administers

Current law grants the state the authority to bond for various conservation purposes under the stewardship program. The state is currently authorized to bond under two of the program's subprograms: the subprogram for land acquisition and the subprogram for property development and local assistance. Purposes for which bonding under the land acquisition subprogram may be used include land acquisition for habitat and natural areas and land acquisition that preserves or enhances the state's water resources. Bonding under the property development and local acquisition subprogram may generally be used only for nature-based outdoor recreation, as defined in rules promulgated by DNR. Under this subprogram, DNR may award grants or state aid to certain local governmental units, including the Kickapoo Reserve Management Board, and nonprofit conservation organizations to acquire lands or development rights for nature-based, outdoor recreation purposes.

Under current law, the annual limits on bonding are set for each fiscal year, ending in fiscal year 2009-10. However, if the amount of the annual bonding authority in a given fiscal year exceeds the actual amount obligated or spent, the excess bonding authority may be carried over to subsequent years with certain limitations. The total bonding authority for the stewardship program under current law is \$572,000,000.

The bill increases the total bonding authority by \$900,000,000, with the annual bonding authority being \$90,000,000 for each of the subsequent ten years. The \$90,000,000 in annual bonding authority for each fiscal year is divided between the two subprograms, with the annual bonding authority for the land acquisition subprogram and the local assistance and property development subprogram being \$67,500,000 and \$22,500,000 respectively.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 SECTION 1. 20.866 (2) (ta) of the statutes is amended to read:

2 20.866 (2) (ta) *Natural resources; Warren Knowles-Gaylord Nelson*
3 *stewardship 2000 program.* From the capital improvement fund a sum sufficient for
4 the Warren Knowles-Gaylord Nelson stewardship 2000 program under s. 23.0917.
5 The state may contract public debt in an amount not to exceed \$572,000,000
6 \$1,472,000,000 for this program. Except as provided in s. 23.0917 (4g) (b), (4m) (k),
7 (5) and (5m), the amounts obligated, as defined in s. 23.0917 (1) (e), under this
8 paragraph may not exceed \$46,000,000 in fiscal year 2000-01, may not exceed
9 \$46,000,000 in fiscal year 2001-02, and may not exceed \$60,000,000 in each fiscal
10 year beginning with fiscal year 2002-03 and ending with fiscal year 2009-10, and
11 may not exceed \$90,000,000 in each fiscal year beginning with fiscal year ²⁰¹⁰⁻¹¹ ~~2011-12~~
12 and ending with fiscal year 2019-2020.

History: 1971 c. 42; 1971 c. 100 s. 23; 1971 c. 125, 211, 215, 236, 307, 330, 336; 1973 c. 90 ss. 148 to 149m, 555m (2); 1973 c. 333; 1975 c. 26, 39, 40, 41, 200, 224, 422; 1977 c. 4, 6; 1977 c. 29 ss. 385 to 387, 1650m (4), 1656 (43); 1977 c. 418; 1979 c. 4; 1979 c. 34 ss. 675a to 677v, 2102 (6) (a), (39) (a), (52) (a); 1979 c. 107, 221; 1981 c. 1 ss. 17, 18, 47; 1981 c. 20, 108, 317, 336; 1983 a. 27; 1983 a. 36 s. 96 (4); 1983 a. 97, 192, 195, 212; 1983 a. 410 s. 2202 (2); 1985 a. 6; 1985 a. 8 ss. 4, 12; 1985 a. 29 ss. 589m to 598, 3202 (23) (c), (26) (a), (53) (a); 1985 a. 77, 120, 332; 1987 a. 27, 295, 298, 399, 403, 409; 1989 a. 31, 46, 107, 122, 219, 336, 359, 366; 1991 a. 39, 51, 269, 309, 324; 1993 a. 2, 16, 98, 115, 213, 343, 377, 413, 437, 453, 485; 1995 a. 27 ss. 1159 to 1168s, 9126 (19), 9145 (1); 1995 a. 40, 57, 60, 113; 1995 a. 216, s. 30m and 9127; 1995 a. 227, 246, 372, 388, 416, 452; 1997 a. 27, 35, 61, 164, 237, 252; 1999 a. 4, 9, 146; 1999 a. 150 s. 672; 1999 a. 184; 2001 a. 12, 16, 103, 109; 2003 a. 33, 64, 91, 129; 2005 a. 1, 22, 25, 102, 300.

1 **SECTION 2.** 23.0917 (3) (a) of the statutes is amended to read:

2 23.0917 (3) (a) Beginning with fiscal year 2000-01 and ending with fiscal year
3 ~~2009-10~~ 2019-2020, the department may obligate moneys under the subprogram for
4 land acquisition to acquire land for the purposes specified in s. 23.09 (2) (d) and
5 grants for these purposes under s. 23.096, except as provided under ss. 23.197 (2m),
6 (3m) (b), (7m), and (8) and 23.198 (1) (a).

History: 1999 a. 9, 185; 2001 a. 16, 30, 109; 2003 a. 33.

7 **SECTION 3.** 23.0917 (3) (bm) of the statutes is amended to read:

8 23.0917 (3) (bm) During the period beginning with fiscal year 2001-02 and
9 ending with fiscal year ~~2009-10~~ 2019-2020, in obligating money under the
10 subprogram for land acquisition, the department shall set aside not less than a total
11 of \$ 2,000,000 that may be obligated only to provide matching funds for grants
12 awarded to the department for the purchase of land or easements under 16 USC
13 2103c.

History: 1999 a. 9, 185; 2001 a. 16, 30, 109; 2003 a. 33.

14 **SECTION 4.** 23.0917 (3) (dm) 3. of the statutes is created to read:

15 23.0917 (3) (dm) 3. For each fiscal year beginning with 2010-~~2011~~ and ending
16 with fiscal year ~~2019-2020~~, \$67,500,000.

17 **SECTION 5.** 23.0917 (4) (a) of the statutes is amended to read:

18 23.0917 (4) (a) Beginning with fiscal year 2000-01 and ending with fiscal year
19 ~~2009-10~~ 2019-20, the department may obligate moneys under the subprogram for
20 property development and local assistance. Moneys obligated under this
21 subprogram may be only used for nature-based outdoor recreation, except as
22 provided under par. (cm).

History: 1999 a. 9, 185; 2001 a. 16, 30, 109; 2003 a. 33.

23 **SECTION 6.** 23.0917 (4) (d) 1. of the statutes is amended to read:

1 23.0917 (4) (d) 1. The department may obligate not more than \$11,500,000 in
2 fiscal year 2000-01 and not more than \$11,500,000 in fiscal year 2001-02 under the
3 subprogram except as provided in sub. (5). For each fiscal year beginning with
4 2002-03 and ending with fiscal year 2009-10, the department may obligate not more
5 than \$15,000,000 under the subprogram except as provided in sub. (5). For each
6 fiscal year beginning with 2010-2011 and ending with fiscal year 2019-20, the
7 department may obligate not more than \$22,500,000 under the subprogram except
8 as provided in sub. (5).

History: 1999 a. 9, 185; 2001 a. 16, 30, 109; 2003 a. 33.

9 **SECTION 7.** 23.0917 (12) of the statutes is amended to read:

10 23.0917 (12) EXPENDITURES AFTER JUNE 30, ~~2010~~ 2020. If the remaining bonding
11 authority for a subprogram under sub. (3) or (4) on June 30, ~~2010~~ 2020, is an amount
12 greater than zero, the department may expend any portion of this remaining bonding
13 authority for that subprogram in one or more subsequent fiscal years.

History: 1999 a. 9, 185; 2001 a. 16, 30, 109; 2003 a. 33.

14 **SECTION 8.** 23.1985 of the statutes is amended to read:

15 **23.1985 Acquisition of certain public lands.** Beginning in fiscal year
16 2006-07 and ending in fiscal year 2009-10 ~~2019-2020~~, from the appropriation under
17 s. 20.866 (2) (ta), the department shall set aside \$2,000,000 in each fiscal year that
18 may be obligated only to acquire land from the board of commissioners of public lands
19 under s. 24.59 (1). If the department sets aside, but does not obligate moneys in a
20 fiscal year under this section, the department may obligate those nonobligated
21 moneys in a subsequent fiscal year under this section in addition to the amounts the
22 department is required to set aside for that subsequent fiscal year. For purposes of

1 s. 23.0917, moneys provided from the appropriation under s. 20.866 (2) (ta) shall be
2 treated as moneys obligated under the subprogram under s. 23.0917 (3).

3 **History:** 2005 a. 352.

(END)

Gibson-Glass, Mary

From: Grinde, Kirsten - DOA
Sent: Thursday, January 25, 2007 7:33 PM
To: Gibson-Glass, Mary
Subject: Changes to LRB 1406/1

Mary,

Please make the following changes to LRB 1406/1:

- 1) Increase the bonding authority to \$105 million in each fiscal year from fiscal years 2010-11 to 2019-20.
- 2) Of the \$105 million, allocate \$79 million per year for the land acquisition subprogram and \$26 million for the property development and local assistance subprogram.
- 3) Current law, under s. 23.0917 (4) (d) 2., limits the amount of funding under the property development and local assistance subprogram that may go for local assistance to not more than \$8 million per year. Please amend the section to provide a new limit of not more than \$14 million per year beginning in fiscal year 2010-11.

Please let me know if you have any questions.

Thanks,

Kirsten



State of Wisconsin
2007 - 2008 LEGISLATURE

LRB-1406/A

MGG:wlj:nwn

↑
stays

2 RMR

DOA:.....Grinde, BB0276 - Stewardship 2000 program reauthorization
FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

DO NOT GEN

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

NATURAL RESOURCES

OTHER NATURAL RESOURCES

Current law authorizes the state to incur public debt by issuing bonds for certain conservation activities under the Warren Knowles-Gaylord Nelson Stewardship 2000 Program (stewardship program), which DNR administers.

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Under current law, the annual limits on bonding are set for each fiscal year, ending in fiscal year 2009-10. However, if the amount of the annual bonding authority in a given fiscal year exceeds the actual amount obligated or spent, the

and extends the stewardship program for another ten years, back to fiscal year 2019-20.

excess bonding authority may be carried over to subsequent years with certain limitations. The total bonding authority for the stewardship program under current law is \$572,000,000. ~~\$105,000,000~~ \$1,050,000,000

The bill increases the total bonding authority by \$900,000,000, with the annual bonding authority being \$90,000,000 for each of the subsequent ten years. The \$90,000,000 in annual bonding authority for each fiscal year is divided between the two subprograms, with the annual bonding authority for the land acquisition subprogram and the local assistance and property development subprogram being \$67,500,000 and \$22,500,000, respectively. \$26,500,000

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

✓
INSERT
ANL

\$79,000,000

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

\$1,622,000,000

SECTION 1. 20.866 (2) (ta) of the statutes is amended to read:

20.866 (2) (ta) *Natural resources; Warren Knowles-Gaylord Nelson stewardship 2000 program.* From the capital improvement fund a sum sufficient for the Warren Knowles-Gaylord Nelson stewardship 2000 program under s. 23.0917.

The state may contract public debt in an amount not to exceed \$572,000,000

~~\$1,472,000,000~~ for this program. Except as provided in s. 23.0917 (4g) (b), (4m) (k), (5) and (5m), the amounts obligated, as defined in s. 23.0917 (1) (e), under this paragraph may not exceed \$46,000,000 in fiscal year 2000-01, may not exceed \$46,000,000 in fiscal year 2001-02, and may not exceed \$60,000,000 in each fiscal year beginning with fiscal year 2002-03 and ending with fiscal year 2009-10, and may not exceed ~~\$90,000,000~~ ^{\$105,000,000} in each fiscal year beginning with fiscal year 2010-11 and ending with fiscal year 2019-20.

SECTION 2. 23.0917 (3) (a) of the statutes is amended to read:

23.0917 (3) (a) Beginning with fiscal year 2000-01 and ending with fiscal year 2009-10 2019-20, the department may obligate moneys under the subprogram for land acquisition to acquire land for the purposes specified in s. 23.09 (2) (d) and

1 grants for these purposes under s. 23.096, except as provided under ss. 23.197 (2m),
2 (3m) (b), (7m), and (8) and 23.198 (1) (a).

3 **SECTION 3.** 23.0917 (3) (bm) of the statutes is amended to read:

4 23.0917 (3) (bm) During the period beginning with fiscal year 2001-02 and
5 ending with fiscal year ~~2009-10~~ 2019-20, in obligating money under the subprogram
6 for land acquisition, the department shall set aside not less than a total of \$ 2,000,000
7 that may be obligated only to provide matching funds for grants awarded to the
8 department for the purchase of land or easements under 16 USC 2103c.

9 **SECTION 4.** 23.0917 (3) (dm) 3. of the statutes is created to read:

10 23.0917 (3) (dm) 3. For each fiscal year beginning with 2010-11 and ending
11 with fiscal year 2019-20, ~~\$57,500,000~~ ^{\$79,000,000}

12 **SECTION 5.** 23.0917 (4) (a) of the statutes is amended to read:

13 23.0917 (4) (a) Beginning with fiscal year 2000-01 and ending with fiscal year
14 ~~2009-10~~ 2019-20, the department may obligate moneys under the subprogram for
15 property development and local assistance. Moneys obligated under this
16 subprogram may be only used for nature-based outdoor recreation, except as
17 provided under par. (cm).

18 **SECTION 6.** 23.0917 (4) (d) 1. of the statutes is amended to read:

19 23.0917 (4) (d) 1. The department may obligate not more than \$11,500,000 in
20 fiscal year 2000-01 and not more than \$11,500,000 in fiscal year 2001-02 under the
21 subprogram except as provided in sub. (5). For each fiscal year beginning with
22 2002-03 and ending with fiscal year 2009-10, the department may obligate not more
23 than \$15,000,000 under the subprogram except as provided in sub. (5). For each
24 fiscal year beginning with 2010-11 and ending with fiscal year 2019-20, the

1 department may obligate not more than ~~\$22,500,000~~ ^{\$26,000,000} under the subprogram except
2 as provided in sub. (5).

3 **SECTION 7.** 23.0917 (12) of the statutes is amended to read:

4 23.0917 (12) EXPENDITURES AFTER JUNE 30, 2010 2020. If the remaining bonding
5 authority for a subprogram under sub. (3) or (4) on June 30, 2010 2020, is an amount
6 greater than zero, the department may expend any portion of this remaining bonding
7 authority for that subprogram in one or more subsequent fiscal years.

8 **SECTION 8.** 23.1985 of the statutes is amended to read: INSERT 4-7

9 **23.1985 Acquisition of certain public lands.** Beginning in fiscal year
10 2006-07 and ending in fiscal year ~~2009-10~~ 2019-20, from the appropriation under
11 s. 20.866 (2) (ta), the department shall set aside \$2,000,000 in each fiscal year that
12 may be obligated only to acquire land from the board of commissioners of public lands
13 under s. 24.59 (1). If the department sets aside, but does not obligate moneys in a
14 fiscal year under this section, the department may obligate those nonobligated
15 moneys in a subsequent fiscal year under this section in addition to the amounts the
16 department is required to set aside for that subsequent fiscal year. For purposes of
17 s. 23.0917, moneys provided from the appropriation under s. 20.866 (2) (ta) shall be
18 treated as moneys obligated under the subprogram under s. 23.0917 (3).

19 (END)

2007-2008 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1406/2ins
MGG:.....

↓ **Insert ANL**
Within the ~~local assistance and~~ ^{and local assistance} property development subprogram, current law imposes an annual limit of \$8,000,000 in bonding authority for the local assistance component. The bill raises this limit to \$14,000,000. ✓

Insert 4-7

SECTION ~~4~~. 23.0917 (4) (d) 2. of the statutes is amended to read:

23.0917 (4) (d) 2. The department may obligate not more than \$8,000,000
\$14,000,000 in each fiscal year for local assistance.

Gibson-Glass, Mary

From: Grinde, Kirsten - DOA
Sent: Saturday, January 27, 2007 8:43 PM
To: Gibson-Glass, Mary
Subject: Changes to LRB 1406/2

Mary,

Please make the following changes to LRB 1406/2:

- 1) Create a new section that provides that beginning in fiscal year 2010-11, the department shall allocate at least \$14.5 million annually from the land acquisition subprogram for grants to nonprofit conservation organizations under s. 23.096.
- 2) Allow the department to obligate monies under the land acquisition program to provide grants to counties (only, no other municipalities) for land acquisition. The grants would be for up to 50% of the acquisition costs of the property. The acquisition must be for nature-based outdoor recreation, and the department must approve any conversions of the property to use that is inconsistent with that purpose.
 - The county grants would be from the department's share of the land acquisition subprogram and the Natural Resources Board would determine how much to provide to counties each year – as is the current practice for nonprofits.
- 3) Effective July 1, 2010, allow the Natural Resources Board to approve a grant to a nonprofit conservation organization for up to 75% of the acquisition costs of a property if the board finds all of the following:
 - That the land to be acquired is uniquely valuable in conserving natural resources of the state;
 - That delaying or deferring the grant until sufficient matching funds can be procured is not reasonably possible;
 - That sufficient funds remain in the allocation created above in point 1).

Please let me know if you have any questions.

Thanks,

Kirsten



State of Wisconsin
2007 - 2008 LEGISLATURE

LRB-1406/203

MGG:wlj:rs

↑
STAYS

D-N

DOA:.....Grinde, BB0276 - Stewardship 2000 program reauthorization

FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

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DO NOT GEN

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

NATURAL RESOURCES

OTHER NATURAL RESOURCES

Current law authorizes the state to incur public debt by issuing bonds for certain conservation activities under the Warren Knowles-Gaylord Nelson Stewardship 2000 Program (stewardship program), which DNR administers.

Current law grants the state the authority to bond for various conservation purposes under the stewardship program. The state is currently authorized to bond under two of the program's subprograms: the land acquisition subprogram and the property development and local assistance subprogram. Purposes for which bonding under the land acquisition subprogram may be used include land acquisition for habitat and natural areas and land acquisition that preserves or enhances the state's water resources. Bonding under the property development and local acquisition subprogram may generally be used only for nature-based outdoor recreation, as defined in rules promulgated by DNR. Under this subprogram, DNR may award grants or state aid to certain local governmental units, including the Kickapoo Reserve Management Board, and nonprofit conservation organizations to acquire lands or development rights for nature-based, outdoor recreation purposes.

Under current law, the annual limits on bonding are set for each fiscal year, ending in fiscal year 2009-10. The total bonding authority for the stewardship program under current law is \$572,000,000.

The bill increases the total bonding authority by \$1,050,000,000, and extends the stewardship program for another ten years to fiscal year 2019-20 with the annual bonding authority being \$105,000,000 for each of the subsequent ten years. The \$105,000,000 in annual bonding authority for each fiscal year is divided between the two subprograms, with the annual bonding authority for the land acquisition subprogram and the local assistance and property development subprogram being \$79,000,000 and \$26,000,000 respectively.

Within the property development and local assistance subprogram, current law imposes an annual limit of \$8,000,000 in bonding authority for the local assistance component. The bill raises this limit to \$14,000,000.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

INSERT
ANL

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 20.866 (2) (ta) of the statutes is amended to read:

2 20.866 (2) (ta) *Natural resources; Warren Knowles-Gaylord Nelson*
3 *stewardship 2000 program.* From the capital improvement fund a sum sufficient for
4 the Warren Knowles-Gaylord Nelson stewardship 2000 program under s. 23.0917.
5 The state may contract public debt in an amount not to exceed \$572,000,000
6 \$1,622,000,000 for this program. Except as provided in s. 23.0917 (4g) (b), (4m) (k),
7 (5) and (5m), the amounts obligated, as defined in s. 23.0917 (1) (e), under this
8 paragraph may not exceed \$46,000,000 in fiscal year 2000-01, may not exceed
9 \$46,000,000 in fiscal year 2001-02, ~~and~~ may not exceed \$60,000,000 in each fiscal
10 year beginning with fiscal year 2002-03 and ending with fiscal year 2009-10, and
11 may not exceed \$105,000,000 in each fiscal year beginning with fiscal year 2010-11
12 and ending with fiscal year 2019-20.

13 **SECTION 2.** 23.0917 (3) (a) of the statutes is amended to read:

14 23.0917 (3) (a) Beginning with fiscal year 2000-01 and ending with fiscal year
15 2009-10 2019-20, the department may obligate moneys under the subprogram for

✓
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2-12

1 land acquisition to acquire land for the purposes specified in s. 23.09 (2) (d) and
2 grants for these purposes under s. 23.096, except as provided under ss. 23.197 (2m),
3 (3m) (b), (7m), and (8) and 23.198 (1) (a).

4 **SECTION 3.** 23.0917 (3) (bm) of the statutes is amended to read:

5 23.0917 (3) (bm) During the period beginning with fiscal year 2001-02 and
6 ending with fiscal year ~~2009-10~~ 2019-20, in obligating money under the subprogram
7 for land acquisition, the department shall set aside not less than a total of \$ 2,000,000
8 that may be obligated only to provide matching funds for grants awarded to the
9 department for the purchase of land or easements under 16 USC 2103c.

10 **SECTION 4.** 23.0917 (3) (dm) 3. of the statutes is created to read:

11 23.0917 (3) (dm) 3. For each fiscal year beginning with 2010-11 and ending
12 with fiscal year 2019-20, \$79,000,000.

13 **SECTION 5.** 23.0917 (4) (a) of the statutes is amended to read:

14 23.0917 (4) (a) Beginning with fiscal year 2000-01 and ending with fiscal year
15 ~~2009-10~~ 2019-20, the department may obligate moneys under the subprogram for
16 property development and local assistance. Moneys obligated under this
17 subprogram may be only used for nature-based outdoor recreation, except as
18 provided under par. (cm).

19 **SECTION 6.** 23.0917 (4) (d) 1. of the statutes is amended to read:

20 23.0917 (4) (d) 1. The department may obligate not more than \$11,500,000 in
21 fiscal year 2000-01 and not more than \$11,500,000 in fiscal year 2001-02 under the
22 subprogram except as provided in sub. (5). For each fiscal year beginning with
23 2002-03 and ending with fiscal year 2009-10, the department may obligate not more
24 than \$15,000,000 under the subprogram except as provided in sub. (5). For each
25 fiscal year beginning with 2010-11 and ending with fiscal year 2019-20, the

INSERT 3-9

1 department may obligate not more than \$26,000,000 under the subprogram except
2 as provided in sub. (5).

3 **SECTION 7.** 23.0917 (4) (d) 2. of the statutes is amended to read:

4 23.0917 (4) (d) 2. The department may obligate not more than \$8,000,000
5 \$14,000,000 in each fiscal year for local assistance. — INSERT 4-5

6 **SECTION 8.** 23.0917 (12) of the statutes is amended to read:

7 23.0917 (12) EXPENDITURES AFTER JUNE 30, ~~2010~~ 2020. If the remaining bonding
8 authority for a subprogram under sub. (3) or (4) on June 30, ~~2010~~ 2020, is an amount
9 greater than zero, the department may expend any portion of this remaining bonding
10 authority for that subprogram in one or more subsequent fiscal years. — INSERT 4-10

11 **SECTION 9.** 23.1985 of the statutes is amended to read:

12 **23.1985 Acquisition of certain public lands.** Beginning in fiscal year
13 2006-07 and ending in fiscal year ~~2009-10~~ 2019-20, from the appropriation under
14 s. 20.866 (2) (ta), the department shall set aside \$2,000,000 in each fiscal year that
15 may be obligated only to acquire land from the board of commissioners of public lands
16 under s. 24.59 (1). If the department sets aside, but does not obligate moneys in a
17 fiscal year under this section, the department may obligate those nonobligated
18 moneys in a subsequent fiscal year under this section in addition to the amounts the
19 department is required to set aside for that subsequent fiscal year. For purposes of
20 s. 23.0917, moneys provided from the appropriation under s. 20.866 (2) (ta) shall be
21 treated as moneys obligated under the subprogram under s. 23.0917 (3). — INSERT 4-21

22 (END)

2007-2008 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

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The bill also establishes a matching grant program under which counties may be awarded 50% of their costs to acquire land for nature-based outdoor recreation. "Nature-based outdoor recreation" is defined by DNR rules to include ^{such as} activities hunting, fishing, hiking, bicycling, wildlife observation and camping.

Finally, the bill requires DNR to set aside from the land acquisition program \$14,500,000 in each fiscal year, beginning with fiscal year 2010-11, for matching grants that may be awarded only to nonprofit conservation organizations. Under current law and under the bill, these grants must be used to acquire property or property rights for conservation purposes such as urban green space, habitat areas, and bluff protection. Under current law, the amount of the grant may not exceed 50% of the acquisition cost. The bill allows the natural resources board to increase this amount up to 75% in certain situations. ^{SP}

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SECTION 1. 23.09 (19) (d) of the statutes is amended to read:

23.09 (19) (d) ~~Grants~~ Except as provided in s. 23.096 (2m), grants under this subsection shall be for up to 50% of the acquisition costs of the land or the rights in land for the urban green space. The governmental unit is responsible for the remainder of the acquisition costs.

SECTION 2. 23.09 (20) (b) of the statutes is amended to read:

23.09 (20) (b) ~~State~~ Except as provided in s. 23.096 (2m), state aid under this subsection is limited to no more than 50% of the acquisition costs and the development costs of recreation lands and other outdoor recreation facilities. Costs associated with operation and maintenance of parks and other outdoor recreational facilities established under this subsection are not eligible for state aid. Administrative costs of acquiring lands or land rights are not included in the acquisition costs eligible for state aid under this subsection. Title to lands or rights in lands acquired by a municipality under this subsection shall vest in the municipality, but such land shall not be converted to uses inconsistent with this

1 subsection without prior approval of the state and proceeds from the sale or other
2 disposal of such lands shall be used to promote the objectives of this subsection.

History: 1971 c. 40 s. 93; 1971 c. 125 s. 522 (1); 1971 c. 215, 277, 326; 1973 c. 251, 298, 333; 1975 c. 39 ss. 249, 249a, 250m, 734; 1975 c. 91, 200, 224, 365; 1977 c. 29, 402, 406; 1979 c. 34 ss. 699m to 701g, 2102 (39) (a); 1979 c. 89; 1981 c. 20 ss. 598 to 599s, 2202 (38) (c); 1981 c. 295; 1981 c. 390 s. 252; 1983 a. 27, 243; 1985 a. 29, 65, 322; 1985 a. 332 ss. 34, 251 (1); 1987 a. 27, 98, 295, 403; 1989 a. 31, 336, 359; 1991 a. 39, 269, 309; 1993 a. 16, 343, 436, 490; 1995 a. 27, 218, 257, 349, 417; 1997 a. 27, 35, 248, 313; 1999 a. 9, 32, 83; 2001 a. 38, 56, 104, 109; 2003 a. 33, 89; 2005 a. 25, 166, 286.

3 **SECTION 3.** 23.09 (20) (b) of the statutes is amended to read:

4 ~~23.09 (20) (b) State Except as provided in s. 23.096 (2m), state aid under this~~
5 ~~subsection is limited to no more than 50% of the acquisition costs and the~~
6 ~~development costs of recreation lands and other outdoor recreation facilities. Costs~~
7 ~~associated with operation and maintenance of parks and other outdoor recreational~~
8 ~~facilities established under this subsection are not eligible for state aid.~~
9 ~~Administrative costs of acquiring lands or land rights are not included in the~~
10 ~~acquisition costs eligible for state aid under this subsection. Title to lands or rights~~
11 ~~in lands acquired by a municipality under this subsection shall vest in the~~
12 ~~municipality, but such land shall not be converted to uses inconsistent with this~~
13 ~~subsection without prior approval of the state and proceeds from the sale or other~~
14 ~~disposal of such lands shall be used to promote the objectives of this subsection.~~

History: 1971 c. 40 s. 93; 1971 c. 125 s. 522 (1); 1971 c. 215, 277, 326; 1973 c. 251, 298, 333; 1975 c. 39 ss. 249, 249a, 250m, 734; 1975 c. 91, 200, 224, 365; 1977 c. 29, 402, 406; 1979 c. 34 ss. 699m to 701g, 2102 (39) (a); 1979 c. 89; 1981 c. 20 ss. 598 to 599s, 2202 (38) (c); 1981 c. 295; 1981 c. 390 s. 252; 1983 a. 27, 243; 1985 a. 29, 65, 322; 1985 a. 332 ss. 34, 251 (1); 1987 a. 27, 98, 295, 403; 1989 a. 31, 336, 359; 1991 a. 39, 269, 309; 1993 a. 16, 343, 436, 490; 1995 a. 27, 218, 257, 349, 417; 1997 a. 27, 35, 248, 313; 1999 a. 9, 32, 83; 2001 a. 38, 56, 104, 109; 2003 a. 33, 89; 2005 a. 25, 166, 286.

15 **Insert 3-9**

16 ~~SECTION 4.~~ 23.0917 (3) (br) of the statutes is created to read:

17 23.0917 (3) (br) Beginning with fiscal year 2010-11 and ending with fiscal year
18 2019-20, in obligating money^s under the subprogram for land acquisition, the
19 department shall set aside in each fiscal year not less than \$14,500,000 that may be
20 obligated only to provide for grants awarded to nonprofit conservation organizations
21 under ~~s.~~^{s.} 23.096.

22 **Insert 4-5**

INS
A

1 **SECTION 5.** 23.0917 (7) (a) of the statutes is amended to read:

2 23.0917 (7) (a) Except as provided in pars. (b) and (c), for purposes of
3 calculating the acquisition costs for acquisition of land under ss. 23.09 (19), (20) and
4 (20m), 23.092 (4), 23.094 (3g), 23.0953, 23.096, 30.24 (4) and 30.277 from the
5 appropriation under s. 20.866 (2) (ta), the acquisition costs shall equal the sum of the
6 land's current fair market value and other acquisition costs, as determined by rule
7 by the department.

8 **History:** 1999 a. 9, 185; 2001 a. 16, 30, 109; 2003 a. 33.

8 **Insert 4-10**

9 **SECTION 6.** 23.092 (1) of the statutes is renumbered 23.092 (1m).

10 **SECTION 7.** 23.092 (1b) of the statutes is created to read:

11 23.092 (1b) In this section, "nonprofit conservation organization" has the
12 meaning given in s. 23.0955 (1). INS B

13 ~~**SECTION 8.**~~ 23.092 (4) of the statutes is amended to read:

14 23.092 (4) The department may share the costs of implementing land
15 management practices with landowners, or with nonprofit conservation
16 organizations that are qualified to enhance wildlife-based recreation if these
17 organizations have the landowner's permission to implement the practices. The
18 department may share the costs of acquiring easements for habitat areas with
19 landowners or with these nonprofit conservation organizations. If the funding for
20 cost-sharing under this subsection will be expended from the appropriation under
21 s. 20.866 (2) (ta), the amount expended for the cost-sharing may not exceed 50% of
22 the cost of the management practices or of the acquisition costs for the easement
23 except as provided in s. 23.096 (2m).

24 **History:** 1989 a. 31; 1991 a. 39; 1993 a. 16, 343; 1995 a. 27; 1999 a. 9; 2001 a. 38, 104; 2003 a. 33.

24 ~~**SECTION 9.**~~ 23.094 (3m) of the statutes is amended to read:

Strike extra space on each side

1 23.094 (3m) LIMITS. A Except as provided in s. 23.096 (2m), a grant under sub.
2 (3g) may not exceed 50% of the acquisition costs for the land or the easement.

History: 1989 a. 31; 1991 a. 39, 309; 1993 a. 16; 1995 a. 227, 349; 1997 a. 27; 1999 a. 9; 2001 a. 38, 104.

3 ~~SECTION 10.~~ 23.0953 of the statutes is created to read:

4 **23.0953 Grants to counties for land acquisition.** (1) In this section,
5 “nature-based outdoor recreation” has the meaning given by the department by rule
6 under s. 23.0917 (4) (f).

7 (2) The department shall establish a program from the appropriation under
8 s. 20.866 (2) (ta) to make grants to counties to acquire land for nature-based outdoor
9 recreation. For purposes of s. 23.0917, moneys provided from the appropriation
10 under s. 20.866 (2) (ta) shall be treated as moneys obligated from ^{the} subprogram under
11 s. 23.0917 (3).

12 (3) Each county receiving a grant under this section shall provide matching
13 funds that equal at least 50% of the acquisition costs.

14 (4) A county unit may not convert the land or the rights in the land acquired
15 using grant moneys awarded under this subsection to ~~an~~ use that is inconsistent
16 with the type of nature-based outdoor recreation for which the grant was awarded
17 without the approval of the natural resources board.

18 ~~SECTION 11.~~ 23.096 (2) (b) of the statutes is amended to read:

Strike space on each side

19 23.096 (2) (b) A Except as provided in sub. (2m), a grant awarded under this
20 section may not exceed 50% of the acquisition costs of the property.

History: 1989 a. 31; 1991 a. 309; 1993 a. 343; 1997 a. 27; 1999 a. 9.

21 ~~SECTION 12.~~ 23.096 (2m) of the statutes is created to read:

22 23.096 (2m) Notwithstanding sub. (2) (b), in each fiscal year beginning with
23 fiscal year 2010-11, the department may award grants under this section that equal

1 up to 75% of the acquisition costs of the property if the natural resources board
2 determines that all of the following apply:

3 (a) That the property is uniquely valuable in conserving the natural resources
4 of the state.

5 (b) That delaying or deferring the acquisition until 50% of the acquisition costs
6 are procured by the nonprofit conservation organization is not reasonably possible.

7 (c) That sufficient bonding authority remains in the amounts set aside under
8 s. 23.0917 (3) (br) for that fiscal year after awarding grants to nonprofit conservation
9 organizations that meet the matching requirement under sub. (2) (b).

History: 1971 c. 40 s. 93; 1971 c. 125 s. 522 (1); 1971 c. 215, 277, 326; 1973 c. 251, 298, 333; 1975 c. 39 ss. 249, 249a, 250m, 734; 1975 c. 91, 200, 224, 365; 1977 c. 29, 402, 406; 1979 c. 34 ss. 699m to 701g, 2102 (39) (a); 1979 c. 89; 1981 c. 20 ss. 598 to 599s, 2202 (38) (c); 1981 c. 295; 1981 c. 390 s. 252; 1983 a. 27, 243; 1985 a. 29, 65, 322; 1985 a. 332 ss. 34, 251 (1); 1987 a. 27, 98, 295, 403; 1989 a. 31, 336, 359; 1991 a. 39, 269, 309; 1993 a. 16, 343, 436, 490; 1995 a. 27, 218, 257, 349, 417; 1997 a. 27, 35, 248, 313; 1999 a. 9, 32, 83; 2001 a. 38, 56, 104, 109; 2003 a. 33, 89; 2005 a. 25, 166, 286.

10 **Insert 4-21**

11 **SECTION 13.** 30.24 (4) of the statutes is amended to read:

12 30.24 (4) LIMIT ON GRANTS. Strike extra space each side Except as provided in s. 23.096 (2m), a grant
13 awarded under this section or under s. 23.096 to protect bluffs may not exceed 50%
14 of the acquisition costs.

History: 1999 a. 9.

15 **SECTION 14.** 30.277 (5) of the statutes is amended to read:

16 30.277 (5) ~~CONTRIBUTION BY GOVERNMENTAL UNIT~~ MATCHING CONTRIBUTIONS. To
17 Except as provided in s. 23.096 (2m) be eligible for a grant under this section, at least
18 50% of the acquisition costs for land or of the project costs shall be funded by private,
19 local or federal funding, by in-kind contributions or by state funding. For purposes
20 of this subsection, state funding may not include grants under this section, moneys
21 appropriated to the department under s. 20.370 or money appropriated under s.
22 20.866 (2) (ta), (tp) to (tw), (ty) or (tz).

History: 1991 a. 269; 1993 a. 16, 343; 1997 a. 27; 1999 a. 9; 2001 a. 38, 105; 2003 a. 33.

Ino A

Section #. 23.09 (20m) (b) of the statutes is amended to read:

23.09 (20m) (b) The department shall establish a program to award grants from the appropriation under s. 20.866 (2) (ta) to governmental units and nonprofit conservation organizations to acquire development rights in land for nature-based outdoor recreation. ^{Except as provided in} ~~The~~ grants shall be limited to no more than 50% of the acquisition costs of the development rights. _{= s. 23.096 (2) (2m) at the}

History: 1971 c. 40 s. 93; 1971 c. 125 s. 522 (1); 1971 c. 215, 277, 326; 1973 c. 251, 298, 333; 1975 c. 39 ss. 249, 249a, 250m, 734; 1975 c. 91, 200, 224, 365; 1977 c. 29, 402, 406; 1979 c. 34 ss. 699m to 701g, 2102 (39) (a); 1979 c. 89; 1981 c. 20 ss. 598 to 599s, 2202 (38) (c); 1981 c. 295; 1981 c. 390 s. 252; 1983 a. 27, 243; 1985 a. 29, 65, 322; 1985 a. 332 ss. 34, 251 (1); 1987 a. 27, 98, 295, 403; 1989 a. 31, 336, 359; 1991 a. 39, 269, 309; 1993 a. 16, 343, 436, 490; 1995 a. 27, 218, 257, 349, 417; 1997 a. 27, 35, 248, 313; 1999 a. 9, 32, 83; 2001 a. 38, 56, 104, 109; 2003 a. 33, 89; 2005 a. 25, 166, 286.

Section #. 23.092 (2) of the statutes is amended to read:

23.092 (2) For each area designated under sub. ~~(1)~~ ^(1m), the department shall prepare a plan, based upon the specific qualities of the area designated, that is designed to protect, enhance or restore the habitat in the designated area. After preparation of a plan for a designated area, the department shall encourage landowners to use specific management practices that are designed to implement the plan.

History: 1989 a. 31; 1991 a. 39; 1993 a. 16, 343; 1995 a. 27; 1999 a. 9; 2001 a. 38, 104; 2003 a. 33.

DN

(f) In light of the 75% grants under s. 23096(2m) ✓

do you wish to amend the 50% reference in

s. 23097(7)l? ✓

MB

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-1406/3dn
MGG:wj:nwn

January 28, 2007

In light of the 75% grants under s. 23.096 (2m), do you wish to amend the 50% reference in s. 23.0917 (7) (e)?

Mary Gibson-Glass
Senior Legislative Attorney
Phone: (608) 267-3215