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Cont.

1 **SECTION 640.** 23.0917 (3) (bm) of the statutes is amended to read:

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

7 **SECTION 641.** 23.0917 (3) (br) of the statutes is created to read:

8 23.0917 (3) (br) Beginning with fiscal year 2007-08 and ending with fiscal year
9 2019-20, in obligating moneys under the subprogram for land acquisition, the
10 department shall set aside in each fiscal year not less than \$4,000,000 that may be
11 obligated only to provide for grants awarded to nonprofit conservation organizations
12 under s. 23.096.

13

14 **SECTION 642c.** 23.0917 (3) (dm) 2. of the statutes is amended to read:

15 23.0917 (3) (dm) 2. For each fiscal year beginning with fiscal year 2002-03 and
16 ending with fiscal year ~~2009-10~~ 2006-07, \$45,000,000.

17 **SECTION 642d.** 23.0917 (3) (dm) 3. of the statutes is created to read:

18 23.0917 (3) (dm) 3. For fiscal year 2007-08, \$16,000,000.

19 **SECTION 642e.** 23.0917 (3) (dm) 4. of the statutes is created to read:

20 23.0917 (3) (dm) 4. For each fiscal year beginning with fiscal year 2008-09 and
21 ending with fiscal year 2019-20, \$15,000,000.

22 **SECTION 643.** 23.0917 (4) (a) of the statutes is amended to read:

23 23.0917 (4) (a) Beginning with fiscal year 2000-01 and ending with fiscal year
24 ~~2009-10~~ 2019-20, the department may obligate moneys under the subprogram for
25 property development and local assistance. Moneys obligated under this

1 subprogram may be only used for nature-based outdoor recreation, except as
2 provided under par. (cm).

3 **SECTION 644d.** 23.0917 (4) (d) 1. of the statutes is amended to read:

4 23.0917 (4) (d) 1. The department may obligate not more than \$11,500,000 in
5 fiscal year 2000-01 and not more than \$11,500,000 in fiscal year 2001-02 under the
6 subprogram except as provided in sub. (5). For each fiscal year beginning with
7 2002-03 and ending with fiscal year ~~2009-10~~ 2006-07, the department may obligate
8 not more than \$15,000,000 under the subprogram except as provided in sub. (5). For
9 each fiscal year beginning with fiscal year 2007-08 and ending with fiscal year
10 2019-20, the department may obligate not more than \$7,500,000 under the
11 subprogram except as provided in sub. (5). ✓

12 **SECTION 645b.** 23.0917 (4) (d) 2. of the statutes is amended to read:

13 23.0917 (4) (d) 2. The Beginning with fiscal year 2000-01 and ending with
14 fiscal year 2006-07, the department may obligate not more than \$8,000,000 in each
15 fiscal year for local assistance.

16 **SECTION 646b.** 23.0917 (4) (d) 2n. of the statutes is created to read:

17 23.0917 (4) (d) 2n. Beginning with fiscal year 2007-08 and ending with fiscal
18 year 2019-20, the department may obligate not more than \$4,000,000 in each fiscal
19 year for local assistance.

20 **SECTION 646m.** 23.0917 (4j) of the statutes is created to read:

21 23.0917 (4j) RECREATIONAL BOATING AIDS. (a) In this subsection "local
22 governmental unit" means a city, village, town, or county, a lake sanitary district, as
23 defined in s. 30.50 (4q), a public inland lake protection and rehabilitation district
24 organized under ch. 33, or any other local governmental unit, as defined in s. 66.0131
25 (1) (a), that is established for the purpose of lake management.

1 (b) For fiscal year 2007-08, the department may not obligate more than
2 \$1,500,000 for cost-sharing with local governmental units for recreational boating
3 projects under s. 30.92. For each fiscal year beginning with fiscal year 2008-09 and
4 ending with fiscal year 2019-20, the department may not obligate more than
5 \$2,500,000 for cost-sharing with local governmental units for recreational boating
6 projects under s. 30.92.✓

7 **SECTION 647.** 23.0917 (7) (a) of the statutes is amended to read:

8 23.0917 (7) (a) Except as provided in pars. (b) and (c), for purposes of
9 calculating the acquisition costs for acquisition of land under ss. 23.09 (19), (20) and
10 (20m), 23.092 (4), 23.094 (3g), 23.0953, 23.096, 30.24 (4) and 30.277 from the
11 appropriation under s. 20.866 (2) (ta), the acquisition costs shall equal the sum of the
12 land's current fair market value and other acquisition costs, as determined by rule
13 by the department.

14 **SECTION 647m.** 23.0917 (9) of the statutes is created to read:

15 23.0917 (9) REPORTING REQUIREMENT. The department shall prepare an annual
16 report that identifies each stewardship grant awarded for the acquisition of
17 development rights in land during each fiscal year. For each grant, the report shall
18 name each county and each city, village, or town in which the land subject to the
19 development rights is located; shall specify the location and number of acres subject
20 to the development rights; and shall give a summary of the terms of agreement
21 conveying the development rights. The department shall submit the report to the
22 joint committee on finance and to the appropriate standing committees of the
23 legislature in the manner provided under s. 13.172 (3). The department shall submit
24 the report no later than November 15 for the preceding fiscal year, and shall submit
25 the first report no later than November 15, 2008.

1



2 **SECTION 648b.** 23.0917 (12) of the statutes is amended to read:

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

7 **SECTION 654.** 23.0953 of the statutes is created to read:

8 **23.0953 Grants to counties for land acquisition.** (1) In this section,
9 “nature-based outdoor recreation” has the meaning given by the department by rule
10 under s. 23.0917 (4) (f).

11



12 (2) (a) Beginning with fiscal year 2010-11 and ending with fiscal year 2019-20,
13 the department shall establish a grant program under which the department may
14 award a grant to a county for any of the following:

- 15 1. Acquisition of land for a county forest under s. 28.11.
16 2. Acquisition of land for a project that promotes nature-based outdoor
17 recreation or conservation and for which the department is requesting the county's
18 assistance.

19 (b) Grants under this section shall be awarded from the appropriation under
20 s. 20.866 (2) (ta), and, for purposes of s. 23.0917, shall be treated as moneys obligated
21 from the subprogram under s. 23.0917 (3). ✓

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

24

1 (4) A county may not convert the land, or any rights in the land, acquired with
2 grant moneys awarded under sub. (2) (a) 2. to a use that is inconsistent with the type
3 of nature-based outdoor recreation or conservation activity for which the grant was
4 awarded unless the natural resources board approves the conversion.

5 **SECTION 657.** 23.15 (1) of the statutes is amended to read:

6 23.15 (1) The natural resources board may sell, at public or private sale, lands
7 and structures owned by the state under the jurisdiction of the department of natural
8 resources, except central or district office facilities, when the natural resources board
9 determines that said lands are no longer necessary for the state's use for
10 conservation purposes and, if real property, the real property is not the subject of a
11 petition under s. 560.9810 (2).

12 **SECTION 658.** 23.197 (10) of the statutes is created to read:

13 23.197 (10) MIRROR LAKE; BOATING ACCESS. From the appropriation under s.
14 20.866 (2) (ta), the department shall provide funding in an amount not to exceed
15 \$1,000,000 to improve navigability for recreational boating in Mirror Lake in Sauk
16 County and in the streams flowing into the lake. For the purposes of s. 23.0917,
17 moneys provided under this subsection from the appropriation under s. 20.866 (2)
18 (ta) shall be treated as moneys obligated under either or both of the subprograms
19 under s. 23.0917 (3) and (4).

20 **SECTION 658g.** 23.197 (11) of the statutes is created to read:

21 23.197 (11) JERSEY VALLEY LAKE. From the appropriation under s. 20.866 (2)
22 (ta), the department shall provide funding in an amount not to exceed \$500,000 to
23 Vernon County to restore Jersey Valley Lake. The funding authorized under this
24 subsection shall be in a manner that, for every \$1 expended by Vernon County for the
25 repairs and installation, the department shall provide \$3. For purposes of s. 23.0917,

1 moneys provided from the appropriation under s. 20.866 (2) (ta) shall be treated as
2 moneys obligated from either or both of the subprograms under s. 23.0917 (3) and (4).

3 **SECTION 658m.** 23.197 (12) of the statutes is created to read:

4 **23.197 (12) MILWAUKEE METROPOLITAN SEWERAGE DISTRICT; FLOOD MANAGEMENT.**

5 From the appropriation under s. 20.866 (2) (ta), the department shall provide
6 funding in an amount not to exceed \$1,000,000 to a nationwide nonprofit
7 conservation organization dedicated to land and water resource preservation to
8 acquire land for a flood management program conducted by the Milwaukee
9 Metropolitan Sewerage District and for habitat restoration on the acquired land.
10 The funding authorized under this subsection shall be in a manner that, for every
11 \$1 expended by the nationwide nonprofit conservation organization for the land
12 acquisition, the department shall provide \$3. For purposes of s. 23.0917, moneys
13 provided from the appropriation under s. 20.866 (2) (ta) shall be treated as moneys
14 obligated from either or both of the subprograms under s. 23.0917 (3) and (4).

15 **SECTION 658r.** 23.197 (13) of the statutes is created to read:

16 **23.197 (13) GREEN BAY; RECREATIONAL TRAIL.** From the appropriation under s.
17 20.866 (2) (ta), the department shall provide funding in an amount not to exceed
18 \$875,800 to the city of Green Bay to acquire land for a bicycle and pedestrian trail.
19 The funding authorized under this subsection shall be in a manner that, for every
20 \$1 expended by the city of Green Bay for the land acquisition, the department shall
21 provide \$3. For purposes of s. 23.0917, moneys provided from the appropriation
22 under s. 20.866 (2) (ta) shall be treated as moneys obligated from either or both of the
23 subprograms under s. 23.0917 (3) and (4).

24 **SECTION 658t.** 23.197 (14) of the statutes is created to read:

1 23.197 (14) ANTIGO; TRAIL DEVELOPMENT. From the appropriation under s.
2 20.866 (2) (ta), the department shall provide funding in an amount not to exceed
3 \$600,000 to the city of Antigo for property development related to the ice age trail and
4 the Springbrook trail located within the city. The funding authorized under this
5 subsection shall be in a manner that, for every \$1 expended by the city of Antigo for
6 the property development, the department shall provide \$1. For purposes of s.
7 23.0917, moneys provided from the appropriation under s. 20.866 (2) (ta) shall be
8 treated as moneys obligated from either or both of the subprograms under s. 23.0917
9 (3) and (4). ✓

10 **SECTION 659.** 23.1985 of the statutes is amended to read:

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

21 **SECTION 660.** 23.22 (2) (b) 6. of the statutes is amended to read:

22 23.22 (2) (b) 6. Promulgate rules to identify, classify, and control invasive
23 species for purposes of the program. In promulgating these rules, the department
24 shall consider the recommendations of the council under sub. (3) (a). As part of these

1 rules, the department may establish procedures and requirements for issuing
2 permits to control invasive species.

3 **SECTION 661.** 23.22 (2) (c) of the statutes is amended to read:

4 23.22 (2) (c) Under the program established under par. (a), the department
5 shall promulgate rules to establish a procedure to award cost-sharing grants to
6 public and private entities for up to ~~50%~~ 75 percent of the costs of projects to control
7 invasive species. The rules promulgated under this paragraph shall establish
8 criteria for determining eligible projects and eligible grant recipients. Eligible
9 projects shall include education and inspection activities at boat landings. The rules
10 shall allow cost-share contributions to be in the form of money or in-kind goods or
11 services or any combination thereof. In promulgating these rules, the department
12 shall consider the recommendations of the council under sub. (3) (c). ~~From the~~
13 ~~appropriation under s. 20.370 (6) (ar), the department shall make available for~~
14 ~~cost-sharing grants to be awarded to local governmental units for the control of~~
15 ~~invasive species that are aquatic species \$1,000,000 in fiscal year 2005-06 and~~
16 ~~\$1,500,000 in fiscal year 2006-07 and each fiscal year thereafter.~~

17 **SECTION 662.** 23.22 (8) of the statutes is created to read:

18 23.22 (8) PENALTIES. (a) Except as provided in pars. (b) and (c), any person who
19 violates a rule promulgated under sub. (2) (b) 6., or any permit issued under those
20 rules, shall forfeit not more than \$200.

21 (b) Any person who intentionally violates any rule promulgated under sub. (2)
22 (b) 6. or any permit issued under those rules shall be fined not less than \$1,000 nor
23 more than \$5,000, or shall be imprisoned for not less than 6 months nor more than
24 9 months or both.

1 (c) A person who violates a rule promulgated under sub. (2) (b) 6. or any permit
2 issued under those rules and who, within 5 years before the arrest of the current
3 conviction, was previously convicted of a violation of a rule promulgated under sub.
4 (2) (b) 6. or any permit issued under those rules shall be fined not less than \$700 nor
5 more than \$2,000 or shall be imprisoned for not less than 6 months nor more than
6 9 months or both.

7 (d) The court may order a person who is convicted under par. (a), (b), or (c) to
8 abate any nuisance caused by the violation, restore any natural resource damaged
9 by the violation, or take other appropriate action to eliminate or minimize any
10 environmental damage caused by the violation.

11 **SECTION 663.** 23.22 (9) of the statutes is created to read:

12 23.22 (9) ENFORCEMENT. (a) If the department of natural resources finds that
13 any person is violating a rule promulgated under sub. (2) (b) 6. or a permit issued
14 under those rules for which the person is subject to a forfeiture under sub. (8) (a), the
15 department of natural resources may do one or more of the following:

- 16 1. Issue a citation pursuant to s. 23.50 to 23.99.
- 17 2. Refer the matter to the department of justice for enforcement under par. (b).
- 18 3. Revoke a permit issued under the rules promulgated under sub. (2) (b) 6.,
19 after notice and opportunity for hearing.

20 (b) The department of justice shall initiate an enforcement action requested by
21 the department under par. (a) 2. The enforcement action may include a request for
22 injunctive relief. In any action initiated by it under this paragraph, the department
23 of justice shall, prior to stipulation, consent order, judgment, or other final
24 disposition of the case, consult with the department of natural resources for the
25 purpose of determining the department's views on final disposition. The department

1 of justice shall not enter into a final disposition different than that previously
2 discussed without first informing the department of natural resources.

3 (c) In an action initiated pursuant to a citation or initiated under par. (b), the
4 court may award, as an additional penalty, an amount equal to all or a portion of the
5 costs of investigation, including any monitoring, incurred by the department of
6 natural resources or the department of justice, which led to the establishment of the
7 violation. The court may also award the department of justice the reasonable and
8 necessary expenses of the prosecution, including attorney fees. The department of
9 justice shall deposit in the state treasury for deposit into the general fund all moneys
10 that the court awards to the department of justice under this paragraph. These
11 moneys shall be credited to the appropriation account under s. 20.455 (1) (gh).

12 **SECTION 664.** 23.24 (6) (b) of the statutes is amended to read:

13 23.24 (6) (b) A person who violates sub. (3) and who, within 5 years before the
14 arrest of the current conviction, was previously convicted of a violation of sub. (3)
15 shall ~~forfeit~~ be fined not less than \$700 nor more than \$2,000 or shall be imprisoned
16 for not less than 6 months nor more than 9 months or both.

17 **SECTION 664m.** 23.33 (2j) (c) of the statutes is amended to read:

18 23.33 (2j) (c) The fee for a nonresident trail pass issued for an all-terrain
19 vehicle that is exempt from registration under sub. (2) (b) 2. is ~~\$17.25~~ \$34.25. A
20 nonresident trail pass issued for such an all-terrain vehicle may be issued only by
21 the department and persons appointed by the department and expires on June 30
22 of each year. ✓

23 **SECTION 665.** 23.33 (5) (d) of the statutes is amended to read:

24 23.33 (5) (d) *Safety certification program established.* The department shall
25 establish or supervise the establishment of a program of instruction on all-terrain

1 vehicle laws, including the intoxicated operation of an all-terrain vehicle law,
2 regulations, safety and related subjects. The department shall establish by rule an
3 instruction fee for this program. The department shall issue certificates to persons
4 successfully completing the program. An instructor conducting the program of
5 instruction under this paragraph shall collect the fee from each person who receives
6 instruction. The department may determine the portion of this fee, which may not
7 exceed 50%, that the instructor may retain to defray expenses incurred by the
8 instructor in conducting the program. The instructor shall remit the remainder of
9 the fee or, if nothing is retained, the entire fee to the department. The department
10 shall issue a duplicate certificate of accomplishment to a person who is entitled to a
11 duplicate certificate of accomplishment and who pays a fee of \$2.75.

12 **SECTION 665g.** 23.33 (5m) (title) of the statutes is amended to read:

13 23.33 (5m) (title) ~~GRANT~~ SAFETY PROGRAM.

14 **SECTION 665r.** 23.33 (5r) of the statutes is created to read:

15 23.33 (5r) LANDOWNER INCENTIVE PROGRAM. (a) In this subsection "public
16 all-terrain vehicle corridor" has the meaning given in s. 23.33 (2j) (a).

17 (b) The department shall establish a program to make incentive payments to
18 private landowners who permit public all-terrain vehicle corridors on their lands
19 and who apply for the payments.

20 (c) An application is not considered complete until the forester or another
21 employee of each county in which the public all-terrain vehicle corridor is located
22 measures the length of the corridor in that county for the purpose of calculating the
23 payment.

24 (d) Incentive payments under the program shall be calculated as follows:

1 1. For a public all-terrain vehicle corridor that was open to the public for 60
2 days or more but for less than 180 days in the previous fiscal year, the incentive
3 payment shall be \$25 per mile.

4 2. For a public all-terrain vehicle corridor that was open to the public for 180
5 days or more but for less than 270 days in the previous fiscal year, the incentive
6 payment shall be \$75 per mile.

7 3. For a public all-terrain vehicle corridor that was open to the public for 270
8 days or more in the previous fiscal year, the incentive payment shall be \$100 per mile.

9 (e) If a private landowner enters into an agreement with a county to allow a
10 public all-terrain vehicle corridor on the landowner's land for a period of at least 5
11 years, the landowner shall receive a supplemental payment, in addition to the
12 payment as calculated under par. (c), that equals 10 percent of the payment
13 calculated under par. (c) for each full or partial fiscal year that is included in the
14 5-year period.

15 (f) If the total amount of incentive payments made in a given fiscal year would
16 exceed the amount available for the payments, the department shall establish a
17 system to prorate the payments.

18 (g) During fiscal year 2007-08, the department may expend up to \$100,000
19 from the appropriation under s. 20.370 (5) (cu) for incentive payments under this
20 program. ✓

21 **SECTION 666m.** 23.33 (11m) of the statutes is created to read:

22 **23.33 (11m) LIGHTWEIGHT UTILITY VEHICLES PILOT PROGRAM.** (a) In this
23 subsection:

24 1. "Golf cart" means a vehicle whose speed attainable in one mile does not
25 exceed 20 miles per hour on a paved, level surface, and is designed and intended to

1 convey one or more persons and equipment to play the game of golf in an area
2 designated as a golf course.

3 2. "Lightweight utility vehicle" means an engine-driven device having a gross
4 weight of more than 700 pounds but not more than 1,999 pounds that is designed to
5 travel on 4 or more low-pressure tires, is equipped with a cargo area, and is used
6 primarily off a highway. "Lightweight utility vehicle" does not include golf carts or
7 low-speed vehicles.

8 3. "Low pressure tire" means a tire that is designed to be mounted on a rim with
9 a maximum diameter of 14 inches and to be inflated with an operating pressure not
10 to exceed 20 pounds per square inch as recommended by the manufacturer.

11 4. "Low-speed vehicle" means a low-speed vehicle, as defined in 49 CFR 571.3,
12 that satisfies the equipment standards under 49 CFR 571.500 and that was
13 originally manufactured to meet the applicable equipment standards under 49 CFR
14 571.500. "Low-speed vehicle" does not include a golf cart.

15 5. "Municipality" means a city, village, or town.

16 (b) The department of natural resources, in consultation with the department
17 of transportation, shall administer a pilot program to investigate the effects of using
18 lightweight utility vehicles on trails and roadways that are used and authorized to
19 be used by all-terrain vehicles, to evaluate whether it is feasible and appropriate to
20 expand the allowable use of lightweight utility vehicles.

21 (c) The counties of Florence, Forest, Sawyer, Marinette, Langlade, Lincoln,
22 Oneida, and Washburn, and the municipalities within those counties, are eligible to
23 participate in the pilot program, and the governing body of each county or
24 municipality may elect to participate in the pilot program by adopting a resolution
25 to that effect. The governing body of each county or municipality may withdraw from

1 the pilot program prior to the end of the pilot program under par. (h) by adopting a
2 resolution to that effect.

3 (d) The counties and municipalities in the pilot program may designate any of
4 the following:

5 1. All-terrain vehicle routes and trails within their respective jurisdictions
6 that may be used by operators of lightweight utility vehicles.

7 2. All-terrain vehicle routes and trails within their respective jurisdictions
8 upon which lightweight utility vehicle use is prohibited.

9 (e) For the purposes of all of the following, a lightweight utility vehicle that is
10 operated as authorized under this subsection is considered an all-terrain vehicle:

11 1. Sections 345.11 (1r), 346.02 (11), 349.02, 885.235 (1g) and (1k), 895.049, and
12 901.053.

13 2. Subsections (3), (3g), (4), (4c) to (4x), (6), (7), (10), (12), and (13).

14 3. Local ordinances enacted by a county or municipality under sub. (11).

15 (f) In addition to the provisions under par. (e), the operation of a lightweight
16 utility vehicle as authorized under the pilot program is subject to all of the following:

17 1. The operator of a lightweight utility vehicle must possess a valid motor
18 vehicle operator's license.

19 2. Any trail fees imposed on all-terrain vehicle use by a county or municipality
20 also apply to operation of a lightweight utility vehicle.

21 (g) The department of natural resources, in consultation with the department
22 of transportation and with the counties and municipalities participating in the pilot
23 program, shall evaluate the effect of using lightweight utility vehicles on roadways
24 and on all-terrain vehicle routes and trails upon conclusion of the pilot program. The
25 department may make grants from the appropriation under s. 20.370 (5) (cu) to each

1 participating county and municipality, for the purpose of assisting the department
2 of natural resources in the evaluation. The department of natural resources shall
3 make grants in such a manner that the total amount of grants for a given county,
4 including the grants to municipalities located wholly or partially in that county, does
5 not exceed \$2,000. The department of natural resources shall report the results of
6 its evaluation to the legislature under s. 13.172 (2) no later than January 1, 2010.

7 (h) The pilot program under this subsection does not apply after September 30,
8 2009. ✓

9 **SECTION 674d.** 24.61 (3) (a) 12. of the statutes is created to read:

10 24.61 (3) (a) 12. A drainage district created under ch. 88.

11 **SECTION 674g.** 24.61 (3) (b) of the statutes is amended to read:

12 24.61 (3) (b) *Terms; conditions.* A municipality, cooperative educational service
13 agency, drainage district created under ch. 88, or federated public library system
14 may obtain a state trust fund loan for the sum of money, for the time and upon the
15 conditions as may be agreed upon between the board and the borrower, subject to the
16 limitations, restrictions, and conditions set forth in this subchapter.

17 **SECTION 674k.** 24.66 (3r) of the statutes is created to read:

18 24.66 (3r) FOR A DRAINAGE DISTRICT. An application for a loan by a drainage
19 district created under ch. 88 shall be accompanied by a certified copy of a resolution
20 of the board of the drainage district approving the loan.

21 **SECTION 674p.** 24.67 (1) (n) of the statutes is created to read:

22 24.67 (1) (n) For a drainage district created under ch. 88, by the president of
23 the drainage district board.

24 **SECTION 674s.** 24.67 (2) (i) of the statutes is created to read:

1 24.67 (2) (i) For a drainage district created under ch. 88, by the secretary of the
2 drainage district board.

3 **SECTION 674v.** 24.67 (3) of the statutes is amended to read:

4 24.67 (3) If a municipality has acted under subs. (1) and (2), it shall certify that
5 fact to the department of administration. Upon receiving a certification from a
6 municipality, or upon direction of the board if a loan is made to a cooperative
7 educational service agency, drainage district created under ch. 88, or a federated
8 public library system, the secretary of administration shall draw a warrant for the
9 amount of the loan, payable to the treasurer of the municipality, cooperative
10 educational service agency, drainage district, or federated public library system
11 making the loan or as the treasurer of the municipality, cooperative educational
12 service agency, drainage district, or federated public library system directs. The
13 certificate of indebtedness shall then be conclusive evidence of the validity of the
14 indebtedness and that all the requirements of law concerning the application for the
15 making and acceptance of the loan have been complied with.

16 **SECTION 674vm.** 24.70 (1) of the statutes is amended to read:

17 24.70 (1) APPLICABILITY. This section applies to all outstanding state trust fund
18 loans to borrowers other than school districts, drainage districts created under ch.
19 88, and federated public library systems.

20 **SECTION 674w.** 24.716 of the statutes is created to read:

21 **24.716 Collections from drainage districts. (1) APPLICABILITY.** This section
22 applies to all outstanding trust fund loans to drainage districts created under ch. 88.

23 **(2) CERTIFIED STATEMENT.** If a drainage district has a state trust fund loan, the
24 board shall transmit to the district board a certified statement of the amount due on

1 or before October 1 of each year until the loan is paid. The board shall furnish a copy
2 of each certified statement to the department of administration.

3 **(3) PAYMENT TO SECRETARY OF ADMINISTRATION.** The district board shall transmit
4 to the secretary of administration on its own order the full amount levied for state
5 trust fund loans within 15 days after March 15. The secretary of administration shall
6 notify the board when he or she receives payment. Any payment not made by March
7 30 is delinquent and is subject to a penalty of 1 percent per month or fraction thereof,
8 to be paid to the secretary of administration with the delinquent payment.

9 **(4) FAILURE TO MAKE PAYMENT.** If the district board fails to remit the amounts
10 due under sub. (3), the secretary of administration, upon certification of delinquency
11 by the board of commissioners of public lands, shall deduct the amount due,
12 including any penalty, from any state aid payments due the district, shall remit such
13 amount to the secretary of administration, and, no later than June 15, shall notify
14 the district board and the board to that effect.

15 **SECTION 675.** 25.14 (1) (a) (intro.) of the statutes is amended to read:

16 25.14 (1) (a) (intro.) There is created a state investment fund under the
17 jurisdiction and management of the board to be operated as an investment trust for
18 the purpose of managing the securities of all funds that are required by law to be
19 invested in the state investment fund and all of the state's funds consisting of the
20 funds specified in s. 25.17 (1), except all of the following:

21 **SECTION 678d.** 25.17 (1) (gs) of the statutes is created to read:

22 25.17 (1) (gs) Hospital assessment fund (s. 25.772); ✓

23 **SECTION 678n.** 25.17 (1) (nm) of the statutes is amended to read:

24 25.17 (1) (nm) Recycling and renewable energy fund (s. 25.49); ✓

25 **SECTION 679.** 25.17 (63) of the statutes is created to read:

1 25.17 (63) If requested by the Health Insurance Risk-Sharing Plan Authority,
2 invest funds of the Health Insurance Risk-Sharing Plan Authority in the state
3 investment fund.

4 **SECTION 683.** 25.187 (2) (a) of the statutes is amended to read:

5 25.187 (2) (a) Subject to ~~pars. (b) and par. (c)~~, on ~~July 1 and January~~ September
6 1 of each year, the investment board shall ~~estimate the amounts required for its~~
7 ~~operating expenditures for the next 6-month period and shall~~ assess each fund for
8 which the board has management responsibility for its share of the estimated board's
9 operating expenditures for the current fiscal year in an equitable manner. The board
10 shall pay the assessment from the current income of each fund, unless an
11 appropriation is made for payment of the assessment, in which case the assessment
12 shall be paid from that appropriation account.

13 **SECTION 684.** 25.187 (2) (b) of the statutes is repealed.

14 **SECTION 685.** 25.187 (2) (c) 1. of the statutes is amended to read:

15 25.187 (2) (c) 1. Except as provided in subd. 2., the total amount that the board
16 may assess the funds for which the board has management responsibility for any
17 fiscal year may not exceed the greater of \$20,352,800 or ~~0.0275%~~ the amount that the
18 board could have assessed the funds in the 2nd year of the prior fiscal biennium or
19 0.0325% of the average market value of the assets of the funds at the end of each
20 month between November 30 and April 30 of the preceding fiscal year.

21 **SECTION 686.** 25.187 (2) (c) 3. c. of the statutes is created to read:

22 25.187 (2) (c) 3. c. Annually, no later than June 15, certify to the department
23 of administration and to the joint committee on finance the maximum amount that
24 the board may assess the funds for which the board has management responsibility
25 in the next fiscal year.

delete extra space

1 **SECTION 689.** 25.46 (1m) of the statutes is amended to read:

2 25.46 (1m) The moneys transferred under s. 20.855 (4) (f) and 2007 Wisconsin
3 Act (this act), section 9148 (2) for nonpoint source water pollution abatement.

4 **SECTION 690.** 25.46 (7) of the statutes is amended to read:

5 25.46 (7) The fees imposed under s. 289.67 (1) for environmental management,
6 except that for each ton of waste for which the fee is \$1.60 per ton, 75 cents is for
7 nonpoint source water pollution abatement.

8 **SECTION 690t.** 25.49 (intro.) of the statutes is amended to read:

9 **25.49 Recycling and renewable energy fund.** (intro.) There is established
10 a separate nonlapsible trust fund designated as the recycling and renewable energy
11 fund, to consist of: ✓

12 **SECTION 692.** 25.50 (1) (d) of the statutes is amended to read:

13 25.50 (1) (d) "Local government" means any county, town, village, city, power
14 district, sewerage district, drainage district, town sanitary district, public inland
15 lake protection and rehabilitation district, local professional baseball park district
16 created under subch. III of ch. 229, ~~family~~ long-term care district under s. 46.2895,
17 local professional football stadium district created under subch. IV of ch. 229, local
18 cultural arts district created under subch. V of ch. 229, public library system, school
19 district or technical college district in this state, any commission, committee, board
20 or officer of any governmental subdivision of this state, any court of this state, other
21 than the court of appeals or the supreme court, or any authority created under s.
22 114.61, 149.41, 231.02, 233.02 or 234.02.

23 **SECTION 694.** 25.60 of the statutes is amended to read:

24 **25.60 Budget stabilization fund.** There is created a separate nonlapsible
25 trust fund designated as the budget stabilization fund, consisting of moneys

1 transferred to the fund from the general fund under ss. 13.48 (14) (c), 16.518 (3), and
2 16.72 (4) (b), ~~and 16.848.~~

3 **SECTION 695.** 25.68 (1) of the statutes is amended to read:

4 25.68 (1) All moneys received by the department of ~~workforce development~~
5 children and families under s. 49.854, except for moneys received under s. 49.854 (11)
6 (b).

7 **SECTION 696.** 25.68 (3) of the statutes is amended to read:

8 25.68 (3) All moneys not specified under sub. (2) that are received under a
9 judgment or order in an action affecting the family, as defined in s. 767.001 (1), by
10 the department of ~~workforce development~~ children and families or its designee.

11 **SECTION 697.** 25.69 of the statutes is amended to read:

12 **25.69 Permanent endowment fund.** There is established a separate
13 nonlapsible trust fund designated as the permanent endowment fund, consisting of
14 all of the proceeds from the sale of the state's right to receive payments under the
15 Attorneys General Master Tobacco Settlement Agreement of November 23, 1998,
16 and all investment earnings on the proceeds. There is transferred from the
17 permanent endowment fund to the Medical Assistance trust fund \$50,000,000 in
18 each fiscal year. ✓

19 **SECTION 697d.** 25.77 (2) of the statutes is amended to read:

20 25.77 (2) All public funds that are related to payments under s. 49.45 and that
21 are transferred or certified under 42 CFR 433.51 (b) and used as the nonfederal and
22 federal share of Medical Assistance funding, except funds that are deposited into the
23 appropriation accounts under s. 20.435 (4) (h), (kx), or (ky). ✓

24 **SECTION 697m.** 25.77 (8) of the statutes is created to read:

25 25.77 (8) All moneys transferred from the appropriation under s. 20.285 (1) (iz).

Handwritten notes: a circle around "- 257 -" and a cloud-like shape containing "CC" and "cont." below it.

1 SECTION 697n. 25.77 (9) of the statutes is created to read:

2 25.77 (9) All moneys transferred from the permanent endowment fund.

3 SECTION 697p. 25.77 (10) of the statutes is created to read:

4 25.77 (10) All moneys transferred under 2007 Wisconsin Act (this act),

5 section 9225 (2). [698; CCC-3-SSA1-SB40; Page: 440, Line: 14; Could not find

6 *pattern match.*]

7 SECTION 698d. 25.772 of the statutes is created to read:

8 25.772 Hospital assessment fund. There is established a separate
9 nonlapsible trust fund designated as the hospital assessment fund, to consist of all
10 moneys received under s. 50.375 from assessments on hospitals. ✓

11 SECTION 699. 25.96 of the statutes is amended to read:

12 25.96 Utility public benefits fund. There is established a separate
13 nonlapsible trust fund designated as the utility public benefits fund, consisting of
14 low-income assistance fees received under s. 16.957 (4) (a) and (5) (b) 2. and all
15 moneys received under s. 196.374 (3) (b) 4.

16 SECTION 699c. 26.38 (title) of the statutes is amended to read:

17 26.38 (title) ~~Private forest grants~~ Forest grant program.

18 SECTION 699g. 26.38 (2m) (a) of the statutes is amended to read:

19 26.38 (2m) (a) The department shall establish a program to award grants for
20 developing and implementing forest stewardship management plans by owners of
21 nonindustrial private forest land and to award grants to groups of interested parties
22 for projects to control invasive plants in weed management areas. The department
23 shall award the grants only to persons owning 500 acres or less of nonindustrial
24 private forest land in this state or to groups in which each person participating owns
25 500 acres or less of nonindustrial private forest land in this state.

1 **SECTION 699m.** 26.38 (2m) (am) of the statutes is created to read:

2 26.38 (2m) (am) Beginning with fiscal year 2008-09, from the appropriation
3 under s. 20.370 (5) (av), the department shall allocate for each fiscal year at least
4 \$60,000 for grants for projects to control invasive plants in weed management areas.
5 From the amount allocated, the department shall award grants to all eligible
6 applicants for grants for such projects before awarding any balance of the allocated
7 amount for grants for stewardship management plans.

8 **SECTION 699r.** 26.38 (2m) (b) of the statutes is amended to read:

9 26.38 (2m) (b) Each ~~owner receiving~~ recipient of a grant under this section
10 shall provide a matching contribution in an amount to be determined by the
11 department for that particular grant based on criteria promulgated by rule under
12 sub. (3). The matching contribution may be in the form of money or in-kind goods or
13 services or both.

14 **SECTION 699v.** 26.38 (3) of the statutes is renumbered 26.38 (3) (intro.) and
15 amended to read:

16 26.38 (3) (intro.) The department shall promulgate rules to implement and
17 administer this program, including the all of the following:

18 (a) The criteria for determining the amount of a matching contribution under
19 sub. (2m) (b) and the

20 (b) The minimum standards required under sub. (2m) (c).

21 **SECTION 699x.** 26.38 (3) (c) of the statutes is created to read:

22 26.38 (3) (c) Eligibility requirements for groups receiving grants for weed
23 management areas, requirements for the grants, and requirements for establishing
24 weed management areas.

25 **SECTION 700.** 26.385 of the statutes is repealed.

1 **SECTION 700e.** 27.01 (7) (c) 10. of the statutes is amended to read:

2 27.01 (7) (c) 10. Any motor vehicle operated for the purpose of transporting
3 pupils to or from curricular or extracurricular activities of a public or private school
4 or home-based private educational program under s. 118.15 (4) or for the purpose of
5 transporting students to or from an outdoor academic class given by an accredited
6 college or university in this state. The operator of a motor vehicle transporting pupils
7 or students under this subdivision shall possess and exhibit for inspection a written
8 authorization from an administrator of the school ~~or~~, home-based private
9 educational program, or college or university indicating that admission to the vehicle
10 admission area is part of an official school ~~or~~, home-based private educational
11 program, or college or university function and indicating the date for which the
12 authorization is applicable. A separate authorization is required for each date on
13 which the motor vehicle is admitted to the vehicle admission area under this
14 subdivision. ✓

15 **SECTION 701.** 28.05 (3) (c) of the statutes is created to read:

16 28.05 (3) (c) Of the amount received by the department from each timber sale
17 for which the department used the services of a cooperating forester under this
18 subsection, the department shall credit to the appropriation account under s. 20.370
19 (1) (cy) an amount equal to the portion of the sale proceeds that the department is
20 required to pay to the cooperating forester.

21 **SECTION 702.** 28.085 of the statutes is amended to read:

22 **28.085 Timber.** The department shall allocate for private forest grants under
23 s. 26.38, ~~for forestry research and development grants under s. 26.385,~~ for the
24 forestry education grant program under s. 26.40, for school forest transportation
25 funding under s. 26.39 (5), for transfer to the appropriation under s. 20.292 (1) (km)

1 for master logger apprenticeship grants under s. 38.04 (29), or for forestry
2 internships under s. 26.39.

3 **SECTION 702d.** 28.11 (5m) (title) of the statutes is amended to read:

4 28.11 (5m) (title) ~~GRANTS FOR COUNTY~~ COUNTY FOREST ADMINISTRATORS
5 ADMINISTRATION GRANTS.

6 **SECTION 702e.** 28.11 (5m) (am) of the statutes is created to read:

7 28.11 (5m) (am) The department may make grants, from the appropriation
8 under s. 20.370 (5) (bw), to counties having lands entered under sub. (4) to fund up
9 to 50 percent of the costs of a county's annual dues to a nonprofit organization that
10 provides leadership and counsel to that county's forest administrator and that
11 functions as an organizational liaison to the department. The total amount that the
12 department may award in grants under this paragraph in any fiscal year may not
13 exceed \$50,000.

14 **SECTION 703.** 29.024 (2g) (am) of the statutes is amended to read:

15 29.024 (2g) (am) *Social security numbers exceptions.* If an applicant who is an
16 individual does not have a social security number, the applicant, as a condition of
17 applying for, or applying to renew, an approval specified in par. (a) 1. to 3., shall
18 submit a statement made or subscribed under oath or affirmation to the department
19 that the applicant does not have a social security number. The form of the statement
20 shall be prescribed by the department of ~~workforce development~~ children and
21 families. An approval issued by the department of natural resources in reliance on
22 a false statement submitted by an applicant under this paragraph is invalid.

23 **SECTION 704.** 29.024 (2g) (c) of the statutes is amended to read:

24 29.024 (2g) (c) *Disclosure of social security numbers.* The department of
25 natural resources may not disclose any social security numbers received under par.

1 (a) to any person except to the department of ~~workforce development~~ children and
2 families for the sole purpose of administering s. 49.22.

3 **SECTION 705.** 29.024 (2g) (d) 1. of the statutes is amended to read:

4 29.024 (2g) (d) 1. As provided in the memorandum of understanding required
5 under s. 49.857 (2), the department shall deny an application to issue or renew,
6 suspend if already issued or otherwise withhold or restrict an approval specified in
7 par. (a) 1. to 3. if the applicant for or the holder of the approval is delinquent in
8 making court-ordered payments of child or family support, maintenance, birth
9 expenses, medical expenses or other expenses related to the support of a child or
10 former spouse or if the applicant or holder fails to comply with a subpoena or warrant
11 issued by the department of ~~workforce development~~ children and families or a county
12 child support agency under s. 59.53 (5) and relating to paternity or child support
13 proceedings.

14 **SECTION 706.** 29.024 (2r) (am) of the statutes is amended to read:

15 29.024 (2r) (am) *Social security and identification numbers exceptions.* If an
16 applicant who is an individual does not have a social security number, the applicant,
17 as a condition of applying for, or applying to renew, any of the approvals specified in
18 par. (a) 1. to 16., shall submit a statement made or subscribed under oath or
19 affirmation to the department that the applicant does not have a social security
20 number. The form of the statement shall be prescribed by the department of
21 ~~workforce development~~ children and families. An approval issued by the department
22 of natural resources in reliance on a false statement submitted by an applicant under
23 this paragraph is invalid.

24 **SECTION 707.** 29.024 (6) (ag) of the statutes is created to read:

1 29.024 (6) (ag) Under a contract issued under par. (a) 4., the department may
2 deduct a portion of each fee collected for a license issued pursuant to the statewide
3 automated system. The department shall credit all of the amounts deducted to the
4 appropriation account under s. 20.370 (9) (hv).

5 **SECTION 707d.** 29.063 (1m) of the statutes is created to read:

6 29.063 (1m) The department may not expend more than \$2,360,000 from
7 nonfederal funds in the conservation fund in any fiscal year for the management of,
8 and testing for, chronic wasting disease. ✓

9 **SECTION 708.** 29.229 (2) (hm) of the statutes is created to read:

10 29.229 (2) (hm) Two-day inland lake trout fishing licenses.

11 **SECTION 709.** 29.229 (5m) (a) of the statutes is amended to read:

12 29.229 (5m) (a) The band is requested to enter into a memorandum of
13 understanding with the department of ~~workforce development~~ children and families
14 under s. 49.857.

15 **SECTION 710.** 29.229 (5m) (b) of the statutes is amended to read:

16 29.229 (5m) (b) The band is requested to enact tribal laws or ordinances that
17 require each person who has a social security number, as a condition of being issued
18 an approval under this section, to provide to the band his or her social security
19 number, tribal laws or ordinances that require each person who does not have a social
20 security number, as a condition of being issued an approval under this section, to
21 provide to the band a statement made or subscribed under oath or affirmation on a
22 form prescribed by the department of ~~workforce development~~ children and families
23 that the person does not have a social security number, and tribal laws or ordinances
24 that prohibit the disclosure of that number by the band to any other person except

1 to the department of ~~workforce development~~ children and families for the purpose
2 of administering s. 49.22.

3 **SECTION 711.** 29.229 (5m) (c) of the statutes is amended to read:

4 29.229 (5m) (c) The band is requested to enact tribal laws or ordinances that
5 deny an application to issue or renew, suspend if already issued or otherwise
6 withhold or restrict an approval issued under this section if the applicant for or the
7 holder of the approval fails to provide the information required under tribal laws or
8 ordinances enacted under par. (b) or fails to comply, after appropriate notice, with a
9 subpoena or warrant issued by the department of ~~workforce development~~ children
10 and families or a county child support agency under s. 59.53 (5) and related to
11 paternity or child support proceedings or if the department of ~~workforce~~
12 ~~development~~ children and families certifies that the applicant for or the holder of the
13 approval has failed to pay court-ordered payments of child or family support,
14 maintenance, birth expenses, medical expenses or other expenses related to the
15 support of a child or former spouse. The band is also requested to enact tribal laws
16 or ordinances that invalidate an approval issued under this subsection if issued in
17 reliance upon a statement made or subscribed under oath or affirmation under tribal
18 laws or ordinances enacted under par. (b) that is false.

19 **SECTION 712.** 29.2295 (2) (hm) of the statutes is created to read:

20 29.2295 (2) (hm) Two-day inland lake trout fishing licenses. ✓

21 **SECTION 712m.** 29.426 of the statutes is created to read:

22 **29.426 Catch and release bass fishing.** No person may use any hook, bait,
23 or lure, other than an artificial lure that has a barbless hook, while fishing during
24 a catch and release bass fishing season established by the department.

25 **SECTION 712r.** 29.428 of the statutes is created to read:

1 **29.428 Catch and release muskellunge fishing.** (1) The department shall
2 establish a fishing season that authorizes catch and release muskellunge fishing on
3 inland waters north of USH 10 other than the boundary waters between this state
4 and the state of Michigan. The catch and release muskellunge fishing season
5 established under this section shall begin on the first day of the general fishing
6 season established by the department and shall end on the day before the first day
7 of the regular muskellunge fishing season established by the department.

8 (2) No person may use any hook, bait, or lure, other than an artificial lure that
9 has a barbless hook, while fishing during the catch and release muskellunge fishing
10 season established by the department under sub. (1).

11 **SECTION 713.** 29.535 of the statutes is created to read:

12 **29.535 Shovelnose sturgeon permit.** (1) The department shall issue,
13 subject to s. 29.024, an annual shovelnose sturgeon permit to any resident who
14 applies for the permit and who holds at least one of the following licenses:

15 (a) A net license issued under s. 29.523.

16 (b) A trammel net license issued under s. 29.529.

17 (c) A set or bank pole license issued under s. 29.531.

18 (d) A setline license issued under s. 29.533.

19 √(2) No person may take shovelnose sturgeon or shovelnose sturgeon eggs
20 unless the person holds a permit from the department under this section.

21 (3) A person who is required to hold an annual shovelnose sturgeon permit
22 shall report to the department, on forms available from the department, on or before
23 the 10th day of each month, the number of pounds of shovelnose sturgeon eggs
24 harvested during the preceding calendar month.

1 (4) The department shall deposit receipts from the sale of permits under this
2 section in the conservation fund. ✓

3 **SECTION 716.** 29.563 (7) (c) 5g. of the statutes is created to read:

4 29.563 (7) (c) 5g. Shovelnose sturgeon permit: \$50.

5 **SECTION 717g.** ✓ 30.133 (1) of the statutes is amended to read:

6 30.133 (1) (a) Beginning on April 9, 1994, and except as provided in s. 30.1355,
7 no owner of riparian land that abuts a navigable water may ~~convey~~, by grant by an
8 easement or by a similar conveyance, any riparian right in the land to another
9 person, except for the right to cross the land in order to have access to the navigable
10 water. This right to cross the land may not include the right to place any structure
11 or material, including a boat docking facility, as defined in s. 30.1335 (1) (a), in the
12 navigable water.

13 **SECTION 717r.** 30.1335 of the statutes is created to read:

14 **30.1335 Marina condominiums. (1) DEFINITIONS.** In this section:

15 (a) "Boat docking facility" means a pier, wharf, boat slip, or multi-boat-slip
16 facility.

17 (b) "Common element" has the meaning given in s. 703.02 (2).

18 (c) "Condominium" has the meaning given in s. 703.02 (4).

19 (d) "Condominium unit" has the meaning given for "unit" in s. 703.02 (15).

20 (e) "Declarant" has the meaning given in s. 703.02 (7).

21 (f) "Declaration" has the meaning given in s. 703.02 (8).

22 (h) "Dwelling" means a structure or part of a structure that is used or intended
23 to be used as a home or residence by one or more persons to the exclusion of all others.

24 (i) "Limited common element" has the meaning given in s. 703.02 (10).

1 (j) "Marina condominium" means a condominium in which the common
2 elements, limited common elements, or condominium units consist of or include boat
3 docking facilities and to which either or both of the following apply:

- 4 1. One or more of the boat docking facilities is not appurtenant to a dwelling.
- 5 2. None of the condominium units are dwellings.

6 **(2) PROHIBITION.** No owner of riparian land may create a marina condominium
7 on the riparian land on or after June 1, 2007. Any declaration for a marina
8 condominium that is recorded on or after June 1, 2007, is invalid and establishes
9 ownership of the riparian land as a tenancy in common that is held by the owners
10 of the marina condominium units.

11 **(3) EXISTING MARINA CONDOMINIUMS.** (a) Notwithstanding sub. (2), a declaration
12 that creates or purports to create a marina condominium and that is recorded before
13 June 1, 2007, shall be effective in creating the marina condominium regardless of
14 subsequent activity affecting the declaration.

15 (b) If a marina condominium as described par. (a) contains more than 300 boat
16 slips, the declarant shall make at least 40 percent of the total number of boat slips
17 in the marina condominium available for rent or for transient use by the public.
18 When the declarant conveys title to, or another interest in, a condominium unit that
19 is affected by this restriction on use, the declarant shall include a statement of the
20 restriction in the instrument of conveyance.

21 **(4) VALIDITY OF PERMITS.** (a) For a marina that is converted into a marina
22 condominium, if the owner of the marina is issued a permit or other authorization
23 under this subchapter to place, maintain, or use a boat docking facility before the
24 date that a declaration was recorded converting the marina into a marina
25 condominium, the permit or authorization shall be deemed to satisfy the

1 requirements of this subchapter and may not be rescinded or modified by the
2 department or a municipality or by court or administrative order if the grounds for
3 the rescission or modification are based on the fact that the marina has been
4 converted to a marina condominium. The permit or authorization shall remain in
5 effect regardless of any subsequent activity affecting the declaration. This
6 paragraph does not apply to any permit or authorization that is issued after the date
7 that the declaration was recorded converting the marina into a marina
8 condominium.

9 (b) For a marina condominium that was not previously a marina, if the owner
10 of a marina condominium is issued a permit or other authorization under this
11 subchapter to place, maintain, or use a boat docking facility, the permit or
12 authorization shall be deemed to satisfy the requirements of this subchapter and
13 may not be rescinded or modified by the department or a municipality or by court or
14 administrative order if the grounds for the rescission or modification are based on
15 the fact that the boat docking facility is part of a marina condominium as opposed
16 to a marina. The permit or authorization shall remain in effect regardless of any
17 subsequent activity affecting the declaration.

18 (5) INCREASE IN SIZE OR NUMBER. An amendment or modification of a declaration
19 as described under sub. (3) (a) may not increase the size of the boat docking facility
20 or the size or the number of boat slips in a boat docking facility.

21 (6) SUBSEQUENT ACTIVITY AFFECTING A DECLARATION. For purposes of this section,
22 subsequent activity affecting the declaration consists of any of the following:

23 (a) Any amendment, modification or restatement of declaration by court or
24 administrative order or by agreement of all of the owners of the condominium units.

1 (b) Any determination by court or administrative order that the declaration is
2 void or voidable or that the condominium units in the condominium are not intended
3 for any type of independent use.

4 (7) DEPARTMENT ENFORCEMENT. Notwithstanding sub. (4), the department
5 retains the authority to enforce the terms and conditions of a permit or other
6 authorization except to the extent that such terms and conditions relate to the form
7 of ownership of a boat docking facility.

8 **SECTION 717v.** 30.203 (2) (d) of the statutes is created to read:

9 30.203 (2) (d) In Lake Poygan within an area that consists of the W-1/2 of Sec.
10 36, T. 20 N., R. 14 E.; the NW-1/4 of Sec. 1, T. 19 N., R. 14 E.; the E-1/2 of Sec. 33,
11 all of Sec. 34, and the W-1/2 of Sec. 35, T. 20 N., R. 14 E.; and the N-1/2 of Sec. 4, T.
12 19 N., R. 14 E.

13 **SECTION 718m.** 30.255 of the statutes is created to read:

14 **30.255 Florence Wild Rivers Interpretive Center.** Beginning with fiscal
15 year 2007-08, the department shall provide a grant in the amount of \$27,000 in each
16 fiscal year to the Florence Wild Rivers Interpretive Center to be used for park and
17 recreation uses, forestry education, and tourist information provided by the center
18 and for its operational costs. ✓

19 **SECTION 720.** 30.52 (3) (b) of the statutes is amended to read:

20 30.52 (3) (b) *Fee for boats under 16 feet.* The fee for the issuance or renewal of
21 a certificate of number for a boat less than 16 feet in length is ~~\$16.50~~ \$19.

22 **SECTION 721.** 30.52 (3) (c) of the statutes is amended to read:

23 30.52 (3) (c) *Fee for boats 16 feet or more but less than 26 feet.* The fee for the
24 issuance or renewal of a certificate of number for a boat 16 feet or more but less than
25 26 feet in length is ~~\$24~~ \$28.

1 **SECTION 722.** 30.52 (3) (d) of the statutes is amended to read:

2 30.52 (3) (d) *Fee for boats 26 feet or more but less than 40 feet.* The fee for the
3 issuance or renewal of a certificate of number for a boat 26 feet or more but less than
4 40 feet in length is ~~\$45~~ \$52.

5 **SECTION 723.** 30.52 (3) (e) of the statutes is amended to read:

6 30.52 (3) (e) *Fee for boats 40 feet or longer.* The fee for the issuance or renewal
7 of a certificate of number for a boat 40 feet or more in length is ~~\$75~~ \$86.

8 **SECTION 724.** 30.52 (3) (f) of the statutes is amended to read:

9 30.52 (3) (f) *Fee for nonmotorized sailboats.* Notwithstanding pars. (b) to (e),
10 the fee for the issuance or renewal of a certificate of number for a sailboat which is
11 not a motorboat is ~~\$15~~ \$17.

12 **SECTION 725.** 30.52 (3) (fm) of the statutes is amended to read:

13 30.52 (3) (fm) *Fee for voluntarily registered boats.* Notwithstanding pars. (b)
14 to (f), the fee for issuance or renewal of registration for a boat registered pursuant
15 to sub. (1) (b) 1m. is ~~\$9.75~~ \$11.

16 **SECTION 726.** 30.74 (1) (b) of the statutes is amended to read:

17 30.74 (1) (b) The department by rule shall set the instruction fee for the course.
18 A person conducting a course or giving instruction under this subsection shall collect
19 the instruction fee from each person who receives instruction. The department may
20 determine the portion of this fee, which may not exceed 50%, that the person may
21 retain to defray expenses incurred by the person in conducting the course or giving
22 the instruction. The person shall remit the remainder of the fee or, if nothing is
23 retained, the entire fee to the department. ~~The department by rule shall set the fee~~
24 ~~for the course shall issue a duplicate certificate of accomplishment to a person who~~
25 is entitled to a duplicate certificate of accomplishment and who pays a fee of \$2.75.

1 **SECTION 726b.** 35.001 (3) of the statutes is repealed.

2 **SECTION 726d.** 35.05 (4) of the statutes is amended to read:

3 35.05 (4) When legislative proposals, legislative publications or other printing
4 is required for the legislature, including revision or correction bills for the ~~revisor of~~
5 ~~statutes~~ legislative reference bureau, bills or reports for the joint legislative council
6 or legislative proposals of members intended for introduction by them, such printing
7 may be ordered by the chief clerk of either house or by other authorized persons
8 during any session of the legislature or recess thereof, pursuant to such regulations
9 as either house shall establish.

10 **SECTION 726f.** 35.15 (1) (b) of the statutes is amended to read:

11 35.15 (1) (b) The volume shall contain all acts enacted during such session, all
12 important joint resolutions of the session, and an alphabetical index to the volume
13 prepared by the legislative reference bureau ~~in consultation with the revisor of~~
14 ~~statutes.~~

15 **SECTION 726h.** 35.17 of the statutes is amended to read:

16 **35.17 Correcting typographical errors.** In enrolling under s. 13.92 (1) (b)
17 3. and for publishing under ss. 35.095, 35.15 and 35.35 (1) (a) the legislative reference
18 bureau shall correct obvious typographical errors. No such correction shall be
19 deemed an alteration of the enrolled copy. Like corrections shall be made by the
20 ~~revisor~~ legislative reference bureau in printing the Wisconsin statutes and
21 administrative code. On questions of orthography the current edition of Webster's
22 new international dictionary shall be taken as the standard.

23 **SECTION 726j.** 35.18 (1), (2) and (3) of the statutes are amended to read:

24 35.18 (1) PUBLICATION. Biennially the ~~revisor~~ legislative reference bureau shall
25 prepare and deliver to the department printer's copy for the Wisconsin statutes,

1 which shall contain all the general statutes in force, all important joint resolutions
2 adopted since the last preceding general session, an alphabetical index, and such
3 other matter as the revisor bureau deems desirable and practicable. The department
4 shall determine how many copies shall be printed.

5 (2) ~~REVISOR'S~~ LEGISLATIVE REFERENCE BUREAU CERTIFICATE. After making the
6 necessary comparison, the revisor chief of the legislative reference bureau shall
7 annex, at the end of one copy of each newly printed statute, which shall be filed in
8 the office of the secretary of state as a public record, ~~the revisor's~~ a certificate
9 certifying that the revisor bureau has compared each printed section therein with
10 the original section of the statutes, or, as the case may be, with the original section
11 contained in the enrolled act from which the section was derived, together with all
12 amendments of such original section, if any, and that all the sections appear to be
13 correctly printed. All other copies shall contain a printed copy of such certificate.

14 (3) NUMBERS AND TITLES OF CHAPTERS AND SECTIONS. All chapters and sections
15 of Wisconsin statutes shall retain their present numbers and titles until changed by
16 the revisor legislative reference bureau or by statute. Each section shall be
17 designated by a mixed, decimal number, the whole number corresponding to the
18 chapter and the decimal to the section's place in the chapter. The numbers and titles
19 of chapters and sections shall be printed in boldface type. Each subsection shall be
20 designated by a number, or by a number and a letter of the alphabet, enclosed in
21 parentheses. Each paragraph shall be designated by a letter or letters enclosed in
22 parentheses. Each subdivision shall be designated by a number or by a number and
23 a letter. Each paragraph of a subdivision shall be designated by a letter or letters.

24 **SECTION 726L.** 35.20 of the statutes is amended to read:

1 **35.20 Wisconsin Town Law Forms.** With each issue of Wisconsin statutes,
2 under the supervision of the revisor legislative reference bureau, an edition will be
3 printed as directed by the department for distribution by the department to all town
4 clerks, of a volume to be designated "Wisconsin Town Law Forms" containing
5 suitable forms for use in the administration of laws relating to: common schools; the
6 county board; the powers, duties and liabilities of towns, town officers and the
7 assessment of taxes; highways, bridges and drainage districts; and such other forms
8 as the revisor legislative reference bureau determines desirable and practicable.

9 **SECTION 726n.** 35.23 of the statutes is amended to read:

10 **35.23 Wisconsin Annotations.** The revisor legislative reference bureau shall
11 prepare such annotations as will keep the volume known as "Wisconsin
12 Annotations," up to date, and to print such continuations in each biennial issue of
13 the Wisconsin statutes.

14 **SECTION 726p.** 35.50 (2) of the statutes is amended to read:

15 **35.50 (2)** Unless otherwise required by law, each edition of the Blue Book and
16 the reports specified in ss. 35.26 and 35.27, and reprints thereof, shall be
17 substantially the same in printing and binding as the previous edition of the same
18 publication. Unless otherwise determined by the chief of the legislative reference
19 bureau, each edition of the Laws of Wisconsin shall be substantially the same in
20 format, printing, and binding as the previous edition of the same publication. Unless
21 otherwise determined by the revisor of statutes legislative reference bureau, each
22 edition of the statutes and the Wisconsin administrative code and register shall be
23 substantially the same in format, printing, and binding as the previous edition of the
24 same publication.

25 **SECTION 726r.** 35.56 (1) (a) of the statutes is amended to read:

1 35.56 (1) (a) As a basis for printing of the statutes and the Wisconsin
2 administrative code and register, the department shall, before advertising for bids
3 and after consultation with the ~~revisor~~ legislative reference bureau, establish base
4 prices for 2-year periods and establish specifications subject to approval by the
5 ~~revisor~~ legislative reference bureau for 2-year periods.

6 **SECTION 726t.** 35.56 (5) of the statutes is amended to read:

7 35.56 (5) Notwithstanding subs. (1), (3) and (4), the ~~revisor of~~ statutes
8 legislative reference bureau shall approve specifications and production schedules
9 for the printing and binding of the Wisconsin statutes.

10 **SECTION 727.** 35.86 (1) of the statutes is amended to read:

11 35.86 (1) The director of the historical society may procure the exchange of
12 public documents produced by federal, state, county, local, and other agencies as may
13 be desirable to maintain or enlarge its historical, literary, and statistical collections,
14 and may make such distributions of public documents, with or without exchange, as
15 may accord with interstate or international comity. The state law librarian shall
16 procure so many of such exchanges as the state law librarian is authorized by law
17 to make, and the department of health and family services, department of children
18 and families, commission of banking, department of public instruction, legislative
19 reference bureau, and the legislative council staff, may procure by exchange such
20 documents from other states and countries as may be needed for use in their
21 respective offices. Any other state agency wishing to initiate a formal exchange
22 program in accordance with this section may do so by submitting a formal application
23 to the department and by otherwise complying with this section.

24 **SECTION 727c.** 35.91 (1) of the statutes is amended to read:

1 35.91 (1) The latest edition of the Wisconsin statutes shall be sold at a
2 reasonable price, ~~calculated to the nearest dollar, to be fixed~~ as determined by the
3 department, ~~based on cost plus 75% of the revisor's expenditures under s. 20.765 (3)~~
4 ~~(a) during the preceding biennium.~~ The department may sell noncurrent editions of
5 the Wisconsin statutes and Wisconsin annotations at reduced prices to be fixed by
6 it.

7 **SECTION 727g.** 35.93 (1) of the statutes is amended to read:

8 35.93 (1) The Wisconsin administrative code and register shall be published
9 using the format and method of printing and binding determined by the revisor
10 legislative reference bureau. The notice section of the register and new rules filed
11 by an agency whose rules have not been compiled and printed pursuant to this
12 section may be duplicated in some other form than printing if the department and
13 ~~revisor~~ legislative reference bureau determine that it is administratively feasible to
14 do so. The printing or other duplicating shall be performed or contracted by the
15 department. The department may purchase and sell suitable binders for the code or
16 parts thereof at a price not exceeding cost. The ~~revisor~~ legislative reference bureau
17 shall supervise the arrangement of materials in the Wisconsin administrative code
18 and register, including the numbering of pages and sections. No part of the
19 Wisconsin administrative code or register may be printed until the ~~revisor~~ legislative
20 reference bureau has approved the arrangement of materials and numbering of
21 sections therein.

22 **SECTION 727j.** 35.93 (3) of the statutes is amended to read:

23 35.93 (3) The ~~revisor~~ legislative reference bureau shall compile and deliver to
24 the department for printing copy for a register which shall contain all the rules filed
25 since the compilation of rules for the preceding issue of the register was made and

1 those executive orders which are to be in effect for more than 90 days or an
2 informative summary thereof. The complete register shall be compiled and
3 published before the first day of each month and a notice section of the register shall
4 be compiled and published before the 15th day of each month. Each issue of the
5 register shall contain a title page with the name "Wisconsin administrative register",
6 the number and date of the register, and a table of contents. Each page of the register
7 shall also contain the date and number of the register of which it is a part in addition
8 to the other necessary code titles and page numbers. The ~~revisor~~ legislative
9 reference bureau may include in the register such instructions or information as in
10 the ~~revisor's bureau's~~ judgment will help the user to correctly make insertions and
11 deletions in the code and to keep the code current.

12 **SECTION 727m.** 35.93 (4) of the statutes is amended to read:

13 35.93 (4) Each issue of the Wisconsin administrative register shall contain a
14 notice section in which shall be printed the notices of hearings on rule making which
15 agencies have transmitted to the ~~revisor~~ legislative reference bureau for that
16 purpose, statements of scope of proposed rules under s. 227.135, notices of submittal
17 to ~~joint~~ the legislative council staff under s. 227.14 (4m), notices of intent to
18 promulgate rules without a public hearing under s. 227.16 (2) (e), notices of referrals
19 of proposed rules to presiding officers under s. 227.19 (2), notices of emergency rules
20 in effect, fiscal estimates for rule-making orders under s. 227.14 (4) and such other
21 notices as may be required by law or determined by the ~~revisor~~ legislative reference
22 bureau to be appropriate.

23 **SECTION 727p.** 35.93 (6) of the statutes is amended to read:

24 35.93 (6) The department shall sell the code, issues of the register or parts of
25 either of them at a price to be determined by it, which shall include the proportionate

1 cost per copy of preparation and manufacturing as determined by the ~~reviser~~ of
2 statutes legislative reference bureau, and the cost of sale and distribution specified
3 in s. 35.80. State employee personnel costs shall be excluded from preparation costs.
4 The department may establish the price of the code or of the register or parts thereof
5 on an annual basis.

6 **SECTION 727s.** 35.93 (8) of the statutes is amended to read:

7 35.93 (8) The ~~reviser~~ legislative reference bureau shall prepare and the
8 department shall publish a table of contents and an index of all the rules in effect
9 which have been compiled and printed under this section. The table of contents and
10 index shall be recompiled and reprinted annually. They shall be printed in the same
11 page size as the administrative code. The department shall distribute one copy of the
12 table of contents and index free to each subscriber to the register or parts thereof.

Handwritten notes: "AUS" with a checkmark, "276-13", and "JTC" in a circle.

13 **SECTION 730.** 36.11 (3) (d) 1. of the statutes is amended to read:

14 36.11 (3) (d) 1. Except as provided in subd. 2., the board shall require that a \$35
15 ~~\$44~~ fee accompany each application for admittance from persons seeking admittance
16 to any school within the system as new freshmen or as transfer students from outside
17 the system. The board may exempt from the fee under this subdivision, on the basis
18 of financial need, a maximum of 5% of the applications in any school year. The board
19 shall ensure that no less than \$9 of the fee is used for admission application expenses.

20 **SECTION 731.** 36.11 (3) (d) 2. of the statutes is amended to read:

21 36.11 (3) (d) 2. The board shall require that a \$45 ~~\$56~~ fee accompany each
22 application for admittance to a graduate school, law school or medical school within
23 the system. The board shall ensure that no less than \$11 of the fee is used for
24 admission application expenses.

LFB:.....Runde (DL) – Sale of state property modifications

FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

**ASSEMBLY AMENDMENT ,
TO SENATE SUBSTITUTE AMENDMENT 1,
TO 2007 SENATE BILL 40**

276-13:1

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

2 **1.** Page 46, line 14: after that line insert:

3 “SECTION 112w. 16.848 (2) (b) of the statutes is repealed.”.

4 **2.** Page 306, line 16: delete the material beginning with “and” and ending with
5 “2009.” on line 17 and substitute “but not including any moneys received from the
6 sale of state property during the period beginning on the effective date of this
7 paragraph [revisor inserts date], and ending on June 30, 2009.”.

8 **3.** Page 464, line 6: after that line insert:

9 “SECTION 729k. 36.11 (1) (b) of the statutes is amended to read:



- 2 -
276-13:2

1 36.11 (1) (b) Except as provided in this paragraph, the board may purchase,
 2 have custody of, hold, control, possess, lease, grant easements and enjoy any lands,
 3 buildings, books, records and all other property of any nature which may be
 4 necessary and required for the purposes, objects and uses of the system authorized
 5 by law. Any lease is subject to the powers of the University of Wisconsin Hospitals
 6 and Clinics Authority under s. 233.03 (13) and the rights of the authority under any
 7 lease agreement, as defined in s. 233.01 (6). The board shall not permit a facility that
 8 would be privately owned or operated to be constructed on state-owned land without
 9 obtaining prior approval of the building commission under s. 13.48 (12). The Except
 10 where a sale occurs under s. 16.848, the board may sell or dispose of such property
 11 as provided by law, or any part thereof when in its judgment it is for the best interests
 12 of the system and the state. All purchases and sales of real property shall be subject
 13 to the approval of the building commission. The provision of all leases of real
 14 property to be occupied by the board shall be the responsibility of the department of
 15 administration under s. 16.84 (5).

16 **SECTION 729m.** 36.11 (1) (e) of the statutes is amended to read:

17 36.11 (1) (e) The board, with the approval of the building commission, may sell
 18 or lease state-owned residence halls to another state agency or nonstate nonprofit
 19 agency for purposes of alternate use. This paragraph does not apply to property that
 20 is sold under s. 16.848.

21 **4.** Page 1578, line 3: delete lines 3 to 19 and substitute:

22 “[2005 Wisconsin Act 25] Section 9101 (4) (b) ~~the secretary~~ If the department
 23 of administration determines that it is in the best interest of the state to offer one or
 24 more parcels of state-owned property for sale, the secretary of administration shall