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1           **SECTION 236.** 20.370 (8) (mi) of the statutes is renumbered 20.370 (1) (si), and  
2           20.370 (1) (si) (title), as renumbered, is amended to read:

3           20.370 (1) (si) (title) ~~General program operations~~ Administration and  
4           technology — private and public sources.

5           **SECTION 237.** 20.370 (8) (mk) of the statutes is renumbered 20.370 (1) (sk) and  
6           amended to read:

7           20.370 (1) (sk) ~~General program operations~~ Administration — service funds.

8           From the general fund, all moneys received by the department from the department  
9           and from other state agencies, except as provided in par. (nk), for facilities, materials  
10          or services provided by the department relating to fish, wildlife, and recreation  
11          administrative services, to provide those facilities, materials or services.

12          **SECTION 238.** 20.370 (8) (mq) of the statutes is renumbered 20.375 (2) (sq).

13          **SECTION 239.** 20.370 (8) (mr) of the statutes is renumbered 20.375 (4) (sr).

14          **SECTION 240.** 20.370 (8) (mt) of the statutes is renumbered 20.370 (1) (st).

15          **SECTION 241.** 20.370 (8) (mu) of the statutes is renumbered 20.370 (1) (su) and  
16          amended to read:

17          20.370 (1) (su) ~~General program operations~~ — state funds Administration —  
18          conservation fund. The amounts in the schedule for the general administration and  
19          field administration of the department related to fish, wildlife, and recreation.

20          **SECTION 242.** 20.370 (8) (mv) of the statutes is renumbered 20.375 (2) (sv), and  
21          20.375 (2) (sv) (title), as renumbered, is amended to read:

22          20.375 (2) (sv) (title) ~~General program operations~~ Administration —  
23          environmental fund.

24          **SECTION 243.** 20.370 (8) (mz) of the statutes is renumbered 20.370 (1) (sz).

25          **SECTION 244.** 20.370 (8) (ni) of the statutes is renumbered 20.370 (1) (ni).

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1           **SECTION 245.** 20.370 (8) (nk) of the statutes is renumbered 20.370 (1) (nk).

2           **SECTION 246.** 20.370 (8) (zq) of the statutes is renumbered 20.370 (1) (zq).

3           **SECTION 247.** 20.370 (9) (title) of the statutes is repealed.

4           **SECTION 248.** 20.370 (9) (eg) of the statutes is renumbered 20.375 (2) (tg) and  
5 amended to read:

6           20.375 (2) (tg) *Gifts and grants; environmental management systems.* ~~From the~~  
7 ~~general fund, all~~ All moneys received from gifts, grants or bequests for the  
8 department's activities related to environmental management systems to be used for  
9 the purposes for which made.

10           **SECTION 249.** 20.370 (9) (gb) of the statutes is renumbered 20.370 (1) (gb) and  
11 amended to read:

12           20.370 (1) (gb) *Education programs — program fees.* Biennially, from the  
13 general fund, the amounts in the schedule for department educational activities at  
14 the MacKenzie environmental center. All moneys received from fees collected under  
15 s. 23.425 (2) for the use of the center shall be credited to this appropriation.

16           **SECTION 250.** 20.370 (9) (hk) of the statutes, as affected by 2009 Wisconsin Act  
17 28, is renumbered 20.370 (1) (hg).

18           **SECTION 251.** 20.370 (9) (hs) of the statutes is renumbered 20.370 (1) (js).

19           **SECTION 252.** 20.370 (9) (ht) of the statutes is renumbered 20.370 (1) (jv).

20           **SECTION 253.** 20.370 (9) (hu) of the statutes is renumbered 20.370 (1) (jw).

21           **SECTION 254.** 20.370 (9) (hv) of the statutes is renumbered 20.370 (1) (hx).

22           **SECTION 255.** 20.370 (9) (iq) of the statutes is renumbered 20.370 (1) (iq).

23           **SECTION 256.** 20.370 (9) (is) of the statutes is renumbered 20.375 (2) (is).

24           **SECTION 257.** 20.370 (9) (ma) of the statutes is renumbered 20.370 (1) (ta) and  
25 amended to read:

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1           20.370 (1) (ta) ~~General program operations~~ Customer service — state funds.

2 From the general fund, the amounts in the schedule for communications, customer  
3 services, and aids administration related to fish, wildlife, and recreation.

4           **SECTION 258.** 20.370 (9) (mh) of the statutes, as affected by 2009 Wisconsin Act  
5 28, is renumbered 20.375 (2) (th) and amended to read:

6           20.375 (2) (th) ~~General program operations~~ — stationary sources. From the  
7 ~~general fund, from~~ the moneys received from fees under s. 285.69 (2) (a) and (e), the  
8 amounts in the schedule for customer service, communications, and aids  
9 administration for the operation permit program under ch. 285 and s. 299.15.

10           **SECTION 259.** 20.370 (9) (mi) of the statutes is renumbered 20.370 (1) (ti), and  
11 20.370 (1) (ti) (title), as renumbered, is amended to read:

12           20.370 (1) (ti) (title) ~~General program operations~~ Customer service — private  
13 and public sources.

14           **SECTION 260.** 20.370 (9) (mk) of the statutes is renumbered 20.370 (1) (tk), and  
15 20.370 (1) (tk) (title), as renumbered, is amended to read:

16           20.370 (1) (tk) (title) ~~General program operations~~ Customer service — service  
17 funds.

18           **SECTION 261.** 20.370 (9) (mm) of the statutes is renumbered 20.370 (1) (tm), and  
19 20.370 (1) (tm) (title), as renumbered, is amended to read:

20           20.370 (1) (tm) (title) ~~General program operations~~ Customer service — federal  
21 funds.

22           **SECTION 262.** 20.370 (9) (mq) of the statutes is renumbered 20.375 (2) (tq), and  
23 20.375 (2) (tq) (title), as renumbered, is amended to read:

24           20.375 (2) (tq) (title) ~~General program operations~~ Customer service — mobile  
25 sources.

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1           **SECTION 263.** 20.370 (9) (mt) of the statutes is renumbered 20.375 (4) (tt).

2           **SECTION 264.** 20.370 (9) (mu) of the statutes is renumbered 20.370 (1) (tu) and  
3 amended to read:

4           20.370 (1) (tu) ~~General program operations — state funds~~ Customer service —  
5 conservation fund. The amounts in the schedule for communications, customer  
6 services, licensing, registration and aids administration related to fish, wildlife, and  
7 recreation.

8           **SECTION 265.** 20.370 (9) (mv) of the statutes is renumbered 20.370<sup>S</sup>(2) (tv), and  
9 20.370<sup>S</sup>(2) (tv) (title), as renumbered, is amended to read:

10           20.370<sup>S</sup> (2) (tv) (title) ~~General program operations~~ Customer service —  
11 environmental fund.

12           **SECTION 266.** 20.370 (9) (mw) of the statutes is renumbered 20.370 (1) (tw).

13           **SECTION 267.** 20.370 (9) (mx) of the statutes is renumbered 20.375 (4) (tx).

14           **SECTION 268.** 20.370 (9) (my) of the statutes is renumbered 20.370 (1) (ty), and  
15 20.370 (1) (ty) (title), as renumbered, is amended to read:

16           20.370 (1) (ty) (title) ~~General program~~ Fox river operations — federal funds.

17           **SECTION 269.** 20.370 (9) (mz) of the statutes is renumbered 20.370 (1) (tz), and  
18 20.370 (1) (tz) (title), as renumbered, is amended to read:

19           20.370 (1) (tz) (title) Indirect cost reimbursements, customer service.

20           **SECTION 270.** 20.370 (9) (nq) of the statutes is renumbered 20.375 (2) (uq).

21           **SECTION 271.** 20.370 (9) (ny) of the statutes is renumbered 20.375 (4) (ty).

22           **SECTION 272.** 20.375 (intro.) of the statutes is created to read:

23           **20.375 Environmental quality, department of.** (intro.) There is  
24 appropriated to the department of environmental quality for the following programs:

25           **SECTION 273.** 20.375 of the statutes is renumbered 20.377.

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1           **SECTION 274.** 20.375 (2) (title) of the statutes is created to read:

2           20.375 (2) (title) AIR AND WASTE.

3           **SECTION 275.** 20.375 (2) (ag) of the statutes is created to read:

4           20.375 (2) (ag) *Environmental impact — consultant services; printing and*  
5 *postage costs.* All moneys received under s. 278.40 (3) (d) that are designated as  
6 related to the cost of authorized environmental consultant services, to pay for those  
7 services, and all moneys received under s. 278.40 (3) (d) that are designated as costs  
8 of printing and postage, to pay for those costs.

9           **SECTION 276.** 20.375 (2) (ig) of the statutes is created to read:

10          20.375 (2) (ig) *Promotional activities and publications.* All moneys received  
11 from subscriptions and other revenues generated by promotional activities,  
12 photographs, slides, videotapes, artwork, publications, magazines, and other  
13 periodicals to be used for these promotional activities, photographs, slides,  
14 videotapes, artwork, publications, and magazines and for educational and  
15 informational activities concerning the environment.

16          **SECTION 277.** 20.375 (2) (pa) of the statutes is created to read:

17          20.375 (2) (pa) *Enforcement — state funds.* The amounts in the schedule for  
18 regulatory and enforcement operations under ss. 59.692, 59.693, 61.351, 61.354,  
19 62.231, 62.234, and 87.30, subchs. I to III of ch. 30, and chs. 31 and 280 to 299, and  
20 for review of environmental impact requirements under ss. 1.11 and 278.40.

21          **SECTION 278.** 20.375 (2) (pi) of the statutes is created to read:

22          20.375 (2) (pi) *Enforcement — private and public sources.* All moneys not  
23 otherwise appropriated that are received from private or public sources, other than  
24 state agencies and the federal government, for facilities, materials, or services  
25 provided by the department relating to enforcement of laws administered by the

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1 department to pay for expenses associated with those facilities, materials, or  
2 services.

3 **SECTION 279.** 20.375 (2) (pk) of the statutes is created to read:

4 20.375 (2) (pk) *Enforcement — service funds.* All moneys received by the  
5 department from the department and from other state agencies for facilities,  
6 materials, or services provided by the department relating to enforcement of laws  
7 administered by the department under an agreement or other arrangement with the  
8 department or other state agencies to pay for expenses associated with those  
9 facilities, materials, and services.

10 **SECTION 280.** 20.375 (2) (pm) of the statutes is created to read:

11 20.375 (2) (pm) *Enforcement — federal funds.* All moneys received as federal  
12 aid for enforcement activities of the department, as authorized by the governor under  
13 s. 16.54 for the purposes for which received.

14 **SECTION 281.** 20.375 (2) (sa) of the statutes is created to read:

15 20.375 (2) (sa) *Administration — state funds.* The amounts in the schedule for  
16 general administration and field administration related to air and waste.

17 **SECTION 282.** 20.375 (2) (si) of the statutes is created to read:

18 20.375 (2) (si) *General program operations — private and public sources.* All  
19 moneys received from public or private sources, other than state agencies and the  
20 federal government, for facilities, materials, or services provided by the department  
21 related to administration and technology, to pay for costs and expenses associated  
22 with those facilities, materials, or services.

23 **SECTION 283.** 20.375 (2) (sk) of the statutes is created to read:

24 20.375 (2) (sk) *Administration — service funds.* All moneys received by the  
25 department from the department and from other state agencies, for air and waste

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1 facilities, materials, or services provided by the department relating to  
2 administrative services, to provide those facilities, materials, or services.

3 **SECTION 284.** 20.375 (2) (sp) of the statutes is created to read:

4 20.375 (2) (sp) *Indirect cost reimbursements.* All moneys received from the  
5 federal government as reimbursement of indirect costs of grants and contracts  
6 related to air and waste for the purposes authorized in s. 16.54 (9) (b).

7 **SECTION 285.** 20.375 (2) (ta) of the statutes is created to read:

8 20.375 (2) (ta) *Customer service — state funds.* The amounts in the schedule  
9 for communications, customer services, and aids administration related to air and  
10 waste.

11 **SECTION 286.** 20.375 (2) (tk) of the statutes is created to read:

12 20.375 (2) (tk) *Customer service — service funds.* All moneys received by the  
13 department from the department and from other state agencies for facilities,  
14 materials, or services provided by the department relating to communications,  
15 customer services, licensing, and aids administration.

16 **SECTION 287.** 20.375 (2) (tm) of the statutes is created to read:

17 20.375 (2) (tm) *Customer service — federal funds.* All moneys received as  
18 federal aid for communications, customer services, and aids administration related  
19 to air and waste, as authorized by the governor under s. 16.54, for the purposes for  
20 which received.

21 **SECTION 288.** 20.375 (2) (tp) of the statutes is created to read:

22 20.375 (2) (tp) *Indirect cost reimbursements, customer service.* All moneys  
23 received from the federal government as reimbursement of indirect costs of grants  
24 and contracts relating to communications, customer services, and aids  
25 administration for the purposes authorized in s. 16.54 (9) (b).

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1           **SECTION 289.** 20.375 (2) (uk) of the statutes is created to read:

2           20.375 (2) (uk) *Equipment pool operations.* All moneys received by the  
3 department from the department or from other state agencies from car, truck,  
4 airplane, heavy equipment, information technology, or radio pools for operation,  
5 maintenance, replacement, and purchase of vehicles, equipment, radio services, and  
6 information technology.

7           **SECTION 290.** 20.375 (2) (zg) of the statutes is created to read:

8           20.375 (2) (zg) *Gifts and grants.* All moneys received by the department from  
9 gifts, grants, and bequests, except as provided in par. (tg), to be expended for the  
10 purposes for which made.

11           **SECTION 291.** 20.375 (4) (bg) of the statutes is created to read:

12           20.375 (4) (bg) *Water information computer access fees.* All moneys received  
13 under s. 278.322 to provide computer accessible water information.

14           **SECTION 292.** 20.375 (4) (ma) of the statutes is created to read:

15           20.375 (4) (ma) *General program operations — state funds.* The amounts in the  
16 schedule for the management and protection of the state's water resources.

17           **SECTION 293.** 20.375 (4) (mi) of the statutes is created to read:

18           20.375 (4) (mi) *Water resources operations — private and public sources.* All  
19 moneys not otherwise appropriated that are received from private or public sources,  
20 other than state agencies and the federal government, for facilities, materials, or  
21 services provided by the department relating to the management of the state's water  
22 resources to pay for expenses associated with those facilities, materials, or services.

23           **SECTION 294.** 20.375 (4) (mk) of the statutes is created to read:

24           20.375 (4) (mk) *Water resources operations — service funds.* All moneys  
25 received by the department from the department and from other state agencies for



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1 purposes relating to the department's function relating to the state's water  
2 resources.

3 **SECTION 295.** 20.375 (4) (ni) of the statutes is created to read:

4 20.375 (4) (ni) *Geographic information systems, general program operations —*  
5 *other funds.* All moneys received by the department from entities other than the  
6 department or other state agencies for providing facilities, support services, and  
7 materials related to geographic information systems, to provide those facilities,  
8 services, or materials to entities other than the department and other state agencies.

9 **SECTION 296.** 20.375 (4) (nk) of the statutes is created to read:

10 20.375 (4) (nk) *Geographic information systems, general program operations*  
11 *— service funds.* All moneys received by the department from the department and  
12 from other state agencies for providing facilities, support services, and materials  
13 related to geographic information systems, to provide those facilities, services, or  
14 materials to the department or to those agencies.

15 **SECTION 297.** 20.375 (4) (sa) of the statutes is created to read:

16 20.375 (4) (sa) *Administration — state funds.* The amounts in the schedule for  
17 general administration and field administration related to water.

18 **SECTION 298.** 20.375 (4) (sk) of the statutes is created to read:

19 20.375 (4) (sk) *Administration — service funds.* All moneys received by the  
20 department from the department and from other state agencies, except as provided  
21 in par. (nk), for water facilities, materials, or services provided by the department  
22 relating to administrative services, to provide those facilities, materials, or services.

23 **SECTION 299.** 20.375 (4) (sp) of the statutes is created to read:

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1           20.375 (4) (sp) *Indirect cost reimbursements.* All moneys received from the  
2 federal government as reimbursement of indirect costs of grants and contracts  
3 related to water for the purposes authorized in s. 16.54 (9) (b).

4           **SECTION 300.** 20.375 (4) (su) of the statutes is created to read:

5           20.375 (4) (su) *Administration — conservation fund.* From the conservation  
6 fund, from the amounts paid into the fund under s. 20.855 (4) (s), the amounts in the  
7 schedule for the general administration and field administration of the department  
8 related to water.

9           **SECTION 301.** 20.375 (4) (ta) of the statutes is created to read:

10          20.375 (4) (ta) *Customer service — state funds.* The amounts in the schedule  
11 for communications, customer services, and aids administration related to water.

12          **SECTION 302.** 20.375 (4) (tm) of the statutes is created to read:

13          20.375 (4) (tm) *Customer service — federal funds.* All moneys received as  
14 federal aid for communications, customer services, and aids administration related  
15 to water, as authorized by the governor under s. 16.54, for the purposes for which  
16 received.

17          **SECTION 303.** 20.375 (4) (tu) of the statutes is created to read:

18          20.375 (4) (tu) *Customer service — conservation fund.* From the conservation  
19 fund, from the amounts paid into the fund under s. 20.855 (4) (s), the amounts in the  
20 schedule for communications, customer services, licensing, registration, and aids  
21 administration related to water.

22          **SECTION 304.** 20.375 (7) (title) of the statutes is created to read:

23          20.375 (7) (title) DEBT SERVICE.

24          **SECTION 305.** 20.375 (7) (aa) of the statutes is created to read:

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1           20.375 (7) (aa) *Dam safety — principal repayment and interest.* A sum  
2 sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs  
3 incurred in financing the aid program for dams under s. 20.866 (2) (tx).

4           **SECTION 306.** 20.375 (7) (ea) of the statutes is created to read:

5           20.375 (7) (ea) *Administrative facilities — principal repayment and interest.*  
6 A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and  
7 interest costs incurred in financing the acquisition, construction, development,  
8 enlargement, or improvement of administrative office, laboratory, equipment  
9 storage, or maintenance facilities.

10          **SECTION 307.** 20.375 (7) (ha) of the statutes is created to read:

11          20.375 (7) (ha) *Facilities acquisition, development, and maintenance.* As a  
12 continuing appropriation, the amounts in the schedule for the acquisition,  
13 development, and construction costs of new structures and buildings and for the  
14 maintenance costs of existing structures and buildings under the control of the  
15 department.

16          **SECTION 308.** 20.455 (1) (k) of the statutes is amended to read:

17          20.455 (1) (k) *Environment litigation project.* All moneys received from the  
18 department of ~~natural resources~~ environmental quality for materials or services  
19 provided by the department of justice regarding a project involving the use of  
20 environmental litigation to protect air, land and water resources to be used to pay  
21 for costs and expenses associated with those materials and services.

22          **SECTION 309.** 20.505 (4) (k) of the statutes is amended to read:

23          20.505 (4) (k) *Waste facility siting board; general program operations.* The  
24 amounts in the schedule for the general program operations of the waste facility

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1 siting board. All moneys transferred from the appropriation account under s. ~~20.370~~  
2 20.375 (2) (eg) shall be credited to this appropriation account.

3 **SECTION 310.** 20.505 (8) (hm) 8d. of the statutes is amended to read:

4 20.505 (8) (hm) 8d. The amount transferred to s. 20.370 (4) ~~(1)~~ (kk) shall be the  
5 amount in the schedule under s. 20.370 (4) ~~(1)~~ (kk).

6 **SECTION 311.** 20.505 (8) (hm) 8k. of the statutes is amended to read:

7 20.505 (8) (hm) 8k. The amount transferred to s. 20.370 ~~(3)~~ ~~(1)~~ (ak) shall be the  
8 amount in the schedule under s. 20.370 ~~(3)~~ ~~(1)~~ (ak).

9 **SECTION 312.** 20.505 (8) (hm) 8r. of the statutes is amended to read:

10 20.505 (8) (hm) 8r. The amount transferred to s. 20.370 ~~(9)~~ ~~(hk)~~ ~~(1)~~ (hg) shall  
11 be the amount in the schedule under s. 20.370 ~~(9)~~ ~~(hk)~~ ~~(1)~~ (hg).

12 **SECTION 313.** 20.505 (8) (hm) 17f. of the statutes is amended to read:

13 20.505 (8) (hm) 17f. The amount transferred to s. ~~20.370~~ 20.375 (6) (bk) shall  
14 be the amount in the schedule under s. ~~20.370~~ 20.375 (6) (bk).

15 **SECTION 314.** 20.566 (7) (v) of the statutes is amended to read:

16 20.566 (7) (v) *Investment and local impact fund.* From the investment and local  
17 impact fund, all moneys received under s. 70.395 (1e) and (2) (dc) and (dg), less the  
18 moneys appropriated under s. ~~20.370~~ 20.375 (2) (gr), to be disbursed under ss. 70.395  
19 (2) (d) to (g), 293.33 (4) and 293.65 (5) (a).

20 **SECTION 315.** 20.866 (1) (u) of the statutes, as affected by 2009 Wisconsin Act ✓  
21 28, is amended to read:

22 20.866 (1) (u) *Principal repayment and interest.* A sum sufficient from moneys  
23 appropriated under sub. (2) (zp) and ss. 20.115 (2) (d) and (7) (b), (br), (s), and (tb),  
24 20.190 (1) (c), (d), (i), and (j), 20.225 (1) (c) and (i), 20.245 (1) (e) and (j), 20.250 (1) (c)  
25 and (e), 20.255 (1) (d), 20.285 (1) (d), (db), (im), (in), (je), (jq), (kd), (km), and (ko) and

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1 (5) (i), 20.320 (1) (c) and (t) and (2) (c), 20.370 (7) (aa), (ac), (ag), (aq), ~~(ar)~~, (at), ~~(au)~~,  
 2 ~~(bq)~~, (br), (cb), (cc), (cd), (eg), (eq), (er), (es), (et), (ea), and (eq), and (er), 20.375 (7) (aa),  
 3 (ar), (bq), (br), (cb), (cc), (cd), (cg), (cq), (cr), (cs), (ct), (ea), and (er), 20.395 (6) (af), (aq),  
 4 (ar), and (au), 20.410 (1) (e), (ec), and (ko) and (3) (e), 20.435 (2) (ee), 20.465 (1) (d),  
 5 20.485 (1) (f) and (go), (3) (t) and (4) (qm), 20.505 (4) (es), (et), (ha), and (hb) and (5)  
 6 (c), (g), and (kc), 20.855 (8) (a), and 20.867 (1) (a) and (b) and (3) (a), (b), (bb), (bc), (bd),  
 7 (be), (bf), (bg), (bh), (bm), (bn), (bp), (bq), (br), (bu), (bv), (g), (h), (i), (kd), and (q) for  
 8 the payment of principal, interest, premium due, if any, and payment due, if any,  
 9 under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a)  
 10 relating to any public debt contracted under subchs. I and IV of ch. 18.

11 **SECTION 316.** 20.866 (2) (tb) of the statutes is amended to read:

12 20.866 (2) (tb) *Natural resources Environment: municipal clean drinking water*  
 13 *grants.* From the capital improvement fund, a sum sufficient to the department of  
 14 ~~natural resources~~ environmental quality to provide funds for municipal clean  
 15 drinking water grants under s. 281.53. The state may contract public debt in an  
 16 amount not to exceed \$9,800,000 for this purpose.

17 **SECTION 317.** 20.866 (2) (tc) of the statutes, as affected by 2009 Wisconsin Act  
 18 28, is amended to read:

19 20.866 (2) (tc) *Clean water fund program.* From the capital improvement fund,  
 20 a sum sufficient for the purposes of s. 281.57 (10m) and (10r) and to be transferred  
 21 to the environmental improvement fund for the purposes of the clean water fund  
 22 program under ss. 281.58 and 281.59. The state may contract public debt in an  
 23 amount not to exceed \$777,043,200 for this purpose. Of this amount, the amount  
 24 needed to meet the requirements for state deposits under 33 USC 1382 is allocated  
 25 for those deposits. Of this amount, \$8,250,000 is allocated to fund the minority

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1 business development and training program under s. 200.49 (2) (b). Moneys from  
2 this appropriation account may be expended for the purposes of s. 281.57 (10m) and  
3 (10r) only in the amount by which the department of ~~natural resources~~  
4 environmental quality and the department of administration determine that  
5 moneys available under par. (tn) are insufficient for the purposes of s. 281.57 (10m)  
6 and (10r).

7 **SECTION 318.** 20.866 (2) (te) of the statutes is amended to read:

8 20.866 (2) (te) *Natural resources Environment; nonpoint source grants.* From  
9 the capital improvement fund, a sum sufficient for the department of ~~natural~~  
10 ~~resources~~ environmental quality to provide funds for nonpoint source water  
11 pollution abatement projects under s. 281.65 and to provide the grant under 2003  
12 Wisconsin Act 33, section 9138 (3f). The state may contract public debt in an amount  
13 not to exceed \$94,310,400 for this purpose.

14 **SECTION 319.** 20.866 (2) (tf) of the statutes, as affected by 2009 Wisconsin Act  
15 28, is amended to read:

16 20.866 (2) (tf) *Natural resources Environment; nonpoint source.* From the  
17 capital improvement fund, a sum sufficient for the department of ~~natural resources~~  
18 environmental quality to fund nonpoint source water pollution abatement projects  
19 under s. 281.65 (4c) and (4e). The state may contract public debt in an amount not  
20 to exceed \$18,000,000 for this purpose.

21 **SECTION 320.** 20.866 (2) (tg) of the statutes is amended to read:

22 20.866 (2) (tg) *Natural resources Environment; environmental repair.* From the  
23 capital improvement fund, a sum sufficient for the department of ~~natural resources~~  
24 environmental quality to fund investigations and remedial action under s. 292.11 (7)  
25 (a) or 292.31 and remedial action under s. 281.83 and for payment of this state's share

**BILL****SECTION 320**

1 of environmental repair that is funded under 42 USC 6991 to 6991i or 42 USC 9601  
2 to 9675. The state may contract public debt in an amount not to exceed \$54,000,000  
3 for this purpose. Of this amount, \$7,000,000 is allocated for remedial action under  
4 s. 281.83.

5 **SECTION 321.** 20.866 (2) (th) of the statutes, as affected by 2009 Wisconsin Act  
6 28, is amended to read:

7 20.866 (2) (th) *Natural resources Environment; urban nonpoint source*  
8 *cost-sharing*. From the capital improvement fund, a sum sufficient for the  
9 department of ~~natural resources~~ environmental quality to provide cost-sharing  
10 grants for urban nonpoint source water pollution abatement and storm water  
11 management projects under s. 281.66, to provide municipal flood control and  
12 riparian restoration cost-sharing grants under s. 281.665, and to make the grant  
13 under 2007 Wisconsin Act 20, section 9135 (1i). The state may contract public debt  
14 in an amount not to exceed \$35,900,000 for this purpose. Of this amount, \$500,000  
15 is allocated in fiscal biennium 2001–03 for dam rehabilitation grants under s. 31.387.

16 **SECTION 322.** 20.866 (2) (ti) of the statutes, as affected by 2009 Wisconsin Act  
17 28, is amended to read:

18 20.866 (2) (ti) *Natural resources Environmental quality; contaminated*  
19 *sediment removal*. From the capital improvement fund, a sum sufficient for the  
20 department of ~~natural resources~~ environmental quality to fund removal of  
21 contaminated sediment under s. 281.87. The state may contract public debt in an  
22 amount not to exceed \$22,000,000 for this purpose.

23 **SECTION 323.** 20.866 (2) (tj) of the statutes is created to read:

24 20.866 (2) (tj) *Environment; general fund supported administrative facilities*.  
25 From the capital improvement fund, a sum sufficient for the department of

**BILL**

1 environmental quality to acquire, construct, develop, enlarge, or improve  
2 administrative office, laboratory, equipment, storage, or maintenance facilities. The  
3 state may contract public debt in an amount not to exceed \$5,441,200 for this  
4 purpose.

5 **SECTION 324.** 20.866 (2) (tk) of the statutes, as affected by 2009 Wisconsin Act  
6 28, is amended to read:

7 20.866 (2) (tk) *Natural-resources Environment; environmental segregated fund*  
8 *supported administrative facilities.* From the capital improvement fund, a sum  
9 sufficient for the department of ~~natural-resources~~ environmental quality to acquire,  
10 construct, develop, enlarge or improve ~~natural-resource~~ administrative office,  
11 laboratory, equipment storage and maintenance facilities. The state may contract  
12 public debt in an amount not to exceed \$10,842,500 for this purpose.

13 **SECTION 325.** 20.866 (2) (tL) of the statutes is amended to read:

14 20.866 (2) (tL) *Natural-resources Environment; segregated revenue supported*  
15 *dam safety projects.* From the capital improvement fund, a sum sufficient for the  
16 department of ~~natural-resources~~ environmental quality to provide financial  
17 assistance to counties, cities, villages, towns, and public inland lake protection and  
18 rehabilitation districts for dam safety projects under s. 31.385. The state may  
19 contract public debt in an amount not to exceed \$6,600,000 for this purpose.

20 **SECTION 326.** 20.866 (2) (tm) of the statutes is amended to read:

21 20.866 (2) (tm) *Natural-resources Environment; pollution abatement and*  
22 *sewage collection facilities, ORAP funding.* From the capital improvement fund, a  
23 sum sufficient to the department of ~~natural-resources~~ environmental quality to  
24 acquire, construct, develop, enlarge or improve point source water pollution  
25 abatement facilities and sewage collection facilities under ss. 281.55 and 281.56. The



**BILL**

1 state may contract public debt in an amount not to exceed \$145,060,325 for this  
2 purpose. Of this amount, \$5,000,000 is allocated for point source water pollution  
3 abatement facilities and sewage collection facilities under s. 281.56.

4 **SECTION 327.** 20.866 (2) (tn) of the statutes is amended to read:

5 20.866 (2) (tn) *Natural resources Environment; pollution abatement and*  
6 *sewage collection facilities.* From the capital improvement fund, a sum sufficient to  
7 the department of ~~natural resources~~ environmental quality to acquire, construct,  
8 develop, enlarge or improve point source water pollution abatement facilities and  
9 sewage collection facilities under s. 281.57 and to upgrade or replace a drinking  
10 water treatment plant under s. 281.57 (10t) including eligible engineering design  
11 costs. Payments may be made from this appropriation for capital improvement  
12 expenditures and encumbrances authorized under s. 281.57 before July 1, 1990,  
13 except for reimbursements made under s. 281.57 (9m) (a) and except as provided in  
14 s. 281.57 (10e), (10f), (10m), (10r) and (10t). Payments may also be made from this  
15 appropriation for expenditures and encumbrances resulting from disputed costs  
16 under s. 281.57 if an appeal of an eligibility determination is filed before  
17 July 1, 1990, and the result of the dispute requires additional funds for an eligible  
18 project. The state may contract public debt in an amount not to exceed \$893,493,400  
19 for this purpose.

20 **SECTION 328.** 20.866 (2) (to) of the statutes is amended to read:

21 20.866 (2) (to) *Natural resources Environment; pollution abatement and*  
22 *sewage collection facilities; combined sewer overflow.* From the capital improvement  
23 fund, a sum sufficient to the department of ~~natural resources~~ environmental quality  
24 to provide funds for the construction of combined sewer overflow projects and for  
25 eligible engineering design costs under s. 281.63. The state may contract public debt

**BILL**

1 in an amount not to exceed \$200,600,000 for this purpose. Of this amount, \$7,360,000  
2 is allocated to fund the minority business demonstration and training program  
3 under s. 200.49.

4 **SECTION 329.** 20.866 (2) (tx) of the statutes, as affected by 2009 Wisconsin Act  
5 28, is amended to read:

6 20.866 (2) (tx) *Natural resources Environment; dam safety projects.* From the  
7 capital improvement fund, a sum sufficient for the department of ~~natural resources~~  
8 environmental quality to provide financial assistance to counties, cities, villages,  
9 towns and public inland lake protection and rehabilitation districts for dam safety  
10 projects under s. 31.385. The state may contract public debt in an amount not to  
11 exceed \$9,500,000 for this purpose.

12 **SECTION 330.** 20.903 (2) (b) of the statutes is amended to read:

13 20.903 (2) (b) Notwithstanding sub. (1), liabilities may be created and moneys  
14 expended from the appropriations under ss. 20.370 ~~(8) (mt)~~ (1) (st), 20.375 (2) (uk),  
15 20.395 (4) (eq), (er) and (es) and 20.505 (1) (im), (ka), (kb), (kc), (kd), and (kL) in an  
16 additional amount not exceeding the depreciated value of equipment for operations  
17 financed under ss. 20.370 ~~(8) (mt)~~ (1) (st), 20.375 (2) (uk), 20.395 (4) (eq), (er) and (es)  
18 and 20.505 (1) (im), (ka), (kb), (kc), (kd), and (kL). The secretary of administration  
19 may require such statements of assets and liabilities as he or she deems necessary  
20 before approving expenditure estimates in excess of the unexpended moneys in the  
21 appropriation account.

22 **SECTION 331.** 20.923 (4) (g) 1p. of the statutes is created to read:

23 20.923 (4) (g) 1p. Environmental quality, department of: secretary.

24 **SECTION 332.** 23.09 (2) (d) 16. of the statutes is amended to read:

25 23.09 (2) (d) 16. For bluff protection under s. ~~30.24~~ 23.0942.

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59-3A  
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**BILL**

1           **SECTION 333.** 23.09 (2r) (b) of the statutes is amended to read: ✓ ✓

2           23.09 (2r) (b) Land acquisition for urban river grants under s. ~~30.277~~ 23.0944.

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60-2

3           **SECTION 334.** 23.0915 (1g) of the statutes is amended to read:

4           23.0915 (1g) LAND ACQUISITION; URBAN RIVER GRANTS. Beginning in fiscal year  
5 1992-93 and ending in fiscal year 1999-2000, the department for each fiscal year  
6 shall designate for expenditure \$1,900,000 of the moneys appropriated under s.  
7 20.866 (2) (tz) for land acquisition for urban river grants under s. ~~30.277~~ 23.0944.

8           **SECTION 335.** 23.0915 (1r) (c) of the statutes is amended to read:

9           23.0915 (1r) (c) For land acquisition, the department shall designate for  
10 expenditure \$900,000 for urban river grants under s. ~~30.277~~ 23.0944 and for grants  
11 under s. 23.096 for the purposes under s. ~~30.277~~ 23.0944 (2) (a).

12           **SECTION 336.** 23.0915 (2g) of the statutes is amended to read:

13           23.0915 (2g) FUNDS FOR MONONA TERRACE PROJECT. If all of the money set aside  
14 under s. 23.195 for the Frank Lloyd Wright Monona terrace project is not expended  
15 before July 1, 1998, the department shall make the unexpended moneys available  
16 for expenditure for land acquisition and for urban river grants under s. ~~30.277~~ ✓  
17 23.0944. The moneys expended for the Frank Lloyd Wright Monona terrace project  
18 are expended as an amount for land acquisition.

INSERT  
60-18A + 60-18B

19           **SECTION 337.** 23.0917 (3) (c) 1. of the statutes is amended to read:

20           23.0917 (3) (c) 1. Acquisition of land that preserves or enhances the state's  
21 water resources, including land in and for the Lower Wisconsin State Riverway; land  
22 abutting wild rivers designated under s. ~~30.26~~ 23.43, wild lakes and land along the  
23 shores of the Great Lakes.

24           **SECTION 338.** 23.0917 (4) (b) 4. of the statutes is amended to read: ✓ ✓

25           23.0917 (4) (b) 4. Grants for urban rivers under ss. 23.096 and ~~30.277~~ 23.0944.

**BILL**

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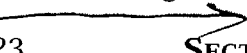
**SECTION 339.** 23.0917 (7) (a) of the statutes is amended to read:

23.0917 (7) (a) Except as provided in pars. (b) and (c), for purposes of calculating the acquisition costs for acquisition of land under ss. 23.09 (19), (20), and (20m), 23.092 (4), 23.094 (3g), 23.0942 (4), 23.0944, 23.0953, and 23.096, ~~30.24 (4) and 30.277~~ from the appropriation under s. 20.866 (2) (ta), the acquisition costs shall equal the sum of the land's current fair market value and other acquisition costs, as determined by rule by the department.

**SECTION 340.** 23.0917 (7) (e) 1. of the statutes is amended to read:

23.0917 (7) (e) 1. For any land for which moneys are proposed to be obligated from the appropriation under s. 20.866 (2) (ta) in order to provide a grant or state aid to a governmental unit under s. 23.09 (19), (20), or (20m) or ~~30.277~~ 23.0944 or to a nonprofit conservation organization under s. 23.096, the department shall use at least 2 appraisals to determine the fair market value of the land. The governmental unit or nonprofit conservation organization shall submit to the department one appraisal that is paid for by the governmental unit or nonprofit conservation organization. The department shall obtain its own independent appraisal. The department may also require that the governmental unit or nonprofit conservation organization submit a 3rd independent appraisal. The department shall reimburse the governmental unit or nonprofit conservation organization up to 50% of the costs of the 3rd appraisal as part of the acquisition costs of the land if the land is acquired by the governmental unit or nonprofit conservation organization with moneys obligated from the appropriation under s. 20.866 (2) (ta).

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**SECTION 341.** 23.094 (2) (a) of the statutes is amended to read:

23.094 (2) (a) The department, in consultation with the department of environmental quality, shall identify as priority streams those streams in this state

**BILL**

**SECTION 341**

1 that are in most need of protection from degradation of water quality caused by  
2 agricultural or urban runoff.

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62-2

3 **SECTION 342.** 23.096 (2) (a) of the statutes is amended to read:

4 23.096 (2) (a) The department may award grants from the appropriation under  
5 s. 20.866 (2) (ta) or (tz) to nonprofit conservation organizations to acquire property  
6 for all of the purposes described in ss. 23.09 (2) (d) ~~1. to~~ <sup>2., 3., 4., 6.,</sup> 7., 9., 11., 12. and 15., (19),  
7 (20) and (20m), 23.092, 23.094, 23.0942, 23.0944, 23.17, 23.175, 23.27, 23.29, and  
8 23.293, 30.24 and 30.277. and for state forests, and for forest nurseries  
and experimental stations

insert  
62-8

9 **SECTION 343.** 23.11 (5) of the statutes is amended to read:

10 23.11 (5) The department may require an applicant for a permit or statutory  
11 approval which the department, by order, may grant, to submit an environmental  
12 impact report if the area affected exceeds 40 acres, or the estimated cost of the project  
13 exceeds \$25,000, ~~or the applicant is requesting approval for a high capacity well  
described in s. 281.34 (4) (a) 1. to 3.~~

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62-14

15 **SECTION 344.** 23.125 of the statutes is repealed.

16 **SECTION 345.** 23.16 (1) of the statutes is amended to read:

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62-15A  
62-15B  
62-15C

17 23.16 (1) PUBLICATION. The department may produce, issue or reprint  
18 magazines or other periodicals on a periodic basis as it determines, pertaining to fish  
19 and game, forests, parks, ~~environmental quality~~ and other similar subjects of  
20 general information. The department may distribute its magazines and periodicals  
21 by subscription. The department shall charge a fee for any of its magazines or  
22 periodicals, except that no fee may be charged to a person who is provided a  
23 subscription to the Wisconsin Natural Resources Magazine under s. 29.235.

24 **SECTION 346.** 23.16 (5) of the statutes is amended to read:

**BILL**

1           23.16 (5) USE OF MONEYS. The department shall use the moneys collected under  
2 this section for the costs specified in sub. (4). If the moneys collected under this  
3 section exceed the amount necessary for the costs specified in sub. (4), the  
4 department shall use the excess for educational and informational activities  
5 concerning conservation ~~and the environment~~.

6           **SECTION 347.** 23.165 (1) of the statutes is amended to read:

7           23.165 (1) PUBLICATIONS. The department may produce, issue, reprint and sell  
8 publications not published on a periodic basis that pertain to fish and game, forests,  
9 parks, ~~environmental quality~~ and other similar subjects of general information.

10          **SECTION 348.** 23.165 (1m) of the statutes is amended to read:

11          23.165 (1m) PHOTOGRAPHS, SLIDES, VIDEOTAPES, ARTWORK. The department may  
12 produce, issue, reprint and sell photographs, slides, videotapes and artwork if they  
13 pertain to fish and game, forests, parks, ~~environmental quality~~ and other similar  
14 subjects of general information.

15          **SECTION 349.** 23.165 (5m) of the statutes is amended to read:

16          23.165 (5m) USE OF MONEYS. The department shall use the moneys collected  
17 under this section for the costs specified in sub. (5). If the moneys collected under  
18 this section exceed the amount necessary for the costs specified in sub. (5), the  
19 department shall use the excess for educational and informational activities  
20 concerning conservation ~~and the environment~~.

21          **SECTION 350.** 23.18 of the statutes is renumbered 278.18, and 278.18 (1) (a) and  
22 (b) (intro.), as renumbered, are amended to read:

23          278.18 (1) (a) Advise the department, the department of natural resources, the  
24 governor and the legislature on matters relating to the environmental, recreational  
25 and economic revitalization of the Milwaukee River basin.

Insert  
63-20

**BILL**

**SECTION 350**

1 (b) (intro.) Assist the department and the department of natural resources to:

2 **SECTION 351.** 23.197 (2) (a) of the statutes is amended to read:

3 23.197 (2) (a) From the appropriation under s. 20.866 (2) (ta) or (tz) or both, the  
4 department shall provide funding to the city of Fort Atkinson for the restoration of  
5 a river wall along the Rock River. The amount provided by the department may not  
6 exceed the amount that equals the matching contribution made for the river wall by  
7 the city of Fort Atkinson or \$96,500, whichever is less. The requirements for  
8 matching contributions under s. ~~30.277~~ 23.0944 (5) shall apply.

9 **SECTION 352.** 23.32 of the statutes is renumbered 278.32.

10 **SECTION 353.** 23.33 (2) (o) of the statutes is amended to read:

11 23.33 (2) (o) *Receipt of fees.* All fees remitted to or collected by the department  
12 under par. (ir) shall be credited to the appropriation account under s. 20.370 (9) ~~(hu)~~  
13 (1) (jw).

14 **SECTION 354.** 23.33 (9) (a) of the statutes is amended to read:

15 23.33 (9) (a) *Enforcement.* The department may utilize moneys received under  
16 sub. (2) for all-terrain vehicle registration aids administration and for the purposes  
17 specified under s. 20.370 ~~(3)~~ (1) (as) and (5) (er) including costs associated with  
18 enforcement, safety education, accident reports and analysis, law enforcement aids  
19 to counties, and other similar costs in administering and enforcing this section.

20 **SECTION 355.** ~~23.39~~ <sup>23.385</sup> of the statutes is created to read:

21 ~~23.39~~ <sup>23.385</sup> **Financial interest prohibited.** The secretary and any other person  
22 in a position of administrative responsibility in the department may not have a  
23 financial interest in any enterprise that might profit by weak or preferential  
24 administration or enforcement of the powers and duties of the department.

25 **SECTION 356.** 23.40 (3) (d) of the statutes is amended to read:

INS.  
64-8

INS.  
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**BILL**

1           23.40 (3) (d) ~~Except as provided in par. (e), the~~ The department shall deposit  
2 any environmental impact statement fee in the general fund and shall designate  
3 clearly the amount of the fee related to the cost of authorized environmental  
4 consultant services and the amount of the fee related to the cost of printing and  
5 postage.

6           **SECTION 357.** 23.40 (3) (e) of the statutes is repealed.

7           **SECTION 358.** 23.41 (1) (intro.) and (b) of the statutes are consolidated,  
8 renumbered 23.41 (1) and amended to read:

9           23.41 (1) In this section: ~~(b) —~~ “Environmental, “environmental consultant  
10 services” includes services provided by environmental scientists, engineers and  
11 other experts.

12           **SECTION 359.** 23.41 (1) (a) of the statutes is repealed.

13           **SECTION 360.** 23.41 (2) of the statutes is repealed.

14           **SECTION 361.** 23.41 (5) of the statutes is repealed.

15           **SECTION 362.** 23.41 (5m) of the statutes is repealed.

16           **SECTION 363.** 23.42 of the statutes is renumbered 278.42.

17           **SECTION 364.** 23.425 (title), (1) and (2) (a) of the statutes are renumbered  
18 278.425 (title), (1) and (2).

19           **SECTION 365.** 23.425 (2) (b) of the statutes is renumbered 23.425 and amended  
20 to read:

21           **23.425 MacKenzie center.** ~~The fees collected by the department under par.~~  
22 ~~(a) may collect fees~~ for the use of the MacKenzie environmental center. The fees shall  
23 be deposited in the general fund and credited to the appropriation under s. 20.370  
24 ~~(9) (1) (gb).~~

25           **SECTION 366.** 23.50 (1) of the statutes is amended to read:



**BILL**

1           23.50 (1) The procedure in ss. 23.50 to 23.85 applies to all actions in circuit  
2 court to recover forfeitures, plus costs, fees, and surcharges imposed under ch. 814,  
3 for violations of ss. 77.09, 90.21, 134.60, 167.10 (3), and 167.31 (2), ~~281.48 (2) to (5),~~  
4 ~~283.33, 285.57 (2), 285.59 (2), (3) (c) and (4), 287.07, 287.08, 287.81 and 299.64 (2)~~  
5 subchs. IV and V of ch. 30, subch. VI of ch. 77, this chapter, and chs. 26 to ~~31~~ 29, ch.  
6 169, and ch. 350, and any administrative rules promulgated thereunder, ~~violations~~  
7 ~~specified under s. 280.98 (2) or 285.86~~, violations of ch. 951 if the animal involved is  
8 a captive wild animal, violations of rules of the Kickapoo reserve management board  
9 under s. 41.41 (7) (k), ~~violations to which s. 299.85 (7) (a) 2. or 4. applies~~, or violations  
10 of local ordinances enacted by any local authority in accordance with s. 23.33 (11)  
11 (am) or 30.77.

12           **SECTION 367.** 23.53 (1) of the statutes is amended to read:

13           23.53 (1) The citation created under this section shall, in all actions to recover  
14 forfeitures, plus costs, fees, and surcharges imposed under ch. 814, for violations of  
15 those statutes enumerated in s. 23.50 (1), any administrative rules promulgated  
16 thereunder, and any rule of the Kickapoo reserve management board under s. 41.41  
17 (7) (k) be used by any law enforcement officer with authority to enforce those laws,  
18 except that the uniform traffic citation created under s. 345.11 may be used by a  
19 traffic officer employed under s. 110.07 in enforcing s. 167.31 or by an officer of a law  
20 enforcement agency of a municipality or county ~~or a traffic officer employed under~~  
21 ~~s. 110.07 in enforcing s. 287.81~~. In accordance with s. 345.11 (1m), the citation shall  
22 not be used for violations of ch. 350 relating to highway use. The citation may be used  
23 for violations of local ordinances enacted by any local authority in accordance with  
24 s. 23.33 (11) (am) or 30.77.

25           **SECTION 368.** 23.65 (1) of the statutes is amended to read:

**BILL**

1           23.65 (1) When it appears to the district attorney that a violation of s. 90.21,  
2           ~~or 134.60, 281.48 (2) to (5), 283.33, 285.57 (2), 285.59 (2), (3) (c) and (4), 287.07,~~  
3           ~~287.08, 287.81 or 299.64 (2),~~ subch. IV or V of ch. 30, this chapter or ch. 26, 27, 28,  
4           29, 30, ~~31~~, 169, or 350, or any administrative rule promulgated pursuant thereto, a  
5           ~~violation specified under s. 285.86,~~ or a violation of ch. 951, if the animal involved is  
6           a captive wild animal, has been committed the district attorney may proceed by  
7           complaint and summons.

8           **SECTION 369.** 23.65 (3) of the statutes is amended to read:

9           23.65 (3) If a district attorney refuses or is unavailable to issue a complaint,  
10          a circuit judge, after conducting a hearing, may permit the filing of a complaint if he  
11          or she finds there is probable cause to believe that the person charged has committed  
12          a violation of ~~s. 287.07, 287.08 or 287.81~~ subch. IV or V of ch. 30, this chapter or ch.  
13          26, 27, 28, 29, 30, ~~31~~ or 350 ~~or a violation specified under s. 285.86.~~ The district  
14          attorney shall be informed of the hearing and may attend.

15          **SECTION 370.** 24.39 (2) of the statutes is amended to read:

16          24.39 (2) In negotiating for such leases, licenses or sales, and in exercising the  
17          other powers conferred by this section the board of commissioners of public lands  
18          shall, so far as it finds it desirable and practicable, request and make proper use of  
19          such services and information as the department of natural resources or the  
20          department of environmental quality may be able to furnish.

21          **SECTION 371.** 24.39 (4) (c) of the statutes is amended to read:

22          24.39 (4) (c) No leases under par. (a) may be executed without a prior finding  
23          of the department of ~~natural resources~~ environmental quality under s. 30.11 (5) that  
24          any proposed physical change in the area contemplated as the result of the execution

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67-14

**BILL****SECTION 371**

1 of any term lease is consistent with the public interest in the navigable waters  
2 involved.

3 **SECTION 372.** 24.39 (4) (f) of the statutes is amended to read:

4 24.39 (4) (f) A municipality may sublease rights leased to it under par. (a) 1.  
5 or 2. to corporations or private persons. A municipality may also make physical  
6 improvements on and above the bottoms to which rights were leased from the board  
7 of commissioners of public lands and may sublease these improvements to  
8 corporations or private persons. Any subleases under this paragraph shall be  
9 consistent with this subsection and with whatever standards or restrictions the  
10 department of ~~natural resources~~ environmental quality, acting under s. 30.11 (5),  
11 may have found at the time of execution of the original lease by the board of  
12 commissioners of public lands to the municipality.

13 **SECTION 373.** 25.43 (2) (c) of the statutes is amended to read:

14 25.43 (2) (c) The department of administration may establish and change  
15 accounts in the environmental improvement fund other than those under pars. (a),  
16 (ae), (am) and (b). The department of administration shall consult the department  
17 of ~~natural resources~~ environmental quality before establishing or changing an  
18 account that is needed to administer the programs under ss. 281.58, 281.59 and  
19 281.61.

20 **SECTION 374.** 25.43 (3) of the statutes is amended to read:

21 25.43 (3) Except for the purpose of investment as provided in s. 25.17 (2) (d),  
22 the environmental improvement fund may be used only for the purposes authorized  
23 under ss. 20.320 (1) (r), (s), (sm), (t), (x) and (y), (2) (s) and (x) and (3) (q), ~~20.370~~ 20.375  
24 (4) (mt), (mx) and (nz), ~~(8) (mr) and (9) (mt), (mx) and (ny) (sr), (tt), (tx), and (ty).~~  
25 20.505 (1) (v), (x) and (y), 281.58, 281.59, 281.60, 281.61 and 281.62.

INSERT  
68-12 A  
68-12 B

**BILL**

1           **SECTION 375.** 25.46 (1e) of the statutes is amended to read:

2           25.46 **(1e)** The moneys transferred under s. ~~20.370~~ 20.375 (2) (mu) for  
3 environmental management.

4           **SECTION 376.** 25.46 (1g) of the statutes is amended to read:

5           25.46 **(1g)** The moneys transferred under s. ~~20.370~~ 20.375 (4) (mw) for  
6 environmental management.

INSERT  
69-6

7           **SECTION 377.** 26.11 (6) of the statutes is amended to read:

8           26.11 **(6)** The department, as the director of the effort, may suppress a forest  
9 fire on lands located outside the boundaries of intensive or extensive forest fire  
10 protection districts but not within the limits of any city or village if the town  
11 responsible for suppressing fires within its boundaries spends more than \$3,000, as  
12 determined by rates established by the department, on suppressing the forest fire  
13 and if the town chairperson makes a request to the department for assistance.  
14 Persons participating in the suppression efforts shall act at the direction of the  
15 department after the department begins suppression efforts under this subsection.  
16 Funds expended by the state under this subsection shall be expended from the

17

appropriation under s. ~~20.370 (1) (mv)~~ 20.115 (5) (g)

18           **SECTION 378.** 26.11 (7) of the statutes is amended to read:

19           26.11 **(7)** (a) Notwithstanding s. 20.001 (3) (c), if the sum of the unencumbered  
20 balances in the appropriation accounts under s. ~~20.370 (1) (cs)~~ and ~~(mz)~~ (z)  
21 exceeds \$1,000,000 on June 30 of any fiscal year, the amount in excess of \$1,000,000  
22 shall lapse from the appropriation account under ~~s. 20.370 (1) (cs)~~ to the conservation  
23 fund, except as provided in par. (b).

20

22

24           (b) Notwithstanding s. 20.001 (3) (c), if the amount in the appropriation account  
25 under ~~s. 20.370 (1) (cs)~~ is insufficient for the amount that must lapse under par.

20.115 (5) (g) f

s. 20.115 (5) (g)

20.115 (5) (g) rf

**BILL**

**SECTION 378**

1 (a), the remainder that is necessary for the lapse shall lapse from the appropriation  
account under s. ~~20.370 (1) (mz)~~ ~~(3) (mz)~~ 20.115 (5) (2) ✓

INSERT  
70-2

3 **SECTION 379.** 26.39 (2) of the statutes is amended to read:

4 26.39 (2) FORESTRY EDUCATION CURRICULUM; SCHOOLS. Using the moneys  
5 appropriated under s. ~~20.370 (1) (cu)~~ ~~(3) (cu)~~ 20.115 (5) (cp) ✓  
6 Center for Environmental Education in the College of Natural Resources at the  
7 University of Wisconsin-Stevens Point, shall develop a forestry education  
8 curriculum for grades kindergarten to 12.

9 **SECTION 380.** 26.39 (3) of the statutes is amended to read:

10 26.39 (3) FORESTRY EDUCATION FOR THE PUBLIC. Using the moneys appropriated  
11 under s. ~~20.370 (1) (cv)~~ ~~(3) (cv)~~ 20.115 (5) (cs) ✓  
12 the public on the value of sustainable forestry. The program shall include support  
13 for educational efforts conducted by school districts at school forests or conducted by  
14 other entities that provide education on the topic of sustainable forestry.

15 **SECTION 381.** 27.01 (11) (cr) 1. of the statutes is amended to read:

16 27.01 (11) (cr) 1. Remit the entire amount of each reservation fee it collects to  
17 the department. ~~The~~ <sup>That</sup> department shall credit to the appropriation under s. 20.370  
18 (1) ~~(2)~~ (er) for payment to the party all but \$1 of each fee remitted.

INSERT  
70-14A  
70-14B

19 **SECTION 382.** 27.016 (6) of the statutes is amended to read:

20 27.016 (6) Annually, on or before January 1, the department shall review all  
21 applications received under this section in the previous year and shall make the  
22 grants that it approves from the appropriation under s. 20.370 (1) ~~(eq)~~ <sup>✓</sup> (2) (es). If  
23 insufficient funds are available to pay all approved grants, the board shall prorate  
24 the available funds among the applicants in proportion to the approved grant  
25 amounts.

INS.  
70-18

With which it  
entered into  
The contract.

**BILL**

1           **SECTION 383.** 27.016 (7) of the statutes is amended to read:

2           27.016 (7) Beginning in fiscal year 1996-97 and for each fiscal year thereafter,  
3 any moneys not encumbered or expended for grants under sub. (6) from the  
4 appropriation under s. 20.370 (1) ~~(eq)~~ (2) <sup>(es)</sup> may be used by the department for the  
5 operation and maintenance of the state parks, of the southern state forests and of  
6 state recreation areas.

INSERT  
71-6

7           **SECTION 384.** 28.05 (3) (c) of the statutes is amended to read:

8           28.05 (3) (c) Of the amount received by the department from each timber sale  
9 for which the department used the services of a cooperating forester under this  
10 subsection, the department shall credit to the appropriation account under s. 20.370  
11 (1) ~~(a)~~ <sup>(5) (rw)</sup> an amount equal to the portion of the sale proceeds that the department  
12 is required to pay to the cooperating forester.

13           **SECTION 385.** 28.06 (2m) (b) of the statutes is amended to read:

14           28.06 (2m) (b) For fiscal year 2002-03 and each fiscal year thereafter, the  
15 department shall credit 50% of the moneys received as surcharges under par. (a)  
16 during the applicable fiscal year to the appropriation account under s. ~~20.370 (1) (ev)~~  
17 ~~(3) (ev)~~ <sup>20.115 (5) (rp) ← (rp)</sup> and the remaining 50% to the appropriation account under s. ~~20.370 (1) (ev)~~  
18 ~~(3) (ev)~~ <sup>20.115 (5) (rs)</sup>

INS.  
71-18

19           **SECTION 386.** 28.11 (12) of the statutes is amended to read:

20           28.11 (12) ENFORCEMENT. If at any time it appears to the department that the  
21 lands are not being managed in accordance with this section it shall so advise the  
22 county forestry committee and the county clerk. If the condition persists the  
23 department may ~~proceed against the persons responsible for such noncompliance~~  
24 under s. 30.03 (4) order a hearing under ch. 227 concerning the noncompliance, and  
25 may request the hearing examiner to issue an order directing the responsible parties

**BILL****SECTION 386**

1 to perform or refrain from performing acts in order to remedy the noncompliance.  
2 If any person fails or neglects to obey an order, the department may request the  
3 attorney general to institute proceedings for the enforcement of the department's  
4 order in the name of the state. The proceedings shall be brought in the manner and  
5 with the effect of proceedings under s. 111.07 (7). No penalty may be imposed for  
6 violation of a hearing examiner's order under this subsection, but violation of a  
7 judgment enforcing the order may be punished in civil contempt proceedings.

8 **SECTION 387.** 29.024 (6) (ag) of the statutes is amended to read:

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

13 **SECTION 388.** 29.088 (2g) (b) of the statutes is amended to read:

14 29.088 **(2g)** (b) Subsections (1) and (2) do not apply to toxicants placed in the  
15 waters of a preexisting fish rearing facility that is an artificial body of water if the  
16 toxicants are necessary to the operation of the fish farm and the department of  
17 environmental quality has issued a permit under s. 283.31 for the preexisting fish  
18 rearing facility.

19 **SECTION 389.** 29.219 (3) (c) of the statutes is amended to read:

20 29.219 **(3)** (c) *Use of fees.* The department shall deposit receipts from the sale  
21 of resident 2-day sports fishing licenses under this subsection in the conservation  
22 fund. The department shall credit 50% of these receipts to the appropriation under  
23 s. 20.370 ~~(4) (1)~~ **(ku)**.

24 **SECTION 390.** 29.219 (3m) (c) of the statutes is amended to read:

INSERT  
72-7

**BILL**

1           29.219 **(3m)** (c) *Use of fees.* The department shall deposit receipts from the sale  
2 of 2-day inland lake trout fishing licenses under this subsection in the conservation  
3 fund. The department shall credit 50 percent of these receipts to the appropriation  
4 account under s. 20.370 ~~(4) (1)~~ (kv).

5           **SECTION 391.** 29.228 (7) (c) of the statutes is amended to read:

6           29.228 **(7)** (c) *Use of fees.* The department shall deposit receipts from the sale  
7 of nonresident 2-day sports fishing licenses under this subsection in the  
8 conservation fund. The department shall credit 50% of these receipts to the  
9 appropriation under s. 20.370 ~~(4) (1)~~ (ku).

10          **SECTION 392.** 29.2285 (3) (e) of the statutes is amended to read:

11          29.2285 **(3)** (e) *Use of moneys from fees.* The department shall deposit the  
12 receipts from the sale of sturgeon hook and line tags issued under this subsection into  
13 the conservation fund and shall credit these receipts to the appropriation account  
14 under s. 20.370 ~~(4) (1)~~ (ky).

15          **SECTION 393.** 29.229 (5r) of the statutes is amended to read:

16          29.229 **(5r)** FEES TO THE DEPARTMENT. The department may require that the  
17 band remit all of the fees collected under sub. (3) (a) to the department. If the  
18 department so requires, all of these fees shall be deposited in the conservation fund  
19 and credited to the appropriation account under s. 20.370 ~~(9) (hs)~~ (1) (js).

20          **SECTION 394.** 29.2295 (4) (c) of the statutes, as affected by 2009 Wisconsin Act  
21 28, is amended to read:

22          29.2295 **(4)** (c) 1. Subject to subd. 2., the department shall make the payment  
23 under par. (a) from the appropriation under s. 20.370 ~~(9) (hk)~~ (1) (hg).

24          2. If the amount calculated under par. (b) for a fiscal year exceeds the amount  
25 appropriated under s. 20.370 ~~(9) (hk)~~ (1) (hg) for that fiscal year, the department shall



**BILL****SECTION 394**

1 make a payment from the appropriation under s. 20.370 ~~(9) (ht)~~ (1) (hv) to the band  
2 that equals the difference between the 2 amounts.

3 **SECTION 395.** 29.2297 (4) of the statutes is amended to read:

4 29.2297 (4) USE OF MONEYS. All moneys retained by the department pursuant  
5 to a contract entered into under this section shall be credited to the appropriation  
6 account under s. 20.370 ~~(9) (hu)~~ (1) (jw).

7 **SECTION 396.** 29.237 (5) of the statutes is amended to read:

8 29.237 (5) The department shall deposit receipts from the sale of sturgeon  
9 spearing licenses under this subsection into the conservation fund and shall credit  
10 these receipts to the appropriation account under s. 20.370 (4) (1) (kw).

11 **SECTION 397.** 29.556 (3) of the statutes is amended to read:

12 29.556 (3) Any fees collected under this section by the department shall be  
13 credited to the appropriation account under s. 20.370 ~~(9) (hu)~~ (1) (jw).

14 **SECTION 398.** 29.564 (2) of the statutes, as affected by 2009 Wisconsin Act 28,  
15 is amended to read:

16 29.564 (2) All moneys collected under sub. (1), less the amount retained as  
17 authorized under sub. (1m), shall be deposited into the account under s. 20.370 ~~(3)~~  
18 (1) (is).

19 **SECTION 399.** 29.601 (3) (b) of the statutes is amended to read:

20 29.601 (3) (b) Paragraph (a) does not apply to authorized drainage and sewage  
21 from municipalities and industrial or other wastes discharged from mines or  
22 commercial or industrial or ore processing plants or operations, through treatment  
23 and disposal facilities installed and operated in accordance with plans submitted to  
24 and approved by the department of environmental quality under chs. 281, 285 or 289

**BILL**

1 to 299 or in compliance with orders of the department of environmental quality. Any  
2 order is subject to modification by subsequent orders.

3 **SECTION 400.** 29.601 (5) (b) 2. of the statutes is amended to read:

4 29.601 (5) (b) 2. This section does not apply to toxicants placed in the waters  
5 of a preexisting fish rearing facility that is an artificial body of water if the toxicants  
6 are necessary to the operation of the fish farm and the department of environmental  
7 quality has issued a permit under s. 283.31 for the preexisting fish rearing facility.

8 **SECTION 401.** 29.931 (2) (am) of the statutes is amended to read:

9 29.931 (2) (am) If the department or its wardens seize any net or similar fishing  
10 device under par. (a), the owner shall reimburse the department for all costs  
11 associated with the seizure within 20 days after the department gives written notice  
12 to the owner of the owner's obligation to reimburse the department. The notice shall  
13 include the amount of the costs required to be reimbursed by the owner. If the owner  
14 does not reimburse the department as required under this paragraph, the owner  
15 shall forfeit not more than \$1,000 in addition to the costs of reimbursement. All  
16 reimbursement costs collected under this paragraph shall be credited to the  
17 appropriation under s. 20.370 ~~(3) (mi)~~ (1) (pi).

18 **SECTION 402.** 29.984 (2) of the statutes is amended to read:

19 29.984 (2) USE OF COMMERCIAL FISH PROTECTION SURCHARGE FUNDS. All moneys  
20 collected from commercial fish protection surcharges shall be credited to the  
21 appropriation under s. 20.370 ~~(4) (l)~~ (kr).

22 **SECTION 403.** 29.987 (2) of the statutes is amended to read:

23 29.987 (2) USE OF NATURAL RESOURCES SURCHARGE FUNDS. All moneys collected  
24 from natural resources surcharges shall be credited to the appropriation under s.  
25 20.370 ~~(3) (mu)~~ (1) (pu).

**BILL****SECTION 404**

1           **SECTION 404.** 29.989 (2) of the statutes is amended to read:

2           29.989 **(2)** USE OF NATURAL RESOURCES RESTITUTION SURCHARGE FUNDS. All  
3 moneys collected from natural resources restitution surcharges shall be  
4 appropriated for use under s. 20.370 ~~(3) (mu)~~ (1) (pu).

5           **SECTION 405.** 29.9905 (2) of the statutes is amended to read:

6           29.9905 **(2)** USE OF GREAT LAKES RESOURCE SURCHARGE FUNDS. All moneys  
7 collected from Great Lakes resource surcharges shall be credited to the  
8 appropriation under s. 20.370 ~~(4) (l)~~ (kr).

9           **SECTION 406.** 30.01 (title) of the statutes is amended to read:

10           **30.01** (title) **Definitions for chapter.**

11           **SECTION 407.** 30.01 (1j) of the statutes is repealed.

12           **SECTION 408.** 30.01 (6) of the statutes is repealed.

13           **SECTION 409.** 30.015 of the statutes is created to read:

14           **30.015 Definitions for subchs. I to III.** **(1)** In subchs. I to III:

15           (a) “Department” means the department of environmental quality.

16           (b) “Secretary” means the secretary of environmental quality.

17           **SECTION 410.** 30.03 (2) of the statutes is amended to read:

18           30.03 **(2)** The district attorney of the appropriate county or, at the request of  
19 the department of environmental quality, the attorney general shall institute  
20 proceedings to recover any forfeiture imposed or to abate any nuisance committed  
21 under this chapter subchs. I to III or ch. 31. The district attorney or, at the request  
22 of the department of natural resources, the attorney general shall institute  
23 proceedings to recover any forfeiture imposed or to abate any nuisance committed  
24 under subch. IV or V.

25           **SECTION 411.** 30.12 (1m) (a) of the statutes is amended to read:

**BILL**

1           30.12 (1m) (a) The department of agriculture, trade and consumer protection,  
2           after consulting with the department of ~~natural resources~~ environmental quality,  
3           specifically approves the structure or deposit.

4           **SECTION 412.** 30.12 (1m) (b) of the statutes is amended to read:

5           30.12 (1m) (b) The structure or deposit is required, under rules promulgated  
6           by the department of agriculture, trade and consumer protection, in order to conform  
7           the drain to specifications approved by the department of agriculture, trade and  
8           consumer protection after consulting with the department of ~~natural resources~~  
9           environmental quality.

10           **SECTION 413.** 30.124 of the statutes <sup>✓, as affected by 2009 Wisconsin Act 55,</sup> is renumbered 23.244, and 23.244 (1)  
11           (intro.), as renumbered is amended to read:

12           23.244 (1) (intro.) Notwithstanding ss. 30.12, 30.20, 30.44, and 30.45, and if the  
13           department finds, after consulting with the department of environmental quality,  
14           that the activity will not adversely affect public or private rights or interests in fish  
15           and wildlife populations, navigation, or waterway flood flow capacity and will not  
16           result in environmental pollution, as defined in s. 299.01 (4), the department may  
17           do all of the following on public lands or waters:

18           **SECTION 414.** 30.1255 of the statutes <sup>✓, as affected by 2009 Wisconsin Act 55,</sup> is renumbered 23.243.

19           **SECTION 415.** 30.20 (1g) (c) of the statutes is amended to read:

20           30.20 (1g) (c) A removal of material by the drainage board for the Duck Creek  
21           Drainage District from a drain that the board operates in the Duck Creek Drainage  
22           District is exempt from the individual and general permit requirements under this  
23           section if the removal is required, under rules promulgated by the department of  
24           agriculture, trade and consumer protection, in order to conform the drain to  
25           specifications imposed by the department of agriculture, trade and consumer

**BILL**

1 protection after consulting with the department of ~~natural resources~~ environmental  
2 quality.

3 SECTION 416. 30.203 of the statutes is renumbered 23.178.

4 SECTION 417. 30.24 of the statutes is renumbered 23.0942.

5 SECTION 418. 30.255 of the statutes is renumbered 23.0943.

6 SECTION 419. 30.26 of the statutes, as affected by 2009 Wisconsin Acts 7 and  
7 32, is renumbered 23.43.

8 SECTION 420. 30.265 of the statutes is renumbered 23.431.

9 SECTION 421. 30.27 of the statutes is renumbered 23.432.

10 SECTION 422. 30.275 of the statutes is renumbered 23.434.

11 ~~SECTION 423. 30.277 of the statutes is renumbered 23.0944.~~

INSERT  
78-11

12 SECTION 424. 30.40 (3e) of the statutes is created to read:

13 30.40 (3e) "Department" means the department of natural resources.

INSERT  
78-13

14 SECTION 425. 30.40 (15m) of the statutes is created to read:

15 30.40 (15m) "Secretary" means the secretary of natural resources.

INSERT  
78-15

16 SECTION 426. 30.50 (3m) of the statutes is created to read:

17 30.50 (3m) "Department" means the department of natural resources.

INSERT  
78-17

18 SECTION 427. 30.50 (11m) of the statutes is created to read:

19 30.50 (11m) "Secretary" means the secretary of natural resources.

20 SECTION 428. 30.52 (1m) (e) of the statutes is amended to read:

21 30.52 (1m) (e) *Receipt of fees.* All fees remitted to or collected by the department  
22 under par. (ar) shall be credited to the appropriation account under s. 20.370 (9) ~~(hu)~~  
23 (1) (jw).

24 SECTION 429. 30.52 (3m) (b) of the statutes, as affected by 2009 Wisconsin Act  
25 28, is amended to read:

**BILL**

1           30.52 (3m) (b) All moneys collected under par. (a), less the amount retained as  
2 authorized under par. (am), shall be deposited into the account under s. 20.370 (3)  
3 (1) (is).

INSERT  
79-3

4           **SECTION 430.** 30.773 (2) of the statutes is amended to read:

5           30.773 (2) PROCEDURES. A municipality authorized to establish a bulkhead line  
6 under s. 30.11 may establish a designated mooring area in the same manner as it is  
7 authorized to establish the bulkhead line except that the municipality is required to  
8 obtain the approval of the department of natural resources, rather than the  
9 department of environmental quality, and if the municipality created a board of  
10 harbor commissioners, the municipality is also required to obtain the approval of  
11 that board ~~in addition to the approval of the department.~~

INSERT  
79-11A  
79-11B

12           **SECTION 431.** 31.01 (2) of the statutes is amended to read:

13           31.01 (2) "Department" means the department of ~~natural resources~~  
14 environmental quality.

15           **SECTION 432.** 31.02 (4) (c) of the statutes is amended to read:

16           31.02 (4) (c) With good and sufficient fishways or fish ladders, or in lieu thereof,  
17 the department of environmental quality may permit the owner ~~may be permitted~~  
18 to enter into an agreement with the department of natural resources to pay for or to  
19 supply to the state of Wisconsin annually such quantities of game fish for stocking  
20 purposes as may be agreed upon by the owner and the department of natural  
21 resources.

22           **SECTION 433.** 31.02 (4r) of the statutes is amended to read:

23           31.02 (4r) The department of environmental quality shall promulgate rules  
24 specifying the rights held by the public in navigable waters that are dammed. The  
25 rules shall include provisions on the rights held by the public that affect the

**BILL**

1 placement of fishways or fish ladders in navigable waters that are dammed. The  
2 department of environmental quality shall consult with the department of natural  
3 resources concerning the rules under this subsection.

4 **SECTION 434.** 31.02 (7m) of the statutes is amended to read:

5 31.02 **(7m)** The drainage board for the Duck Creek Drainage District shall  
6 operate, repair and maintain dams, dikes and other structures in district drains that  
7 the board operates in the Duck Creek Drainage District in compliance with ch. 88  
8 and any rules promulgated by the department of agriculture, trade and consumer  
9 protection under ch. 88. If a county drainage board fails to perform its duties under  
10 this subsection, the department of ~~natural resources~~ environmental quality may  
11 exercise its authority under subs. (6), (8) and (9).

12 **SECTION 435.** 31.06 (1) of the statutes is amended to read:

13 31.06 **(1)** Upon receipt of an application for a permit under s. 31.05 the  
14 department of environmental quality may order a hearing or it may mail a notice  
15 that it will proceed on the application without public hearing unless a request for a  
16 public hearing is filed as provided in this section. The notice shall be mailed to the  
17 clerk of each municipality directly affected by the proposed dam and to the  
18 department of natural resources. The department of environmental quality may  
19 give further or other notice as it considers proper. The department of environmental  
20 quality shall mail a copy of the notice to the applicant who shall cause the notice to  
21 be published in each county in which affected riparian lands are located as a class  
22 1 notice, under ch. 985. If a hearing is not requested in writing within 30 days after  
23 mailing of the notice, the department of environmental quality may waive the  
24 hearing.

25 **SECTION 436.** 31.06 (3) (b) of the statutes is amended to read:

**BILL**

1           31.06 (3) (b) If it appears, after consulting with the department of natural  
2 resources, that the construction, operation or maintenance of the proposed dam is in  
3 the public interest, considering ecological, aesthetic, economic and recreational  
4 values, the department of environmental quality shall so find and grant a permit to  
5 the applicant, provided the department of environmental quality also finds that the  
6 applicant has complied with s. 31.14 (2) or (3) and, where applicable, with s. 31.05  
7 (3), based on the ~~department's own~~ estimate of the department of environmental  
8 quality of the area of the flowage.

9           **SECTION 437.** 31.187 (2) of the statutes is amended to read:

10           31.187 (2) Whenever the department of environmental quality, after  
11 consultation with the department of natural resources, determines that the  
12 conservation of any species or variety of wild animals will be promoted thereby, the  
13 department of environmental quality may maintain and repair any dam located  
14 wholly upon lands the title to which is in the state either as proprietor or in trust for  
15 the people after giving due consideration to fixing the level and regulating the flow  
16 of the public waters.

17           **SECTION 438.** 31.307 (4) of the statutes is repealed.

18           **SECTION 439.** 31.309 (1) (a) and (am) of the statutes are repealed.

19           **SECTION 440.** 31.309 (1) (b) of the statutes is renumbered 31.309 (1) and  
20 amended to read:

21           31.309 (1) When the department determines that the renovation and repair  
22 described under ~~par. (a) s. 31.309 (1) (a), 2007 stats.,~~ are complete, the city of Portage  
23 shall assume the maintenance of the city of Portage levee in the Portage levee system  
24 in a manner that will best protect the surrounding area from the overflow of the  
25 Wisconsin River.



**BILL**

1 SECTION 441. 31.309 (2) (a) of the statutes is renumbered 31.309 (2).

2 SECTION 442. 31.309 (2) (b) of the statutes is repealed.

3 SECTION 443. 31.34 of the statutes is amended to read:

4 **31.34 Flow of water regulated.** Each person, firm or corporation  
5 maintaining a dam on any navigable stream shall pass at all times at least 25% of  
6 the natural low flow of water of such stream, except as otherwise provided by law.  
7 This section, however, shall not apply to a plant or dam where the water is discharged  
8 directly into a lake, mill pond, storage pond or cranberry marsh, nor shall it apply  
9 to cases ~~where in the opinion of~~ in which the department of environmental quality  
10 determines, after consultation with the department of natural resources, that such  
11 minimum discharge is not necessary for the protection of fish life. Any person, firm  
12 or corporation violating this section shall be fined not less than \$50 nor more than  
13 \$1,000.

INVERT  
82-13

14 SECTION 444. 33.01 (2) of the statutes is amended to read:

15 33.01 (2) "Department" means the department of ~~natural resources~~  
16 environmental quality.

17 SECTION 445. 33.265 of the statutes is amended to read:

18 **33.265 Notice, filing and recording requirements.** If a district is created  
19 or its boundaries altered, the board of commissioners shall record the authorizing  
20 document, including a legal description of the boundary, with the register of deeds  
21 in each county where the district is situated, and file the document and legal  
22 description with the department of ~~natural resources~~ environmental quality and the  
23 department of revenue.

24 SECTION 446. 33.457 (4) (intro.) of the statutes is amended to read:

**BILL**

1           33.457 **(4)** (intro.) Within 3 months after the implementation plan is developed  
2 and submitted under sub. (1), the department of environmental quality, the  
3 department of natural resources, and the designated planning agency under s.  
4 281.51 that covers the county shall evaluate the implementation plan to determine  
5 whether it is consistent with the criteria for water quality planning under s. 281.51  
6 and whether the plan is adequate to:

7           **SECTION 447.** 33.55 (1) (p) of the statutes is created to read:

8           33.55 **(1)** (p) One nonvoting representative from the department of  
9 environmental quality, who shall be appointed by the secretary of environmental  
10 quality.

11           **SECTION 448.** 36.25 (8) of the statutes is amended to read:

12           36.25 **(8)** WATER RESOURCES RESEARCH. Funds made available to the various  
13 state agencies for joint water resources research and data collection programs shall  
14 be administered and coordinated by the director of the water resources center of the  
15 University of Wisconsin–Madison. Such funds shall be made available, on  
16 application from the state agencies concerned, when the director, after seeking the  
17 advice of the department of natural resources and the department of environmental  
18 quality, finds the proposed projects to be consistent with other state projects and the  
19 needs of the state. The director shall make biennial reports to the chief clerk of each  
20 house of the legislature, for distribution to the legislature under s. 13.172 (2), at the  
21 convening of the legislature.

22           **SECTION 449.** 36.25 (11) (c) of the statutes is amended to read:

23           36.25 **(11)** (c) The laboratory shall provide analytical support to the appropriate  
24 state agencies charged with water system evaluation. The support service shall  
25 include an evaluation from a public health standpoint and analytical support to

**BILL**

**SECTION 449**

1 ascertain the water's suitability for manufacturing, commercial and recreational  
2 purposes as determined by the rules promulgated by the department of health  
3 services, the department of ~~natural resources~~ environmental quality and the  
4 department of agriculture, trade and consumer protection.

5 **SECTION 450.** 36.25 (11) (d) of the statutes is amended to read:

6 36.25 **(11)** (d) The laboratory shall be operated to furnish a complete laboratory  
7 service to the department of health services, the department of environmental  
8 quality, and the department of natural resources in the areas of water quality, air  
9 quality, public health and contagious diseases and to make available to the system,  
10 the department of health services, the department of environmental quality, and the  
11 department of natural resources such facilities for teaching in the fields of public  
12 health and environmental protection as may be derived from such a laboratory.

13 **SECTION 451.** 36.25 (30) of the statutes is amended to read:

14 36.25 **(30)** POLLUTION PREVENTION. The board shall maintain in the extension  
15 a solid and hazardous waste education center to promote pollution prevention, as  
16 defined in s. 299.13 (1) (dm). In cooperation with the department of ~~natural resources~~  
17 environmental quality and the department of commerce, the center shall conduct an  
18 education and technical assistance program to promote pollution prevention in this  
19 state.

20 **SECTION 452.** 36.27 (3m) (a) 2. of the statutes is amended to read:

21 36.27 **(3m)** (a) 2. "Law enforcement officer" has the meaning given in s. 165.85  
22 (2) (c) and includes a person appointed as a conservation warden under s. 23.10 and  
23 a person appointed as an environmental warden under s. 278.10.

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84-23  
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24 **SECTION 453.** 40.02 (48) (am) 5<sup>^</sup>m. of the statutes is created to read:

25 40.02 **(48)** (am) 5m. An environmental warden.

**BILL**

*or the department of agriculture, trade and consumer protection*

1           **SECTION 454.** 40.02 (48) (c) of the statutes is amended to read:

2           40.02 **(48)** (c) In s. 40.65, “protective occupation participant” means a  
3 participating employee who is a police officer, fire fighter, an individual determined  
4 by a participating employer under par. (a) or (bm) to be a protective occupation  
5 participant, county undersheriff, deputy sheriff, state probation and parole officer,  
6 county traffic police officer, conservation warden, state forest ranger, field  
7 conservation employee of the department of natural resources, who is subject to call  
8 for forest fire control or warden duty, environmental warden, member of the state  
9 traffic patrol, state motor vehicle inspector, University of Wisconsin System  
10 full-time police officer, guard or any other employee whose principal duties are  
11 supervision and discipline of inmates at a state penal institution, excise tax  
12 investigator employed by the department of revenue, person employed under s. 61.66  
13 (1), or special criminal investigation agent employed by the department of justice.



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85-13

14           **SECTION 455.** 46.34 of the statutes is amended to read:

15           **46.34 Emission standards for hazardous air contaminants.** The  
16 department may assist the department of ~~natural resources~~ environmental quality  
17 in the development of emission standards for hazardous air contaminants under s.  
18 285.27 (2) (b).

INSERT  
85-18

19           **SECTION 456.** 59.692 (1) (a) of the statutes is amended to read:

20           59.692 **(1)** (a) “Department” means the department of ~~natural resources~~  
21 environmental quality.

22           **SECTION 457.** 59.693 (1) of the statutes is amended to read:

23           59.693 **(1)** DEFINITION. In this section, “department” means the department of  
24 ~~natural resources~~ environmental quality.

25           **SECTION 458.** 59.70 (2) (q) 4. of the statutes is amended to read:

**BILL****SECTION 458**

1           59.70 (2) (q) 4. The cleanup of the site is conducted under the supervision of the  
2 department of ~~natural resources~~ environmental quality.

3           **SECTION 459.** 59.70 (6) (a) 1. of the statutes is amended to read:

4           59.70 (6) (a) 1. “Department” means the department of ~~natural resources~~  
5 environmental quality.

6           **SECTION 460.** 59.70 (13) (b) of the statutes is amended to read:

7           59.70 (13) (b) Members or employees of the commission may request admission  
8 onto any property within the district at reasonable times to determine if mosquito  
9 breeding is present. If the owner or occupant refuses admission, the commission  
10 member or employee shall seek a warrant to inspect the property as a potential  
11 mosquito breeding ground. Commission members or employees may enter upon  
12 property to clean up stagnant pools of water or shores of lakes or streams, and may  
13 spray mosquito breeding areas with insecticides subject to the approval of the district  
14 director and the department of ~~natural resources~~ environmental quality. The  
15 commission shall notify the property owner of any pending action under this  
16 paragraph and shall provide the property owner with a hearing prior to acting under  
17 this paragraph if the owner objects to the commission’s actions.

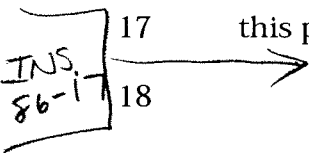
18           **SECTION 461.** 60.627 (1) of the statutes is amended to read:

19           60.627 (1) DEFINITION. In this section, “department” means the department of  
20 ~~natural resources~~ environmental quality.

21           **SECTION 462.** 60.71 (4) (b) of the statutes is amended to read:

22           60.71 (4) (b) The town board shall publish a class 2 notice, under ch. 985, of the  
23 hearing. The notice shall contain an announcement of the hearing and a description  
24 of the boundaries of the proposed town sanitary district. The town board shall mail

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86-1



**BILL**

1 the notice to the department of commerce and the department of ~~natural resources~~  
2 environmental quality at least 10 days prior to the hearing.

3 **SECTION 463.** 60.71 (4) (c) of the statutes is amended to read:

4 60.71 (4) (c) Any person may file written comments on the formation of the  
5 district with the town clerk. Any owner of property within the boundary of the  
6 proposed district may appear at the hearing and offer objections, criticisms or  
7 suggestions as to the necessity of the proposed district and the question of whether  
8 his or her property will be benefited by the establishment of the district. A  
9 representative of the department of commerce and of the department of ~~natural~~  
10 ~~resources~~ environmental quality may attend the hearing and advise the town board.

11 **SECTION 464.** 60.71 (7) of the statutes is amended to read:

12 60.71 (7) FILING AND RECORDING THE ORDER. The town board shall file copies of  
13 the order establishing the town sanitary district with the department of ~~natural~~  
14 ~~resources~~ environmental quality and record the order with the register of deeds in  
15 each county in which the district is located.

16 **SECTION 465.** 60.72 (title) and (1) of the statutes are amended to read:

17 **60.72 (title) Creation of town sanitary district by order of the**  
18 **department of ~~natural resources~~ environmental quality.** (1) DEFINITION. In  
19 this section, “department” means the department of ~~natural—resources~~  
20 environmental quality.

21 **SECTION 466.** 60.73 of the statutes is amended to read:

22 **60.73 Review of orders creating town sanitary districts.** Any person  
23 aggrieved by any act of the town board or the department of ~~natural—resources~~  
24 environmental quality in establishing a town sanitary district may bring an action  
25 in the circuit court of the county in which his or her lands are located, to set aside the

**BILL****SECTION 466**

1 final determination of the town board or the department of ~~natural resources~~  
2 environmental quality, within 90 days after the final determination, as provided  
3 under s. 893.73 (2). If no action is taken within the 90-day period, the determination  
4 by the town board or the department of ~~natural resources~~ environmental quality is  
5 final.

6 **SECTION 467.** 60.782 (2) (d) of the statutes is amended to read:

7 60.782 (2) (d) Lease or acquire, including by condemnation, any real property  
8 situated in this state that may be needed for the purposes of s. 23.09 (19), 23.094 (3g)  
9 or ~~30.275~~ <sup>✓</sup> 23.434 (4).

10 **SECTION 468.** 60.785 (2) (a) of the statutes is amended to read:

11 60.785 (2) (a) Any town sanitary district may be consolidated with a contiguous  
12 town sanitary district by resolution passed by a two-thirds vote of all of the  
13 commissioners of each district, fixing the terms of the consolidation and ratified by  
14 the qualified electors of each district at a referendum held in each district. The  
15 resolution shall be filed as provided in s. 8.37. The ballots shall contain the words  
16 “for consolidation”, and “against consolidation”. If a majority of the votes cast on the  
17 referendum in each town sanitary district are for consolidation, the resolutions are  
18 effective and have the force of a contract. Certified copies of the resolutions and the  
19 results of the referendum shall be filed with the secretary of ~~natural resources~~  
20 environmental quality and the original documents shall be recorded with the  
21 register of deeds in each county in which the consolidated district is situated.

22 **SECTION 469.** 60.85 (1) (n) of the statutes is amended to read:

23 60.85 (1) (n) “Tax incremental district” means a contiguous geographic area  
24 within a town defined and created by resolution of the town board, consisting solely  
25 of whole units of property as are assessed for general property tax purposes, other

**BILL**

1 than railroad rights-of-way, rivers or highways. Railroad rights-of-way, rivers or  
2 highways may be included in a tax incremental district only if they are continuously  
3 bounded on either side, or on both sides, by whole units of property as are assessed  
4 for general property tax purposes which are in the tax incremental district. "Tax  
5 incremental district" does not include any area identified as a wetland on a map  
6 under s. ~~23.32~~ <sup>✓</sup> 278.32.

7 **SECTION 470.** 61.351 (1) (b) of the statutes is amended to read:

8 61.351 (1) (b) "Wetlands" has the meaning specified under s. ~~23.32~~ <sup>✓</sup> 278.32 (1).

9 **SECTION 471.** 61.351 (2) of the statutes is amended to read:

10 61.351 (2) FILLED WETLANDS. Any wetlands which are filled prior to the date  
11 on which a village receives a final wetlands map ~~from the department of natural~~  
12 ~~resources~~ <sup>✓</sup> under s. 278.32 in a manner which affects their characteristics as wetlands  
13 are filled wetlands and not subject to an ordinance adopted under this section.

14 **SECTION 472.** 61.351 (3) of the statutes is amended to read:

15 61.351 (3) ADOPTION OF ORDINANCE. To effect the purposes of s. 281.31 and to  
16 promote the public health, safety and general welfare, each village shall zone by  
17 ordinance all unfilled wetlands of 5 acres or more which are shown on the final  
18 wetland inventory maps ~~prepared by the department of natural resources~~  
19 ~~for the~~ <sup>✓</sup> village under s. ~~23.32~~ 278.32, which are located in any shorelands and which are  
20 within its incorporated area. A village may zone by ordinance any unfilled wetlands  
21 which are within its incorporated area at any time.

22 **SECTION 473.** 61.351 (6) of the statutes is amended to read:

23 61.351 (6) FAILURE TO ADOPT ORDINANCE. If any village does not adopt an  
24 ordinance required under sub. (3) within 6 months after receipt of final wetland  
25 inventory maps ~~prepared by the department of natural resources~~ for the village



**BILL**

1 under s. ~~23.32~~ <sup>✓</sup> 278.32, or if the department of ~~natural resources~~ environmental  
2 quality, after notice and hearing, determines that a village adopted an ordinance  
3 which fails to meet reasonable minimum standards in accomplishing the shoreland  
4 protection objectives of s. 281.31 (1), the department of ~~natural resources~~  
5 environmental quality shall adopt an ordinance for the village. As far as applicable,  
6 the procedures set forth in s. 87.30 apply to this subsection.

7 **SECTION 474.** 61.354 (1) of the statutes is amended to read:

8 61.354 (1) DEFINITION. As used in this section, “department” means the  
9 department of ~~natural resources~~ environmental quality.

10 **SECTION 475.** 62.231 (1) (b) of the statutes is amended to read:

11 62.231 (1) (b) “Wetlands” has the meaning specified under s. ~~23.32~~ 278.32 (1).

12 **SECTION 476.** 62.231 (2) of the statutes is amended to read:

13 62.231 (2) FILLED WETLANDS. Any wetlands which are filled prior to the date  
14 on which a city receives a final wetlands map ~~from the department of natural~~  
15 ~~resources~~ under s. 278.32 in a manner which affects their characteristics as wetlands  
16 are filled wetlands and not subject to an ordinance adopted under this section.

17 **SECTION 477.** 62.231 (3) of the statutes is amended to read:

18 62.231 (3) ADOPTION OF ORDINANCE. To effect the purposes of s. 281.31 and to  
19 promote the public health, safety and general welfare, each city shall zone by  
20 ordinance all unfilled wetlands of 5 acres or more which are shown on the final  
21 wetland inventory maps prepared by the ~~department of natural resources~~ for the city  
22 under s. ~~23.32~~ 278.32, which are located in any shorelands and which are within its  
23 incorporated area. A city may zone by ordinance any unfilled wetlands which are  
24 within its incorporated area at any time.

25 **SECTION 478.** 62.231 (6) of the statutes is amended to read:

**BILL**

1           62.231 (6) FAILURE TO ADOPT ORDINANCE. If any city does not adopt an ordinance  
2 required under sub. (3) within 6 months after receipt of final wetland inventory maps  
3 prepared by the department of natural resources for the city under s. ~~23.32~~ 278.32,  
4 or if the department of natural resources environmental quality, after notice and  
5 hearing, determines that a city adopted an ordinance which fails to meet reasonable  
6 minimum standards in accomplishing the shoreland protection objectives of s.  
7 281.31 (1), the department of natural resources environmental quality shall adopt  
8 an ordinance for the city. As far as applicable, the procedures set forth in s. 87.30  
9 apply to this subsection.

10           **SECTION 479.** 62.231 (6m) of the statutes is amended to read:

11           62.231 (6m) CERTAIN AMENDMENTS TO ORDINANCES. For an amendment to an  
12 ordinance enacted under this section that affects an activity that meets all of the  
13 requirements under s. 281.165 (2) or (3) (a), the department of ~~natural resources~~  
14 environmental quality may not proceed under sub. (6), or otherwise review the  
15 amendment, to determine whether the ordinance, as amended, fails to meet  
16 reasonable minimum standards.

17           **SECTION 480.** 62.234 (1) of the statutes is amended to read:

18           62.234 (1) DEFINITION. As used in this section, “department” means the  
19 department of ~~natural resources~~ environmental quality.

20           **SECTION 481.** 66.0217 (9) (b) of the statutes is amended to read:

21           66.0217 (9) (b) Within 10 days of receipt of the ordinance, certificate and plat,  
22 the secretary of state shall forward 2 copies of the ordinance, certificate and plat to  
23 the department of transportation, one copy to the department of administration, one  
24 copy to the department of revenue, one copy to the department of public instruction,  
25 one copy to the department, one copy to the department of natural resources, one

**BILL**

1 copy to the department of environmental quality, one copy to the department of  
2 agriculture, trade and consumer protection and 2 copies to the clerk of the  
3 municipality from which the territory was annexed.

4 **SECTION 482.** 66.0221 (1) of the statutes is amended to read:

5 66.0221 (1) Upon its own motion and subject to sub. (3) and ss. 66.0301 (6) (d)  
6 and 66.0307 (7), a city or village, by a two-thirds vote of the entire membership of  
7 its governing body, may enact an ordinance annexing territory which comprises a  
8 portion of a town or towns and which was completely surrounded by territory of the  
9 city or village on December 2, 1973. The ordinance shall include all surrounded town  
10 areas except those that are exempt by mutual agreement of all of the governing  
11 bodies involved. The annexation ordinance shall contain a legal description of the  
12 territory and the name of the town or towns from which the territory is detached.  
13 Upon enactment of the ordinance, the city or village clerk immediately shall file 6  
14 certified copies of the ordinance in the office of the secretary of state, together with  
15 6 copies of a scale map. The secretary of state shall forward 2 copies of the ordinance  
16 and scale map to the department of transportation, one copy to the department of  
17 natural resources, one copy to the department of environmental quality, one copy to  
18 the department of revenue and one copy to the department of administration. This  
19 subsection does not apply if the town island was created only by the annexation of  
20 a railroad right-of-way or drainage ditch. This subsection does not apply to land  
21 owned by a town government which has existing town government buildings located  
22 on the land. No town island may be annexed under this subsection if the island  
23 consists of over 65 acres or contains over 100 residents. Section 66.0217 (11) applies  
24 to annexations under this subsection. Except as provided in sub. (2), after

one copy to the department of agriculture, trade and  
consumer protection

**BILL**

1 December 2, 1973, no city or village may, by annexation, create a town area which  
2 is completely surrounded by the city or village.

3 **SECTION 483.** 66.0223 (1) of the statutes is amended to read:

4 66.0223 (1) In addition to other methods provided by law and subject to sub.  
5 (2) and ss. 59.692 (7), 66.0301 (6) (d), and 66.0307 (7), territory owned by and lying  
6 near but not necessarily contiguous to a village or city may be annexed to a village  
7 or city by ordinance enacted by the board of trustees of the village or the common  
8 council of the city, provided that in the case of noncontiguous territory the use of the  
9 territory by the city or village is not contrary to any town or county zoning regulation.  
10 The ordinance shall contain the exact description of the territory annexed and the  
11 names of the towns from which detached, and attaches the territory to the village or  
12 city upon the filing of 7 certified copies of the ordinance in the office of the secretary  
13 of state, together with 7 copies of a plat showing the boundaries of the territory  
14 attached. Two copies of the ordinance and plat shall be forwarded by the secretary  
15 of state to the department of transportation, one copy to the department of  
16 administration, one copy to the department of natural resources, one copy to the  
17 department of environmental quality, one copy to the department of revenue and one  
18 copy to the department of public instruction. Within 10 days of filing the certified  
19 copies, a copy of the ordinance and plat shall be mailed or delivered to the clerk of  
20 the county in which the annexed territory is located. Sections 66.0203 (8) (c) and  
21 66.0217 (11) apply to annexations under this section.

22 **SECTION 484.** 66.0235 (5) of the statutes is amended to read:

23 66.0235 (5) APPORTIONMENT BOARD. The boards or councils of the local  
24 governmental units, or committees selected for that purpose, acting together,  
25 constitute an apportionment board. When a local governmental unit is dissolved

one copy to the department of agriculture, trade and consumer protection;

**BILL****SECTION 484**

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

the department of agriculture, trade and consumer protection;

**BILL**

1 payments have the same force and effect as if made to the dissolved local  
2 governmental unit.

3 **SECTION 485.** 66.0307 (4) (a) 1. of the statutes is amended to read:

4 66.0307 (4) (a) 1. The department, the department of natural resources, the  
5 department of environmental quality, the department of agriculture, trade and  
6 consumer protection and the department of transportation.

7 **SECTION 486.** 66.1006 of the statutes is amended to read:

8 **66.1006** Department of ~~natural resources~~ approval of discontinuance.  
9 *environmental quality* (B)

10 No resolution, ordinance, order, or similar action of a town board or county board, or  
11 of a committee of a town board or county board, discontinuing any highway, street,  
12 alley, or right-of-way that provides public access to any navigable lake or stream  
13 shall be effective until such resolution, ordinance, order, or similar action is approved  
14 by the department of ~~natural resources~~ environmental quality.

15 **SECTION 487.** 66.1105 (2) (k) of the statutes is amended to read:

16 66.1105 (2) (k) "Tax incremental district" means a contiguous geographic area  
17 within a city defined and created by resolution of the local legislative body, consisting  
18 solely of whole units of property as are assessed for general property tax purposes,  
19 other than railroad rights-of-way, rivers or highways. Railroad rights-of-way,  
20 rivers or highways may be included in a tax incremental district only if they are  
21 continuously bounded on either side, or on both sides, by whole units of property as  
22 are assessed for general property tax purposes which are in the tax incremental  
23 district. "Tax incremental district" does not include any area identified as a wetland  
24 on a map under s. 23.32 278.32.

**SECTION 488.** 66.1106 (1) (fm) of the statutes is amended to read:

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INSERT  
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**BILL****SECTION 488**

1           66.1106 (1) (fm) “Environmental remediation tax incremental district” means  
2 a contiguous geographic area within a political subdivision defined and created by  
3 resolution of the governing body of the political subdivision consisting solely of whole  
4 units of property as are assessed for general property tax purposes, other than  
5 railroad rights-of-way, rivers, or highways. Railroad rights-of-way, rivers, or  
6 highways may be included in an environmental remediation tax incremental district  
7 only if they are continuously bounded on either side, or on both sides, by whole units  
8 of property as are assessed for general property tax purposes which are in the  
9 environmental remediation tax incremental district. “Environmental remediation  
10 tax incremental district” does not include any area identified as a wetland on a map  
11 under s. ~~23.32~~ 278.32.

12           **SECTION 489.** 66.1106 (4) (a) of the statutes is amended to read:

13           66.1106 (4) (a) The political subdivision submits a statement that it has  
14 incurred some eligible costs, and includes with the statement a detailed proposed  
15 remedial action plan approved by the department of natural resources that contains  
16 cost estimates for anticipated eligible costs and a schedule for the design,  
17 implementation and construction that is needed to complete the remediation, with  
18 respect to the parcel or contiguous parcels of property and the statement details the  
19 purpose and amount of the expenditures already made and includes a dated  
20 certificate issued by the department of ~~natural resources~~ environmental quality that  
21 certifies that the department of ~~natural resources~~ environmental quality has  
22 approved the site investigation report that relates to the parcel or contiguous parcels  
23 in accordance with rules promulgated by the department of ~~natural resources~~  
24 environmental quality.

25           **SECTION 490.** 66.1106 (7) (d) of the statutes is amended to read:

**BILL**

1           66.1106 (7) (d) 1. The department may not authorize a positive environmental  
2 remediation tax increment under par. (a) to pay otherwise eligible costs that are  
3 incurred by the political subdivision after the department of ~~natural resources~~  
4 environmental quality certifies to the department of revenue that environmental  
5 pollution on the parcel or contiguous parcels of property has been remediated unless  
6 the costs are associated with activities, as determined by the department of ~~natural~~  
7 ~~resources~~ environmental quality, that are necessary to close the site described in the  
8 site investigation report.

9           2. The department of ~~natural resources~~ environmental quality shall certify to  
10 the department of revenue the completion of the remediation of environmental  
11 pollution at the site described in the site investigation report.

12           **SECTION 491.** 67.12 (1) (b) 2. of the statutes is amended to read:

13           67.12 (1) (b) 2. Any municipality may issue municipal obligations in  
14 anticipation of receiving proceeds from brownfields revolving loan program loans or  
15 grants under the program described in s. 292.72 if the municipality has received  
16 written notification from the department of ~~natural resources~~ environmental quality  
17 that the department intends to distribute such proceeds to the municipality. The  
18 obligation shall be repaid within 10 years after the original date of the obligation,  
19 except that the obligation may be refunded one or more times. Any refundings shall  
20 be repaid within 20 years after the original date of the original obligation.

21           **SECTION 492.** 70.11 (21) (am) of the statutes is amended to read:

22           70.11 (21) (am) All property purchased or constructed as a waste treatment  
23 facility used exclusively and directly to remove, store, or cause a physical or chemical  
24 change in industrial waste or air contaminants for the purpose of abating or  
25 eliminating pollution of surface waters, the air, or waters of the state if that property



**BILL****SECTION 492**

1 is not used to grow agricultural products for sale and, if the property's owner is taxed  
2 under ch. 76, if the property is approved by the department of revenue. The  
3 department of ~~natural resources~~ environmental quality and department of health  
4 services shall make recommendations upon request to the department of revenue  
5 regarding such property. All property purchased or upon which construction began  
6 prior to July 31, 1975, shall be subject to s. 70.11 (21), 1973 stats.

7 **SECTION 493.** 70.11 (21) (b) of the statutes is amended to read:

8 70.11 (21) (b) The books and records of owners of property covered by this  
9 subsection shall be open to examination by representatives of the department of  
10 ~~natural resources~~ environmental quality, department of health services and  
11 department of revenue.

12 **SECTION 494.** 70.32 (2) (c) 4. of the statutes is amended to read:

13 70.32 (2) (c) 4. "Undeveloped land" means bog, marsh, lowland brush,  
14 uncultivated land zoned as shoreland under s. 59.692 and shown as a wetland on a  
15 final map under s. ~~23.32~~ 278.32 or other nonproductive lands not otherwise classified  
16 under this subsection.

17 **SECTION 495.** 70.375 (4) (o) of the statutes is amended to read:

18 70.375 (4) (o) Actual and necessary reclamation and restoration costs  
19 associated with a mine in this state, including payments for future reclamation and  
20 postmining costs which are required by law or by department of ~~natural resources~~  
21 environmental quality order and fees and charges under chs. 281, 285 or 289 to 299  
22 not otherwise deductible under this section. Any refunds of escrowed or reserve fund  
23 payments allowed as a deduction under this paragraph shall be taxed as net proceeds  
24 at the average effective tax rate for the years the deduction was taken.

25 **SECTION 496.** 70.395 (2) (dc) 1. of the statutes is amended to read:

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**BILL**

1           70.395 (2) (dc) 1. Each person intending to submit an application for a mining  
2 permit shall pay \$50,000 to the department of revenue for deposit in the investment  
3 and local impact fund at the time that the person notifies the department of ~~natural~~  
4 ~~resources~~ environmental quality under s. 293.31 (1) of that intent.

5           **SECTION 497.** 70.395 (2) (j) of the statutes is amended to read:

6           70.395 (2) (j) Prior to the beginning of a fiscal year, the board shall certify to  
7 the department of administration for payment from the investment and local impact  
8 fund any sum necessary for the department of ~~natural resources~~ environmental  
9 quality to make payments under s. 289.68 (3) for the long-term care of mining waste  
10 sites, if moneys in the waste management fund are insufficient to make complete  
11 payments during that fiscal year, but this sum may not exceed the balance in the  
12 waste management fund at the beginning of that fiscal year or 50% of the balance  
13 in the investment and local impact fund at the beginning of that fiscal year,  
14 whichever amount is greater.

15           **SECTION 498.** 70.395 (2) (k) of the statutes is amended to read:

16           70.395 (2) (k) Prior to the beginning of each fiscal year, the board shall certify  
17 to the department of administration for payment from the investment and local  
18 impact fund any sum necessary for the department of ~~natural resources~~  
19 environmental quality to make payments under s. 292.31 for the environmental  
20 repair of mining waste sites, if moneys in the environmental fund that are available  
21 for environmental repair are insufficient to make complete payments during that  
22 fiscal year. This sum may not exceed the balance in the environmental fund at the  
23 beginning of that fiscal year or 50% of the balance in the investment and local impact  
24 fund at the beginning of that fiscal year, whichever amount is greater.

25           **SECTION 499.** 71.05 (11) (a) of the statutes is amended to read:

**BILL****SECTION 499**

1           71.05 (11) (a) The federal adjusted basis at the end of the calendar year 1968  
2 or corresponding fiscal year of waste treatment plant or pollution abatement  
3 equipment acquired pursuant to order or recommendation of the committee on water  
4 pollution, state board of health, city council, village board or county board pursuant  
5 to s. 59.07 (53) or (85), 1971 stats., may be treated as a subtraction modification on  
6 the return of the calendar year 1969 or corresponding fiscal year but not in later  
7 years. In case of such subtraction an add modification shall be made in 1969 and  
8 later taxable years to reverse federal depreciation or amortization of such basis or  
9 to correct gain or loss on disposition. The cost of such plant or equipment acquired  
10 in 1969 or thereafter pursuant to order, recommendation or approval of the  
11 committee on water pollution, department of resource development, department of  
12 ~~natural resources~~ environmental quality, state board of health, city council, village  
13 board, or county board pursuant to s. 59.07 (53) or (85), 1971 stats., (less any federal  
14 depreciation or amortization taken) may be deducted as a subtraction modification  
15 or as subtraction modifications in the year or years in which paid or accrued,  
16 dependent on the method of accounting employed. In case of such election,  
17 appropriate add modifications shall be made in subsequent years to reverse federal  
18 depreciation or amortization or to correct gain or loss on disposition. This paragraph  
19 is intended to apply only to depreciable property except that where wastes are  
20 disposed of through a lagoon process, lagooning costs and the cost of land containing  
21 such lagoons may be treated as depreciable property for purposes of this paragraph.  
22 In no event may any amount in excess of cost be deducted. The taxpayer shall file  
23 with the department copies of all recommendations, orders or approvals relating to  
24 installation of such property and such other documents or data relating thereto as  
25 the department requests.