

for LRB-4382

INSERTS

1 (4) (a) 3s., 93.06 (3m), 93.077, 93.77, 227.43 (1) (bd), 227.43 (1) (be), 227.43 (2)
 2 (as), 227.43 (2) (as), 227.43 (3) (am), 227.43 (3) (as), 227.43 (4) (am), 227.43 (4)
 3 (as), 230.08 (2) (e) 4b., 230.36 (2m) (a) 5m., chapter 278, 347.06 (5), 778.104 (2),
 4 814.785, 895.53 (1) (am) and 990.01 (39) of the statutes; **relating to:**
 5 transferring jurisdiction over state forests, other than southern state forests,
 6 from the Department of Natural Resources to the Department of Agriculture,
 7 Trade and Consumer Protection, creating the Department of Environmental
 8 Quality and transferring some of the authority and duties of the Department
 9 of Natural Resources to the Department of Environmental Quality, granting
 10 rule-making authority, making appropriations, and providing a penalty.

Analysis by the Legislative Reference Bureau

This is a preliminary draft. An analysis will be provided in a later version of this draft.

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

SECTION 1. 1.055 (1) of the statutes is amended to read:

11 1.055 (1) Consent of this state is given to the acquisition by the United States
 12 by purchase, gift, lease or condemnation, with adequate compensation therefor, of
 13 such areas of land not exceeding 2,000,000 acres as the United States deems
 14 necessary for the establishment of national forests in the state, in accordance with
 15 the act of congress approved June 7, 1924, and the board of commissioners of public
 16 lands are authorized to sell and convey for a fair consideration to the United States
 17 any state lands included within such areas; provided, that this state shall retain
 18 concurrent jurisdiction with the United States in and over such areas so far that civil
 19 process, in all cases, and such criminal process as may issue under the authority of
 20

INSERT 8-1

1 this state against any persons charged with the commission of any crime within or
2 without said areas, may be executed thereon in like manner as if this consent had
3 not been given. Provided, further, that the boundaries of any areas so selected shall
4 be first approved by the governor, the board of commissioners of public lands, the
5 department of ~~natural resources~~ agriculture, trade and consumer protection, and the
6 county board of each county in which any such area is located.

7 SECTION 2. 1.056 of the statutes is amended to read:

8 **1.056 State conservation areas.** Consent of this state is given to the United
9 States to acquire by purchase, gift, lease or condemnation, with adequate
10 compensation therefor, areas of land and water within boundaries approved by the
11 governor and the county board of the county in which the land is located, for the
12 establishment of state forests, state parks or other state conservation areas to be
13 administered by the state under long-term leases, treaties or cooperative
14 agreements, ~~which the~~ The department of natural resources is ~~hereby~~ authorized,
15 on behalf of the state, to enter into ~~on behalf of the state~~ such leases, treaties, or
16 cooperative agreements covering land under its jurisdiction with the federal
17 government. The department of agriculture, trade and consumer protection is
18 authorized, on behalf of the state, to enter into such leases, treaties, or cooperative
19 agreements covering land under its jurisdiction with the federal government.

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20 SECTION 3. 1.11 (2) (d) of the statutes is amended to read:

21 1.11 (2) (d) ~~Prior to making any detailed statement, the responsible official~~
22 ~~shall consult with and obtain the comments of any agency which has jurisdiction or~~
23 ~~special expertise with respect to any environmental impact involved. Copies of such~~
24 ~~statement and the comments and views of the appropriate agencies, which are~~
25 ~~authorized to develop and enforce environmental standards shall be made available~~

1 13.097 (3) COMMENTS OF THE DEPARTMENT OF NATURAL RESOURCES. The
2 department of natural resources may submit to the department of environmental
3 quality written comments on legislation specified under sub. (2) within 10 days after
4 the legislation is introduced or offered.

5 **SECTION 8.** 13.101 (6) (a) of the statutes is amended to read:

6 13.101 (6) (a) As an emergency measure necessitated by decreased state
7 revenues and to prevent the necessity for a state tax on general property, the
8 committee may reduce any appropriation made to any board, commission,
9 department, or the University of Wisconsin System, or to any other state agency or
10 activity, by such amount as it deems feasible, not exceeding 25% of the
11 appropriations, except appropriations made by ss. 20.255 (2) (ac), (bc), (bh), (cg), and
12 (cr), 20.395 (1), (2) (cq), (eq) to (ex) and (gq) to (gx), (3), (4) (aq) to (ax), and (6) (af),
13 (aq), (ar), and (au), 20.435 (6) (a) and (7) (da), and 20.445 (3) (a) and (dz) or for forestry
14 purposes under ~~ss. 20.370 (1)~~ ^{ss.} 20.115 (5) (h), (k), (q), (qr), (r), (rf), (rm), (rp), (rs), and
15 ~~(rv)~~ ^{and} or any other moneys distributed to any county, city, village, town, or school
16 district. Appropriations of receipts and of a sum sufficient shall for the purposes of
17 this section be regarded as equivalent to the amounts expended under such
18 appropriations in the prior fiscal year which ended June 30. All functions of said
19 state agencies shall be continued in an efficient manner, but because of the
20 uncertainties of the existing situation no public funds should be expended or
21 obligations incurred unless there shall be adequate revenues to meet the
22 expenditures therefor. For such reason the committee may make reductions of such
23 appropriations as in its judgment will secure sound financial operations of the
24 administration for said state agencies and at the same time interfere least with their
25 services and activities.

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Insert

SECTION 37

1 **SECTION 37.** 15.347 (12) of the statutes is renumbered 15.337 (2) and amended
2 to read:

3 15.337 (2) METALLIC MINING COUNCIL. There is created in the department of
4 ~~natural resources~~ environmental quality a metallic mining council consisting of 9
5 persons representing a variety and balance of economic, scientific and
6 environmental viewpoints. Members shall be appointed by the secretary of the
7 department for staggered 3-year terms.

8 **SECTION 38.** 15.347 (13) of the statutes is renumbered 15.337 (3), and 15.337
9 (3) (a) and (b) 1., as renumbered, are amended to read:

10 15.337 (3) (a) *Creation.* There is created a groundwater coordinating council,
11 attached to the department of ~~natural resources~~ environmental quality under s.
12 15.03. The council shall perform the functions specified under s. 160.50.

13 (b) 1. The secretary of ~~natural resources~~ environmental quality.

14 **SECTION 39.** 15.347 (15) of the statutes is renumbered 15.337 (4), and 15.337
15 (4) (a) (intro.), as renumbered, is amended to read:

16 15.337 (4) (a) (intro.) There is created in the department of ~~natural resources~~
17 environmental quality a Milwaukee River revitalization council consisting of the
18 following members:

19 **SECTION 40.** 15.347 (17) of the statutes is renumbered 15.337 (5), and 15.337
20 (5) (a), as renumbered, is amended to read:

21 15.337 (5) (a) *Creation and membership.* There is created a council on
22 recycling, attached to the department of ~~natural resources~~ environmental quality
23 ~~under s. 15.03 consisting of 7 members selected by the governor.~~

24 **SECTION 41.** 15.347 (19) of the statutes is renumbered 15.137 (2m), and 15.137
25 (2m) (a) (intro.), as renumbered, is amended to read:

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1 20.003 (3) (c) (intro.) All appropriations under ss. 20.370, 20.375, and 20.395
2 shall be identified by 2 letters, the first letter indicating a subprogram and the 2nd
3 letter indicating the source of funds, as defined in s. 20.001. To the extent feasible,
4 the 2nd paragraph letters shall be assigned as follows:

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5 SECTION 63. 20.115 (5) (intro.) of the statutes is created to read:

6 20.115 (5) (intro.) FORESTRY. From the ~~forestry~~ ^{conservation} fund or other fund if so
7 indicated:

8 SECTION 64. 20.115 (5) (b) of the statutes is created to read:

9 20.115 (5) (b) *Resource maintenance and development — state forest roads.* As
10 a continuing appropriation from the general fund, the amounts in the schedule for
11 state forest roads, other than roads in southern state forests, under s. 84.28 and for
12 the maintenance of roads in recreation areas in state forests, other than southern
13 state forests, under ch. 28 that are not eligible for funding under s. 84.28. The
14 department may expend up to [XXXXXXXX] from this appropriation in each fiscal
15 year for state forest roads under s. 84.28 and shall expend the balance from the
16 appropriation for the maintenance of roads that are not eligible for funding under
17 s. 84.28.

***NOTE: This is a parallel provision to the DNR appropriation under s. 20.370 (7) (mc). Do you want to specify a spending limit in the DNR appropriation?

18 SECTION 65. 20.115 (5) (c) of the statutes is created to read:

19 20.115 (5) (c) *Resource maintenance and development — state funds.* From the
20 general fund, as a continuing appropriation, the amounts in the schedule for the
21 maintenance and development of recreation areas, other than game or fish refuges,
22 in state forests and under ch. 28, other than land in southern state forests.

23 SECTION 66. 20.115 (5) (d) of the statutes is created to read:

SECTION 62

1 20.003 (3) (c) (intro.) All appropriations under ss. 20.370, 20.375, and 20.395
2 shall be identified by 2 letters, the first letter indicating a subprogram and the 2nd
3 letter indicating the source of funds, as defined in s. 20.001. To the extent feasible,
4 the 2nd paragraph letters shall be assigned as follows:

5 **SECTION 63.** 20.115 (5) (intro.) of the statutes is created to read:

6 20.115 (5) (intro.) FORESTRY. From the ~~forestry~~ ^{conservation} fund or other fund if so
7 indicated:

8 **SECTION 64.** 20.115 (5) (b) of the statutes is created to read:

9 20.115 (5) (b) *Resource maintenance and development — state forest roads.* As
10 a continuing appropriation from the general fund, the amounts in the schedule for
11 state forest roads, other than roads in southern state forests, under s. 84.28 and for
12 the maintenance of roads in recreation areas in state forests, other than southern
13 state forests, under ch. 28^v that are not eligible for funding under s. 84.28. The
14 department may expend up to [XXXXXXXX] from this appropriation in each fiscal
15 year for state forest roads under s. 84.28 and shall expend the balance from the
16 appropriation for the maintenance of roads that are not eligible for funding under
17 s. 84.28.

***NOTE: This is a parallel provision to the DNR appropriation under s. 20.370 (7) (mc). Do you want to specify a spending limit in the DNR appropriation?

18 **SECTION 65.** 20.115 (5) (c) of the statutes is created to read:

19 20.115 (5) (c) *Resource maintenance and development — state funds.* From the
20 general fund, as a continuing appropriation, the amounts in the schedule for the
21 maintenance and development of recreation areas, other than game or fish refuges,
22 in state forests and under ch. 28, other than land in southern state forests.

23 **SECTION 66.** 20.115 (5) (d) of the statutes is created to read:

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1 20.115 (5) (d) *Aids in lieu of taxes — general fund.* From the general fund, a
2 sum sufficient to pay aids to municipalities for state lands under ss. 70.113 and
3 70.114 that are under the jurisdiction of the department, to the extent that these
4 payments are not made under par. (s) or (sm).

5 **SECTION 67.** 20.115 (5) (h) of the statutes is created to read:

6 20.115 (5) (h) *General program operations — private and public sources.* From
7 the general fund, all moneys not otherwise appropriated that are received from
8 private or public sources, other than state agencies and the federal government, for
9 facilities, materials, or services provided by the department relating to state forests,
10 to pay for expenses associated with those facilities, materials, or services.

11 **SECTION 68.** 20.115 (5) (k) of the statutes is created to read:

12 20.115 (5) (k) *General program operations — services funds.* From the general
13 fund, all moneys received by the department from the department and from other
14 state agencies for facilities, materials, or services provided by the department
15 relating to state forests, under an agreement or other arrangement with the
16 department or other state agencies to pay for expenses associated with those
17 facilities, materials, or services.

18 **SECTION 69.** 20.115 (5) (q) of the statutes is created to read:

19 20.115 (5) (q) *General program operations.* The amounts in the schedule for
20 the general program operations that relate to the management and protection of the
21 state's forestry resources, other than southern state forests, under subch. VI of ch.
22 77 and chs. 26, 27, and 28.

23 **SECTION 70.** 20.115 (5) (qf) of the statutes is created to read:

1 20.115 (5) (qf) *Forestry acquisition and development*. As a continuing
2 appropriation, the amounts in the schedule for land acquisition, development, and
3 improvement on state forest land, other than land in the southern state forests.

4 **SECTION 71.** 20.115 (5) (qh) (title) of the statutes is created to read:

5 20.115 (5) (qh) (title) *Reforestation*.

6 **SECTION 72.** 20.115 (5) (r) of the statutes is created to read:

7 20.115 (5) (r) *Taxes and assessments*. The amounts in the schedule to pay taxes
8 and assessments that are or may become a lien on state forest lands, other than
9 southern state forests.

10 **SECTION 73.** 20.115 (5) (rt) of the statutes is created to read:

11 20.115 (5) (rt) *Promotional activities and publications*. All moneys received
12 from subscriptions and other revenues generated by promotional activities,
13 photographs, slides, videotapes, artwork, publications, magazines, and other
14 periodicals to be used for these promotional activities, photographs, slides,
15 videotapes, artwork, publications, and magazines and for educational and
16 informational activities concerning conservation and forestry.

17 **SECTION 74.** 20.115 (5) (s) of the statutes is created to read:

18 20.115 (5) (s) *Aids in lieu of taxes — sum sufficient*. A sum sufficient to pay aids
19 to municipalities for state lands under s. 70.113 that are under the jurisdiction of the
20 department.

21 **SECTION 75.** 20.115 (5) (sg) of the statutes is created to read:

22 20.115 (5) (sg) *Aids in lieu of taxes — sum certain*. The amounts in the schedule
23 to pay aids to municipalities for state lands under s. 70.114 that are under the
24 jurisdiction of the department.

25 ~~**SECTION 76.** 20.115 (5) (sj) of the statutes is created to read:~~



1 20.115 (5) (sj) *Forestry land endowment fund.* From the forestry land
2 endowment fund, a sum sufficient for preserving, developing, managing, or
3 maintaining land as provided in s. 23.0913.

4 **SECTION 77.** 20.115 (5) (sm) of the statutes is created to read:

5 20.115 (5) (sm) *State snowmobile trails and areas.* From the snowmobile
6 account in the conservation fund, the amounts in the schedule for state snowmobile
7 trails and areas in state forests, other than southern state forests.

8 **SECTION 78.** 20.115 (5) (sr) of the statutes is created to read:

9 20.115 (5) (sr) *State all-terrain vehicle projects.* From the conservation fund,
10 the amounts in the schedule from moneys received from all-terrain vehicle fees under
11 s. 23.33 (2) (c) to (e) and (2j) for state all-terrain vehicle projects.

12 **SECTION 79.** 20.115 (5) (wr) of the statutes is created to read:

13 20.115 (5) (wr) *Gifts and grants.* All moneys received from gifts, grants, or
14 bequests for administrative services relating to state forests, other than southern
15 state forests.

16 **SECTION 80.** 20.115 (5) (x) of the statutes is created to read:

17 20.115 (5) (x) *General program operations — federal funds.* Except as provided
18 in par. (z), all moneys received as federal aid for activities relating to state forests,
19 other than southern state forests, as authorized by the governor under s. 16.54 for
20 the purposes for which received.

21 **SECTION 81.** 20.115 (5) (yr) of the statutes is created to read:

22 20.115 (5) (yr) *Administrative facilities — principal repayment and interest.*
23 A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and
24 interest costs incurred in financing the acquisition, construction, development,

1 enlargement, or improvement of administrative office, laboratory, equipment,
2 storage, or maintenance facilities concerning forestry.

3 SECTION 82. 20.115 (5) (yt) of the statutes is created to read:

4 20.115 (5) (yt) *Facilities acquisition, development.* As a continuing
5 appropriation, the amounts in the schedule for the acquisition, development, and
6 construction costs of new structures and buildings and for the maintenance costs of
7 existing structures and buildings concerning forestry that are under the control of
8 the department.

9 SECTION 83. 20.115 (7) (qc) of the statutes is amended to read:

10 20.115 (7) (qc) *Plant protection; ~~conservation~~ forestry fund.* From the
11 ~~conservation~~ forestry fund, the amounts in the schedule for plant protection,
12 including nursery regulation, ~~gypsy moth control~~, and control of other plant pests.

13 SECTION 84. 20.143 (1) (kc) of the statutes is amended to read:

14 20.143 (1) (kc) *Clean air act compliance assistance.* From moneys transferred
15 from the appropriation account under s. ~~20.370~~ 20.375 (2) (bg), the amounts in the
16 schedule for assisting the department of ~~natural resources~~ environmental quality in
17 administering the small business stationary source technical and environmental
18 compliance assistance program under s. 285.79 and for expenses related to serving
19 as ombudsman for small business stationary sources as required under s. 560.03 (9).

20 SECTION 85. 20.285 (1) (kb) of the statutes is amended to read:

21 20.285 (1) (kb) *Great Lakes studies.* The amounts in the schedule for studies
22 of Great Lakes fish. All moneys transferred from the appropriation account under
23 s. 20.370 (4) ~~(mu)~~ (1) (qu) shall be credited to this appropriation account.

24 SECTION 86. 20.285 (1) (qm) of the statutes is amended to read:

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1 20.285 ~~(1)~~ (qm) *Grants for forestry programs*. From the ~~conservation forestry~~
2 fund, of the amounts in the schedule, \$78,000 annually for the University of
3 Wisconsin-Stevens Point paper science program and the remaining balance for
4 grants to forest cooperatives under s. 36.56.

5 **SECTION 87.** 20.285 (1) (rc) of the statutes is amended to read:

6 20.285 ~~(1)~~ (rc) *Environmental education; forestry*. From the ~~conservation~~
7 forestry fund, the amounts in the schedule for environmental education grants
8 related to forestry under s. ~~36.54~~ (2) and to administer environmental education
9 grants.

10 **SECTION 88.** 20.370 (1) (title) of the statutes is repealed and recreated to read:

11 20.370 ~~(1)~~ (title) FISH, WILDLIFE, AND RECREATION.

12 **SECTION 89.** 20.370 (1) (bq) of the statutes is created to read:

13 20.370 ~~(1)~~ (bq) *Invasive species management*. The amounts in the schedule for
14 the ~~invasive species management~~ under s. 23.22.

****NOTE: See note following treatment of s. 20.370 (4) (aq).

15 **SECTION 90.** 20.370 (1) (cq) (title) of the statutes is repealed.

16 **SECTION 91.** 20.370 (1) (cq) of the statutes is renumbered 20.115 (5) (qh).

17 **SECTION 92.** 20.370 (1) (cr) of the statutes is renumbered 20.115 (5) (qr), and
18 20.115 (5) (qr) (title), as renumbered, is amended to read:

19 20.115 ~~(5)~~ (qr) (title) ~~Forestry—recording~~ Recording fees.

20 **SECTION 93.** 20.370 (1) (cs) of the statutes is renumbered 20.115 (5) (rf), and
21 20.115 (5) (rf) (title), as renumbered, is amended to read:

22 20.115 ~~(5)~~ (rf) (title) ~~Forestry—forest~~ Forest fire emergencies.

23 **SECTION 94.** 20.370 (1) (ct) of the statutes is renumbered 20.115 (5) (rm).

24 **SECTION 95.** 20.370 (1) (cu) of the statutes is renumbered 20.115 (5) (rp).

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SECTION 96

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1 **SECTION 96.** 20.370 (1) (cv) of the statutes is renumbered 20.370 (5) (rs), and
2 20.115 (5) (rs) (title), as renumbered, is amended to read:

3 20.115 (5) (rs) (title) ~~Forestry — public~~ Public education.

4 **SECTION 97.** 20.370 (1) (cx) of the statutes is renumbered 20.115 (5) (rv), and
5 20.115 (5) (rv) (title), as renumbered, is amended to read:

6 20.115 (5) (rv) (title) ~~Forestry — management~~ Management plans.

7 ~~**SECTION 98.** 20.370 (1) (ca) of the statutes is renumbered 20.370 (2) (ca).~~

8 **SECTION 99.** 20.370 (1) (eq) of the statutes is renumbered 20.370 (2) (es) and
9 amended to read:

10 20.370 (2) (es) *Parks and forests — operation and maintenance.* From the
11 heritage state parks and forests trust fund, a sum sufficient for grants under s.
12 27.016 and for the operation and maintenance of the state parks, of the southern
13 state forests, ~~as defined in s. 27.016 (1) (c),~~ and of state recreation areas as provided
14 in s. 27.016 (7).

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15 **SECTION 100.** 20.370 (1) (er) of the statutes is renumbered 20.370 (2) (er)
16 amended to read:

17 20.370 (2) (er) *Parks and forests — campground reservation fees.* All moneys
18 not retained by the department under s. 27.01 (11) (cr) 1. for payments to contracting
19 parties under contracts entered into under s. 27.01 (11) (cm).

20 **SECTION 101.** 20.370 (1) (Lt) of the statutes is renumbered 20.115 (5) (st).

21 **SECTION 102.** 20.370 (1) (mq) of the statutes is amended to read:

22 20.370 (1) (mq) *General program operations — state snowmobile trails and*
23 *areas.* The amounts in the schedule from the snowmobile account in the conservation
24 fund for state snowmobile trails and areas on land under the jurisdiction of the
25 department.

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1 **SECTION 103.** 20.370 (1) (ms) of the statutes is amended to read:

2 20.370 (1) (ms) *General program operations — state all-terrain vehicle projects.*

3 The amounts in the schedule from moneys received from all-terrain vehicle fees

4 under s. 23.33 (2) (c) to (e) and (2j) for state all-terrain vehicle projects on land under

5 the jurisdiction of the department.

6 **SECTION 104.** 20.370 (1) (mu) of the statutes is amended to read:

7 20.370 (1) (mu) *General program operations — state funds.* The amounts in

8 the schedule for general program operations that do not relate to the management

9 and protection of the state's fishery resources and that are conducted under ss. 23.09

10 to 23.11, ~~27.01, 30.203, 30.277 23.178,~~ and 90.21, and chs. 29 and 169, for the

11 endangered resources program, as defined under s. 71.10 (5) (a) 2., and for transfers

12 to the appropriation account under s. 20.285 (1) (kf).

****NOTE: Need to verify how the appropriation should be affected.

13 **SECTION 105.** 20.370 (1) (mv) of the statutes is amended to read:

14 20.370 (1) (mv) *General program operations — state funds; forestry.* The

15 amounts in the schedule for general program operations that relate to the

16 management and protection of the state's forestry resources and that are conducted

17 under ss. 23.09 to 23.11 and 27.01, subch. VI of ch. 77, and chs. 26 and 28 southern

18 state forests.

19 **SECTION 106.** 20.370 (1) (my) of the statutes is amended to read:

20 20.370 (1) (my) *General program operations — federal funds.* All moneys

21 received as federal aid for land, other than parks and forests, and for wildlife

22 management, as authorized by the governor under s. 16.54 for the purposes for which

23 received.

24 **SECTION 107.** 20.370 (1) (mz) of the statutes is renumbered 20.115 (5) (z).

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SECTION 211

1 under ss. 23.09 to 23.11, ~~30.203 and 30.277~~ and 23.178 and ch. 29 and for transfers
2 to the appropriation account under s. 20.285 (1) (kb).

3 **SECTION 212.** 20.370 (4) (mw) of the statutes is renumbered 20.375 (4) (mw).

4 **SECTION 213.** 20.370 (4) (mx) of the statutes is renumbered 20.375 (4) (mx).

5 **SECTION 214.** 20.370 (4) (my) of the statutes is renumbered 20.375 (4) (my).

6 **SECTION 215.** 20.370 (4) (mz) of the statutes is renumbered 20.370 (1) (qz) and
7 amended to read:

8 20.370 (1) (qz) ~~General program~~ Fishery operations — federal funds. Except
9 as provided in ~~sub. (9) (my) par. (ty)~~, all moneys received as federal aid for the state's
10 water resources and the state's fishery resources, as authorized by the governor
11 under s. 16.54, for the purposes for which received.

12 **SECTION 216.** 20.370 (4) (nz) of the statutes is renumbered 20.375 (4) (nz).

13 **SECTION 217.** 20.370 (5) (as) of the statutes is renumbered 20.115 (5) (sL) and
14 amended to read:

15 20.115 (5) (sL) ~~Recreation Resource aids~~ — fish, wildlife habitat and forestry
16 recreation aids. As a continuing appropriation, the amounts in the schedule for
17 wildlife habitat development and planning on county forest lands, under s. 23.09
18 (17m) and recreational development on county forest lands under s. 23.09 (11).

19 **SECTION 218.** 20.370 (5) (av) of the statutes is renumbered 20.115 (5) (sp).

20 **SECTION 219.** 20.370 (5) (ax) of the statutes is renumbered 20.115 (5) (sq), and
21 20.115 (5) (sq) (title), as renumbered, is amended to read:

22 20.115 (5) (sq) (title) Resource aids — ~~forestry~~ education.

23 **SECTION 220.** 20.370 (5) (bq) of the statutes is renumbered 20.115 (5) (t).

24 **SECTION 221.** 20.370 (5) (br) of the statutes is renumbered 20.115 (5) (tm).

25 **SECTION 222.** 20.370 (5) (bs) of the statutes is renumbered 20.115 (5) (u).

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(4)

1 SECTION 223. 20.370 (5) (bt) of the statutes is renumbered 20.115 (5) (um).

2 SECTION 224. 20.370 (5) (bu) of the statutes is renumbered 20.115 (5) (v).

3 SECTION 225. 20.370 (5) (bv) of the statutes is renumbered 20.115 (5) (vm).

4 SECTION 226. 20.370 (5) (bw) of the statutes is renumbered 20.115 (5) (w).

5 SECTION 227. 20.370 (5) (bx) of the statutes is renumbered 20.115 (5) (xg).
as affected by 2009 Wisconsin Act 28

6 SECTION 228. 20.370 (5) (by) of the statutes is renumbered 20.115 (5) (wm).

7 SECTION 229. 20.370 (5) (cq) of the statutes is amended to read:

8 ~~20.370 (5) (cq) Recreation aids — recreational boating and other projects. As~~
9 ~~a continuing appropriation, the amounts in the schedule for recreational boating~~
10 ~~aids under s. 30.92, for the grant for Black Point Estate under s. 23.0962, for the~~
11 ~~Portage levee system and the Portage canal under s. 31.309, for development of a~~
12 ~~state park under s. 23.198, for the Southeastern Wisconsin Fox River commission~~
13 ~~under 2005 Wisconsin Act 25, section 9.135 (4w), and for funding for the Fox River~~
14 ~~Navigational System Authority under s. 237.08 (2), and for the engineering and~~
15 ~~environmental study under s. 31.307.~~

****NOTE: Need to determine whether treatment of this appropriation is OK, esp. concerning Fox Authority.

16 SECTION 230. 20.370 (5) (da) of the statutes is amended to read:

17 20.370 (5) (da) Aids in lieu of taxes — general fund. From the general fund, a
18 sum sufficient to pay aids to municipalities for state lands under ss. 70.113 and
19 70.114 that are under the jurisdiction of the department, to the extent that these
20 payments are not made under par. (dq) or (dr).

21 SECTION 231. 20.370 (5) (dq) of the statutes is amended to read:

INSERT
37-13

1 20.370 (5) (dq) *Aids in lieu of taxes — sum sufficient.* A sum sufficient to pay
2 aids to municipalities for state lands under s. 70.113 that are under the jurisdiction
3 of the department.

4 **SECTION 232.** 20.370 (5) (dr) of the statutes is amended to read:

5 20.370 (5) (dr) *Aids in lieu of taxes — sum certain.* The amounts in the schedule
6 to pay aids to municipalities for state lands under s. 70.114 that are under the
7 jurisdiction of the department.

8 **SECTION 233.** 20.370 (5) (dx) of the statutes is renumbered 20.115 (5) (ym).

9 **SECTION 234.** 20.370 (5) (eq) of the statutes is amended to read:

10 20.370 (5) (eq) *Enforcement aids — boating enforcement.* From the moneys
11 received under s. 30.52 (3), the amounts in the schedule for the payment of state aids
12 under s. 30.79, after first deducting the amounts appropriated under sub. (3) (1) (ar).

13 **SECTION 235.** 20.370 (5) (fq) of the statutes is amended to read:

14 20.370 (5) (fq) *Wildlife damage claims and abatement.* All moneys received
15 under ss. 29.181, 29.559 (1r), and 29.563 (13) and not appropriated under ~~par.~~ pars.
16 (fr) and (fs) and subs. (1) (hs) and (Ls) and (5) (fs) to provide state aid for the wildlife
17 damage abatement program under s. 29.889 (5) (c) and the wildlife damage claim
18 program under s. 29.889 (7) (d), for county administration costs under s. 29.889 (2)
19 (d), and for payments under s. 29.89.

20 **SECTION 236.** 20.370 (6) (title) of the statutes is renumbered 20.375 (6) (title).

21 **SECTION 237.** 20.370 (6) (intro.) (except 20.370 (6) (title)) of the statutes is
22 repealed.

23 **SECTION 238.** 20.370 (6) (aa) of the statutes is renumbered 20.375 (6) (aa).

24 **SECTION 239.** 20.370 (6) (ar) of the statutes is renumbered 20.375 (6) (ar).

25 **SECTION 240.** 20.370 (6) (au) of the statutes is renumbered 20.375 (6) (au).

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1 20.115 (5) (ur) ~~State forest acquisition and development — principal repayment~~
2 ~~and interest. From the conservation fund, the~~ The amounts in the schedule to
3 reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred
4 in financing land acquisition and development for state forests from the
5 appropriations under s. 20.866 (2) (ta) and (tz).

6 ~~SECTION 264.~~ 20.370 (7) (bq) of the statutes is renumbered 20.375 (7) (bq).

7 ~~SECTION 265.~~ 20.370 (7) (ca) of the statutes is renumbered 20.375 (7) (ca).

8 ~~SECTION 266.~~ 20.370 (7) (cb) of the statutes is renumbered 20.375 (7) (cb).

9 ~~SECTION 267.~~ 20.370 (7) (cc) of the statutes is renumbered 20.375 (7) (cc).

10 ~~SECTION 268.~~ 20.370 (7) (cd) of the statutes is renumbered 20.375 (7) (cd).

11 ~~SECTION 269.~~ 20.370 (7) (ce) of the statutes is renumbered 20.375 (7) (ce).

12 ~~SECTION 270.~~ 20.370 (7) (cf) of the statutes is renumbered 20.375 (7) (cf).

13 ~~SECTION 271.~~ 20.370 (7) (cg) of the statutes is renumbered 20.375 (7) (cg).

14 ~~SECTION 272.~~ 20.370 (7) (er) of the statutes is renumbered 20.375 (7) (er).

15 SECTION 273. 20.370 (7) (fa) of the statutes is amended to read:

16 20.370 (7) (fa) *Resource maintenance and development — state funds.* As a
17 continuing appropriation, the amounts in the schedule for the maintenance and
18 development of state parks under ch. 27; ~~of recreation areas, other than game or fish~~
19 ~~refuges, in state forests under ch. 28;~~ of lands owned, managed, supervised or
20 controlled by the department in the lower Wisconsin state riverway as defined in s.
21 30.40 (15); and of other recreational lands owned by the department, and for the
22 maintenance of the ice age trail. Of the amounts appropriated under this paragraph,
23 \$50,000 may be expended only to match at the ratio of 1 to 1 funds received under
24 par. (gg) from a county, city, village, town or organization after August 9, 1989, that
25 are given specifically for the purchase of equipment and materials for maintenance

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1 of the ice age trail. At least \$150,000 in each fiscal year shall be expended from this
2 appropriation for maintaining and developing historic sites at least \$10,000 of which
3 shall be expended in each fiscal year for maintaining and developing Heritage Hill
4 state park.

5 **SECTION 274.** 20.370 (7) (mc) of the statutes is amended to read:

6 20.370 (7) (mc) *Resource maintenance and development — state park, forest*
7 *and riverway roads.* As a continuing appropriation, the amounts in the schedule for
8 state park and southern state forest roads and roads in the lower Wisconsin state
9 riverway as defined in s. 30.40 (15) under s. 84.28 and for the maintenance of roads
10 in state parks under ch. 27 and recreation areas in southern state forests under ch.
11 28 which are not eligible for funding under s. 84.28. The department may expend up
12 to \$400,000 from this appropriation in each fiscal year for these state park and forest
13 roads and roads in the lower Wisconsin state riverway as defined in s. 30.40 (15)
14 under s. 84.28 and shall expend the balance from the appropriation for the
15 maintenance of roads which are not eligible for funding under s. 84.28.

****NOTE: Do you want to adjust the spending limit in this provision? See s. 20.115
(5) (b), as created in this draft.

16 **SECTION 275.** 20.370 (8) (title) of the statutes is repealed.

17 **SECTION 276.** 20.370 (8) (ir) of the statutes is renumbered 20.370 (1) (ir) and
18 amended to read:

19 20.370 (1) (ir) *Promotional activities and publications.* Except as provided in
20 ~~sub. (1) par. (it), all moneys received from subscriptions and other revenues~~
21 ~~generated by promotional activities, photographs, slides, videotapes, artwork,~~
22 ~~publications, magazines and other periodicals related to fish, wildlife, and~~
23 ~~recreation, except the Wisconsin natural resources magazine, to be used for these~~

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INSERT 41-1

1 made from this appropriation for capital improvement expenditures and
 2 encumbrances authorized under s. 281.57 before July 1, 1990, except for
 3 reimbursements made under s. 281.57 (9m) (a) and except as provided in s. 281.57
 4 (10e), (10f), (10m), (10r) and (10t). Payments may also be made from this
 5 appropriation for expenditures and encumbrances resulting from disputed costs
 6 under s. 281.57 if an appeal of an eligibility determination is filed before
 7 July 1, 1990, and the result of the dispute requires additional funds for an eligible
 8 project. The state may contract public debt in an amount not to exceed \$893,493,400
 9 for this purpose.

10 **SECTION 373.** 20.866 (2) (to) of the statutes is amended to read:

11 20.866 (2) (to) *Natural resources; pollution abatement and sewage collection*
 12 *facilities; combined sewer overflow.* From the capital improvement fund, a sum
 13 sufficient to the department of ~~natural resources~~ environmental quality to provide
 14 funds for the construction of combined sewer overflow projects and for eligible
 15 engineering design costs under s. 281.63. The state may contract public debt in an
 16 amount not to exceed \$200,600,000 for this purpose. Of this amount, \$7,360,000 is
 17 allocated to fund the minority business demonstration and training program under
 18 s. 200.49.

19 **SECTION 374.** 20.866 (2) (ts) of the statutes is amended to read:

20 20.866 (2) (ts) *Natural resources; land acquisition.* From the capital
 21 improvement fund, a sum sufficient for the department of natural resources for
 22 outdoor recreation land acquisition activities and for the department of agriculture,
 23 trade and consumer protection for acquiring state forest lands. The state may
 24 contract public debt in an amount not to exceed \$45,608,600 for these purposes. Of
 25 this amount of public debt not authorized for the department before August 9, 1989,

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1 \$2,000,000 is allocated on August 9, 1989, for natural areas land acquisition
2 activities.

3 **SECTION 375.** 20.866 (2) (tu) of the statutes is amended to read:

4 20.866 (2) (tu) *Natural resources; segregated revenue supported facilities.* From
5 the capital improvement fund, a sum sufficient for the department of agriculture,
6 trade and consumer protection to acquire, construct, develop, enlarge, or improve
7 administrative office, laboratory, equipment storage, or maintenance facilities
8 relating to forestry activities and for the department of natural resources to acquire,
9 construct, develop, enlarge or improve natural resource administrative office,
10 laboratory, equipment storage, or maintenance facilities and to acquire, construct,
11 develop, enlarge or improve state recreation facilities and state fish hatcheries. The
12 state may contract public debt in an amount not to exceed \$55,078,100 for this
13 purpose.

14 **SECTION 376.** 20.866 (2) (tv) of the statutes is amended to read:

15 20.866 (2) (tv) *Natural resources; general fund supported administrative*
16 *facilities.* From the capital improvement fund, a sum sufficient for the department
17 of natural resources to acquire, construct, develop, enlarge or improve natural
18 resource administrative office, laboratory, equipment, storage or maintenance
19 facilities. The state may contract public debt in an amount not to exceed \$11,410,200
20 for this purpose.

****NOTE: This provision may require amending.

21 **SECTION 377.** 20.866 (2) (tx) of the statutes is amended to read:

22 20.866 (2) (tx) *Natural resources; dam safety projects.* From the capital
23 improvement fund, a sum sufficient for the department of ~~natural resources~~
24 environmental quality to provide financial assistance to counties, cities, villages,

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SECTION 377

1 towns and public inland lake protection and rehabilitation districts for dam safety
2 projects under s. 31.385. The state may contract public debt in an amount not to
3 exceed \$5,500,000 for this purpose.

4 **SECTION 378.** 20.903 (2) (b) of the statutes is amended to read:

5 20.903 (2) (b) Notwithstanding sub. (1), liabilities may be created and moneys
6 expended from the appropriations under ss. 20.370 (8) ~~(mt)~~ (1) (st), 20.375 (2) (uk),
7 20.395 (4) (eq), (er) and (es) and 20.505 (1) (im), (ka), (kb), and (kc) in an additional
8 amount not exceeding the depreciated value of equipment for operations financed
9 under ss. 20.370 (8) ~~(mt)~~ (1) (st), 20.375 (2) (uk), 20.395 (4) (eq), (er) and (es) and
10 20.505 (1) (im), (ka), (kb), and (kc). The secretary of administration may require such
11 statements of assets and liabilities as he or she deems necessary before approving
12 expenditure estimates in excess of the unexpended moneys in the appropriation
13 account.

14 **SECTION 379.** 20.923 (4) (g) 1p. of the statutes is created to read:

15 20.923 (4) (g) 1p. Environmental quality, department of: secretary.

16 **SECTION 380.** 23.09 (1) of the statutes is amended to read:

17 23.09 (1) PURPOSES. The purpose of this section is to provide an adequate and
18 flexible system for the protection, development and use of forests, fish and game,
19 lakes, streams, plant life, flowers and other outdoor resources in this state.

20 **SECTION 381.** 23.09 (2) (d) 1. of the statutes is repealed.

21 **SECTION 382.** 23.09 (2) (d) 5. of the statutes is repealed.

22 **SECTION 383.** 23.09 (2) (d) 16. of the statutes is amended to read:

23 ~~23.09 (2) (d) 16. For bluff protection under s. 30.24 23.0942.~~

24 **SECTION 384.** 23.09 (2m) (b) of the statutes is amended to read:

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1 23.09 (2m) (b) The department shall manage forest land under its jurisdiction
2 in a manner that is consistent with, and that furthers the purpose of, the designation
3 of that forest land as a ~~state forest~~, southern state forest, state park, state trail, state
4 natural area, state recreation area, or similar designation.

5 **SECTION 385.** 23.09 (2p) (a) of the statutes is amended to read:

6 23.09 (2p) (a) The department of natural resources shall determine the value
7 of land donated to the ~~department~~ state that is within the project boundaries of a
8 state park, ~~a state forest~~ or a state recreation area. The department of agriculture,
9 trade and consumer protection shall determine the value of land donated to the state
10 that is within the project boundaries of a state forest. If the donation involves the
11 transfer of the title in fee simple absolute or other arrangement for the transfer of
12 all interest in the land to the state, the valuation shall be based on the fair market
13 value of the land before the transfer. If the donation is a dedication transferring a
14 partial interest in land to the state, the valuation shall be based on the extent to
15 which the fair market value of the land is diminished by that transfer and the
16 associated articles of dedication. If the donation involves a sale of land ~~to the~~
17 ~~department~~ at less than the fair market value, the valuation of the donation shall
18 be based on the difference between the purchase price and the fair market value.

19 **SECTION 386.** 23.09 (2p) (b) of the statutes is amended to read:

20 23.09 (2p) (b) Except as provided in par. (c), an amount of money equal to the
21 value of the donation under par. (a) shall be released from the appropriation under
22 s. 20.866 (2) (ta) or (tz) or both to be used for land acquisition activities for the same
23 project for which any donation was made on or after August 9, 1989. The department
24 shall determine how the moneys being released are to be allocated from these

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1 appropriations. This paragraph does not apply to transfers of land from agencies
2 other than the department.

***NOTE: This provision may require amending.

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3 **SECTION 387.** 23.09 (2r) (b) of the statutes is amended to read:

4 23.09 ~~(2r)~~ (b) Land acquisition for urban river grants under s. ~~30.277~~ 23.0944.

5 **SECTION 388.** 23.09 (3) (a) of the statutes is renumbered 23.09 (3).

6 **SECTION 389.** 23.09 (3) (b) of the statutes is renumbered 93.06 (11) (c).

7 **SECTION 390.** 23.09 (11) (a) of the statutes is renumbered 23.09 (11) (ar).

8 **SECTION 391.** 23.09 (11) (ag) of the statutes is created to read:

9 23.09 **(11)** (ag) In this subsection, "department" means the department of
10 agriculture, trade and consumer protection.

11 **SECTION 392.** 23.09 (17m) (a) of the statutes is renumbered 23.09 (17m) (am)
12 and amended to read:

13 23.09 **(17m)** (am) The county board of any county, which by resolution indicates
14 its desire to improve the natural environment for wildlife on county lands entered
15 under s. 28.11, may make application to the department for the allocation of funds
16 appropriated for such purposes by s. ~~20.370 (5) (as)~~ 20.115 (5) (sL).

17 **SECTION 393.** 23.09 (17m) (ac) of the statutes is created to read:

18 23.09 **(17m)** (ac) In this subsection, "department" means the department of
19 agriculture, trade and consumer protection.

20 **SECTION 394.** 23.09 (17m) (b) of the statutes is amended to read:

21 23.09 **(17m)** (b) The annual allocation for each county shall not exceed 10 cents
22 for each acre entered under s. 28.11, but any funds remaining from the appropriation
23 made by s. ~~20.370 (5) (as)~~ 20.115 (5) (sL) and unallocated to the counties on March
24 31 of each year may be allotted to any county in an amount not to exceed an additional

1 10 cents per acre under the procedure established in this subsection. These aids shall
2 be used to undertake wildlife management activities provided in the comprehensive
3 county forest land use plan and included in the annual work plan and budget.

4 **SECTION 395.** 23.09 (18) (a) of the statutes is amended to read:

5 23.09 **(18)** (a) In each fiscal year, the department of agriculture, trade and
6 consumer protection shall make payments to each county that has more than 40,000
7 acres within its boundaries that are entered on the tax roll under s. 77.04 (1) or 77.84
8 (1) on July 1 of that fiscal year.

9 **SECTION 396.** 23.09 (18) (b) of the statutes is amended to read:

10 23.09 **(18)** (b) The amount of the payment made in a fiscal year to an eligible
11 county shall equal the county's proportionate share of the moneys appropriated
12 under s. ~~20.370 (5) (br)~~ 20.115 (5) (tm) for the fiscal year. An eligible county's
13 proportionate share shall equal the number of acres within its boundaries that are
14 entered on the tax roll under s. 77.04 (1) or 77.84 (1) on July 1 of the fiscal year divided
15 by the total number of acres that are entered on the tax roll under s. 77.04 (1) or 77.84
16 (1) on that same date and that are within the boundaries of counties that are eligible
17 for payments under this section, multiplied by the amount appropriated under s.
18 ~~20.370 (5) (br)~~ 20.115 (5) (tm) for the fiscal year.

19 **SECTION 397.** 23.09 (18) (c) of the statutes is amended to read:

20 23.09 **(18)** (c) The department of agriculture, trade and consumer protection
21 shall calculate and issue the payment for each eligible county by October 1 following
22 each fiscal year.

23 **SECTION 398.** 23.09 (20) (ar) of the statutes is created to read:

24 23.09 **(20)** (ar) For each fiscal year, the department of natural resources and
25 the department of agriculture, trade and consumer protection shall enter into an

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1 agreement to determine which projects are eligible for assistance under this
 2 subsection and to authorize the expenditures for those projects. The secretary of
 3 administration shall resolve any disputes between the departments concerning the
 4 agreement entered into under this paragraph.

5 **SECTION 399.** 23.09 (21m) of the statutes is amended to read:

6 23.09 (21m) ENVIRONMENTAL CLEANUP. The department of natural resources
 7 may engage in environmental clean-up activities on the lands under its ownership,
 8 management, supervision, or control and on state forest lands under the ownership,
 9 management, supervision, or control of the department of agriculture, trade and
 10 consumer protection.

11 **SECTION 400.** 23.09 (26) (a) of the statutes is amended to read:

12 23.09 (26) (a) The procedures in sub. (11) ~~(a)~~ [✓] (ar), (d), (e) and (f) shall apply to
 13 this subsection except that the department shall consult with the snowmobile
 14 recreational council before adopting snowmobile trail construction standards, the
 15 restriction in sub. (11) ~~(a)~~ [✓] (ar) as to county lands is not applicable, the restriction in
 16 sub. (11) (d) as to encumbrance of funds is not applicable and the restriction in sub.
 17 (11) (e) as to requests for state aids exceeding available funds is not applicable.

18 **SECTION 401.** 23.09 (26) (am) 2. of the statutes is amended to read:

19 23.09 (26) (am) 2. Enter into agreements with the department of natural
 20 resources to use for snowmobile trails, facilities, or areas lands owned or leased by
 21 ~~the~~ that department and enter into agreements with the department of agriculture,
 22 trade and consumer protection to use for snowmobile trails, facilities, or forest lands
 23 owned or leased by that department. No lands of the department of natural
 24 resources or the department of agriculture, trade and consumer protection to be used

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1 for snowmobiling purposes within the meaning of this subsection may be obtained
2 through condemnation.

3 **SECTION 402.** 23.0913 of the statutes is created to read:

4 **23.0913 Forestry land endowment fund. (1)** In this section, "land"
5 includes any buildings, facilities, or other structures located on the land.

6 **(2)** Unless the secretary of agriculture, trade and consumer protection
7 determines otherwise in a specific case, only the income from the gifts, grants, or
8 bequests in the forestry land endowment fund is available for expenditure. The
9 secretary of agriculture, trade and consumer protection may authorize expenditures
10 only for preserving, developing, managing, or maintaining land that is under the
11 jurisdiction of the department of agriculture, trade and consumer protection and
12 that is used for conservation purposes. In this subsection, unless otherwise provided
13 in a gift, grant, or bequest, principal and income are determined as provided under
14 s. 701.20 (3).

15 **SECTION 403.** 23.0915 (1g) of the statutes is amended to read:

16 **23.0915 (1g) LAND ACQUISITION: URBAN RIVER GRANTS.** Beginning in fiscal year
17 1992-93 and ending in fiscal year 1999-2000, the department for each fiscal year
18 shall designate for expenditure \$1,900,000 of the moneys appropriated under s.
19 20.866 (2) (tz) for land acquisition for urban river grants under s. ~~30.277~~ 23.0944.

20 **SECTION 404.** 23.0915 (1r) (c) of the statutes is amended to read:

21 **23.0915 (1r) (c)** For land acquisition, the department shall designate for
22 expenditure \$900,000 for urban river grants under s. ~~30.277~~ 23.0944 and for grants
23 under s. 23.096 for the purposes under s. ~~30.277~~ 23.0944 (2) (a).

24 **SECTION 405.** 23.0915 (2g) of the statutes is amended to read:

1 23.0915 ~~(2g)~~ FUNDS FOR MONONA TERRACE PROJECT. If all of the money set aside
 2 under s. 23.195 for the Frank Lloyd Wright Monona terrace project is not expended
 3 before July 1, 1998, the department shall make the unexpended moneys available
 4 for expenditure for land acquisition and for urban river grants under s. ~~30.277~~
 5 23.0944. The moneys expended for the Frank Lloyd Wright Monona terrace project
 6 are expended as an amount for land acquisition.

7 **SECTION 406.** 23.0917 (1) (c) of the statutes[✓] is amended to read:

8 23.0917 (1) (c) "Department land" means an area of land that is owned by the
 9 state, that is under the jurisdiction of the department of natural resources[✓] and that
 10 is used for one of the purposes specified in s. 23.09 (2) (d), or that is under the
 11 jurisdiction of the department of agriculture, trade and consumer protection and[✓]
 12 that is state forest land.

13 **SECTION 407.** 23.0917 (3) (a) of the statutes is amended to read:

14 23.0917 (3) (a) Beginning with fiscal year 2000-01 and ending with fiscal year
 15 2009-10, the department may obligate moneys under the subprogram for land
 16 acquisition to acquire land for the purposes specified in s. 23.09 (2) (d) and for state
 17 forests, and for grants for these purposes under s. 23.096, except as provided under
 18 ss. 23.197 (2m), (3m) ~~(b)~~, (7m), and ~~(8)~~ and 23.198 (1) (a).

19 **SECTION 408.** 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 409.** 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.

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1 **SECTION 410.** 23.0917 (4r) of the statutes is created to read:

2 23.0917 (4r) AGREEMENT BETWEEN DEPARTMENTS. (a) For each fiscal year, the
3 department of natural resources and the department of agriculture, trade and
4 consumer protection shall enter into an agreement establishing all of the following:

5 1. The amount of funding from the appropriation under s. 20.866 (2) (ta) that
6 will be obligated for the land acquisition subprogram under sub. (3) and the amount
7 of funding from the appropriation under s. 20.866 (2) (ta) that will be obligated for
8 the property development and local assistance subprogram under sub. (4).

9 2. For the land acquisition subprogram, the amount of funding from the
10 appropriation under s. 20.866 (2) (ta) that will be obligated for the acquisition of state
11 forest land, for each of the purposes specified in s. 23.09 (2) (d), and for the grants for
12 each of these purposes under s. 23.096, other than for the projects or activities
13 specified under s. 23.197 or the acquisition of land under s. 23.1985.

14 3. For the property development and local assistance subprogram, the amount
15 of funding from the appropriation under s. 20.866 (2) (ta) that will be obligated for
16 each of the purposes listed under sub. (4) (b) and (c), other than for the projects or
17 activities specified under ss. 23.197 and 23.198.

18 4. The priorities under sub. (3) (c).

19 (b) The secretary of administration shall resolve any disputes between the
20 departments concerning the agreement under par. (a).

21 ~~**SECTION 411.** 23.0917 (7) (a) of the statutes is amended to read:~~

22 ~~23.0917 (7) (a) Except as provided in pars. (b) and (c), for purposes of~~
23 ~~calculating the acquisition costs for acquisition of land under ss. 23.09 (19), (20) and~~
24 ~~(20m), 23.092 (4), 23.094 (3g), 23.0942 (4), 23.0944, and 23.096, 30.24 (4) and 30.277~~
25 ~~from the appropriation under s. 20.866 (2) (ta), the acquisition costs shall equal the~~

SECTION 411

1 sum of the land's current fair market value and other acquisition costs, as
2 determined by rule by the department.

3 **SECTION 412.** 23.0917 (7) (e) of the statutes is amended to read:

4 23.0917 (7) (e) For any land for which moneys are proposed to be obligated from
5 the appropriation under s. 20.866 (2) (ta) in order to provide a grant or state aid to
6 a governmental unit under s. 23.09 (19), (20), or (20m) or ~~30.277~~ 23.0944 or to a
7 nonprofit conservation organization under s. 23.096, the department shall use at
8 least 2 appraisals to determine the fair market value of the land. The governmental
9 unit or nonprofit conservation organization shall submit to the department one
10 appraisal that is paid for by the governmental unit or nonprofit conservation
11 organization. The department shall obtain its own independent appraisal. The
12 department may also require that the governmental unit or nonprofit conservation
13 organization submit a 3rd independent appraisal. The department shall reimburse
14 the governmental unit or nonprofit conservation organization up to 50% of the costs
15 of the 3rd appraisal as part of the acquisition costs of the land if the land is acquired
16 by the governmental unit or nonprofit conservation organization with moneys
17 obligated from the appropriation under s. 20.866 (2) (ta). This paragraph does not
18 apply if the fair market value of the land is estimated by the department to be
19 \$200,000 or less.

20 **SECTION 413.** 23.092 (5) (a) of the statutes is amended to read:

21 23.092 (5) (a) The department shall determine the value of land or an easement
22 donated to the department that is within a habitat area and is dedicated for purposes
23 of habitat protection, enhancement or restoration. For an easement, the valuation
24 shall be based on the extent to which the fair market value of the land is diminished
25 by the transfer. Except as provided in par. (b), an amount of money equal to the value

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1 of the donation shall be released from the appropriation under s. 20.866 (2) (ta) or
2 (tz) or both to be used for habitat protection, enhancement or restoration activities
3 for the same habitat area in which any donation was made on or after
4 August 9, 1989. The department shall determine how the moneys being released are
5 to be allocated from these appropriations. The amounts released from the
6 appropriation under s. 20.866 (2) (ta) shall be subject to the agreement under s.
7 23.0917 (4r).

8 ~~SECTION 414. 23.094 (2) (a) of the statutes is amended to read:~~
9 ~~23.094 (2) (a) The department, in consultation with the department of~~
10 ~~environmental quality shall identify as priority streams those streams in this state~~
11 ~~that are in most need of protection from degradation of water quality caused by~~
12 ~~agricultural or urban runoff.~~

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13 SECTION 415. 23.094 (4) (a) of the statutes is amended to read:
14 23.094 (4) (a) The department shall determine the value of land or an easement
15 donated to the department for purposes of this section and for stream bank
16 protection under s. 23.096. For an easement, the valuation shall be based on the
17 extent to which the fair market value of the land is diminished by the transfer.
18 Except as provided in par. (b), an amount of money equal to the value of the donation
19 shall be released from the appropriation under s. 20.866 (2) (ta) or (tz) or both to be
20 used to acquire easements and land under this section and s. 23.096 for the same
21 stream for which any donation was made on or after August 9, 1989. The
22 department shall determine how the moneys being released are to be allocated from
23 these appropriations. The amounts released from the appropriation under s. 20.866
24 (2) (ta) shall be subject to the agreement under s. 23.0917 (4r).

25 SECTION 416. 23.095 (1m) (title) of the statutes is amended to read:

1 23.095 (1m) (title) PROHIBITION ON ~~DEPARTMENT LAND~~ CERTAIN STATE LANDS.

2 **SECTION 417.** 23.095 (1m) (a) of the statutes is amended to read:

3 23.095 (1m) (a) No person may damage or attempt to damage any natural
4 resource or any archaeological feature located on state-owned lands that are under
5 the supervision, management, and control of the department of natural resources or
6 that are located on state forest lands that are under the supervision, management,
7 and control of the department of agriculture, trade and consumer protection except
8 as authorized by ~~the~~ that department.

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9 **SECTION 418.** 23.096 (2) (a) of the statutes is amended to read:

10 23.096 (2) (a) The department may award grants from the appropriation under
11 s. 20.866 (2) (ta) or (tz) to nonprofit conservation organizations to acquire property
12 for all of the purposes described in ss. 23.09 (2) (d) ~~1. to 7. 2., 3., 4., 6., 7., 9., 11., 12.~~
13 and 15., (19), (20) and (20m), 23.092, 23.094, 23.0942, 23.0944, 23.17, 23.175, 23.27,
14 23.29, and 23.293, 30.24 and 30.277 and for state forests, and for forest nurseries and
15 experimental stations.

16 **SECTION 419.** 23.096 (2) (am) of the statutes is created to read:

17 23.096 (2) (am) In determining which grants will be awarded under this
18 section, the department of agriculture, trade and consumer protection and the
19 department of natural resources shall both approve each grant. Any dispute
20 regarding which nonprofit conservation organization will receive a grant under this
21 section shall be resolved by the secretary of administration. The grants awarded
22 under this section from the appropriation under s. 20.866 (2) (ta) shall be subject to
23 the agreement under s. 23.0917 (4r).

24 **SECTION 420.** 23.096 (3) (intro.) of the statutes is amended to read:

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1 23.096 (3) (intro.) ~~In~~ Except as provided in sub. (3m), in order to receive a grant
2 under this section, the nonprofit conservation organization shall enter into a
3 contract with the department that contains all of the following provisions:

4 SECTION 421. 23.096 (3m) of the statutes is created to read:

5 23.096 (3m) In order to receive a grant under this section for state forests, other
6 than southern state forests, or for forest nurseries or experimental stations, the
7 nonprofit conservation organization shall enter into a contract with the department
8 of agriculture, trade and consumer protection that contains all of the provisions
9 under sub. (3).

10 SECTION 422. 23.096 (4) (a) 1. of the statutes is amended to read:

11 23.096 (4) (a) 1. The department that entered into the contract under sub. (3)
12 or (3m) approves the subsequent sale or transfer.

13 SECTION 423. 23.096 (4) (a) 2. of the statutes is amended to read:

14 23.096 (4) (a) 2. The party to whom the property is sold or transferred enters
15 into a new contract with the department specified in subd. 1. that contains the
16 provisions under sub. (3).

17 SECTION 424. 23.096 (4) (b) of the statutes is amended to read:

18 23.096 (4) (b) The nonprofit conservation organization may subsequently sell
19 or transfer the acquired property to satisfy a debt or other obligation if the
20 department that enters into the contract under sub. (3) or (3m) approves the sale or
21 transfer.

22 SECTION 425. 23.097 (1) of the statutes is renumbered 23.097 ~~(1a)~~ (1e).

23 SECTION 426. 23.097 (1b) of the statutes is created to read:

24 23.097 (1b) In this section, "department" means the department of agriculture,
25 trade and consumer protection.

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1 SECTION 427. 23.098 (1) (ag) of the statutes is amended to read:

2 23.098 (1) (ag) "Department property" means an area of real property that is
3 owned by the state, that is under the jurisdiction of the department of natural
4 resources and that is used for one of the purposes specified in s. 23.09 (2) (d) or an
5 area of real property that is under the jurisdiction of the department of agriculture,
6 trade and consumer protection and that is in a state forest.

7 SECTION 428. 23.098 (2) of the statutes is amended to read:

8 23.098 (2) The department of natural resources and the department of
9 agriculture, trade and consumer protection shall ~~establish~~ jointly administer a
10 program to make grants from the appropriations under s. 20.866 (2) (ta) and (tz) to
11 friends groups and nonprofit conservation organizations for projects for property
12 development activities on department properties. ~~The department may not~~
13 ~~encumber~~ Not more than \$250,000 may be encumbered in each fiscal year for ~~these~~
14 grants under this section.

15 SECTION 429. 23.098 (2m) of the statutes is created to read:

16 23.098 (2m) In determining which grants will be awarded under this section,
17 the department of natural resources and the department of agriculture, trade and
18 consumer protection shall both approve each grant. Any dispute regarding which
19 friends groups and nonprofit conservation organizations will receive a grant under
20 this section shall be resolved by the secretary of administration.

21 SECTION 430. 23.098 (3) of the statutes is amended to read:

22 23.098 (3) The department of natural resources and the department of
23 agriculture, trade and consumer protection shall jointly promulgate rules to
24 establish criteria to be used in determining which property development activities
25 are eligible for ~~these~~ grants under this section. The rules promulgated by the

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1 department of natural resources under this subsection that are in effect on the
2 effective date of this subsection ... [revisor] inserts date]. shall remain in effect until
3 rules are jointly promulgated by the 2 departments.

4 SECTION 431. 23.098 (4) (a) of the statutes is amended to read:

5 23.098 (4) (a) The department of natural resources and the department of
6 agriculture, trade and consumer protection shall periodically prepare a list of
7 projects on ~~department~~ properties that are eligible for grants under this section and
8 shall include in the list the estimated cost of each project.

9 SECTION 432. 23.098 (4) (am) of the statutes is amended to read:

10 23.098 (4) (am) In awarding grants under this section for eligible projects, the
11 department of natural resources and the department of agriculture, trade and
12 consumer protection shall jointly establish a system under which the grants are
13 offered to eligible friends groups before being offered to eligible nonprofit
14 conservation organizations.

15 SECTION 433. 23.098 (4) (b) of the statutes is amended to read:

16 23.098 (4) (b) ~~The department may not encumber~~ Not more than \$20,000 may
17 be encumbered for grants under this section for a department property in each fiscal
18 year.

19 SECTION 434. 23.11 (1) of the statutes is amended to read:

20 23.11 (1) In addition to the powers and duties ~~heretofore~~ conferred and imposed
21 upon ~~said~~ the department by this chapter it shall have and take the general care,
22 protection and supervision of all state parks, of all state fish hatcheries and lands
23 used therewith, of all southern state forests, and of all lands owned by the state or
24 in which it has any interests, except lands the care and supervision of which are
25 vested in some other officer, body or board; and ~~said~~ the department is granted such

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1 further powers as may be necessary or convenient to enable it to exercise the
2 functions and perform the duties required of it by this chapter and by other
3 provisions of law. But it may not perform any act upon state lands held for sale that
4 will diminish their salable value.

5 **SECTION 435.** 23.11 (5) of the statutes is amended to read:

6 23.11 (5) ~~The department may require an applicant for a permit or statutory~~
7 ~~approval which the department, by order, may grant, to submit an environmental~~
8 ~~impact report if the area affected exceeds 40 acres, or the estimated cost of the project~~
9 ~~exceeds \$25,000, or the applicant is requesting approval for a high capacity well~~
10 ~~described in s. 281.34 (4) (a) 1. to 3.~~

11 **SECTION 436.** 23.113 of the statutes is renumbered 28.037 and amended to
12 read:

13 **28.037 Designation of chief state forester.** The secretary shall designate
14 ~~the administrator of the division of forestry in the department as the a~~ chief state
15 forester. ~~The chief state forester~~ who shall be a professional forester as recognized
16 by the Society of American Foresters.

17 **SECTION 437.** 23.114 of the statutes is renumbered 28.039.

18 **SECTION 438.** 23.125 of the statutes is renumbered 278.09 and amended to
19 read:

20 ~~**278.09 Natural resources Environmental quality board member**~~
21 ~~**conflicts of interest. (1)**~~ If a member of the ~~natural resources~~ environmental
22 quality board is the holder of a permit or license issued by the department under chs.
23 280 to 299, that member may not engage in a discussion at a board meeting or
24 participate in a board decision on any matter that substantially relates to the permit
25 or license.

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1 ~~(2) If a member of the natural resources environmental quality board receives,~~
 2 ~~or has during the previous 2 years received, a significant portion of his or her income~~
 3 ~~directly or indirectly from a holder of or applicant for a permit or license issued by~~
 4 ~~the department under chs. 280 to 299, that member may not engage in a discussion~~
 5 ~~at a board meeting or participate in a board decision on any matter that substantially~~
 6 ~~relates to the permit or license, except that this restriction does not apply with~~
 7 ~~respect to a permit or license held or applied for by an agency, department, or~~
 8 ~~subdivision of this state.~~

9 **SECTION 439.** 23.13 of the statutes is amended to read:

10 **23.13 Governor to be informed.** The board of commissioners of public lands
 11 ~~and~~, the department of natural resources, and the department of agriculture, trade
 12 and consumer protection shall furnish to the governor upon the governor's request
 13 a copy of any paper, document or record in their respective offices and give the
 14 governor orally such information as the governor may call for.

15 **SECTION 440.** 23.135 of the statutes, as affected by 2005 Wisconsin Act 166, is
 16 renumbered 26.025.

17 **SECTION 441.** 23.14 of the statutes is amended to read:

18 **23.14 Approval required before new lands acquired.** Prior to the initial
 19 acquisition of any lands by the department of natural resources after July 1, 1977,
 20 for any new facility or project, and prior to the initial acquisition of any lands by the
 21 department of agriculture, trade and consumer protection for any new facility or
 22 project relating to forestry, the proposed initial acquisition shall be submitted to the
 23 governor for his or her approval. New facilities or projects include, without
 24 limitation because of enumeration, state parks, state forests, recreation areas, public
 25 shooting, trapping or fishing grounds or waters, fish hatcheries, game farms, forest

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1 nurseries, experimental stations, endangered species preservation areas, picnic and
2 camping grounds, hiking trails, cross-country ski trails, bridle trails, nature trails,
3 bicycle trails, snowmobile trails, youth camps, land in the lower Wisconsin state
4 riverway as defined in s. 30.40 (15), natural areas and wild rivers.

5 SECTION 442. 23.15 (title) of the statutes is amended to read:

6 23.15 (title) **Sale of certain state-owned lands under the jurisdiction of**
7 **the department of natural resources.**

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8 SECTION 443. 23.15 (1) of the statutes is amended to read:

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

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15 SECTION 444. 23.15 (1m) of the statutes is created to read:

16 23.15 (1m) The secretary of agriculture, trade and consumer protection may
17 sell, at public or private sale, state forest land and structures on that land owned by
18 the state that are under the jurisdiction of the department of agriculture, trade and
19 consumer protection if the department of agriculture, trade and consumer protection
20 determines that the real property and structures are no longer necessary for the
21 state's use for conservation purposes and, if real property, the real property is not the
22 subject of a petition under s. 560.9810 (2).

23 SECTION 445. 23.15 (2) of the statutes is amended to read:

24 23.15 (2) ~~Said~~ The natural resources board and the secretary of agriculture,
25 trade and consumer protection shall present to the governor a full and complete

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1 report of the lands to be sold, the reason for the sale, the price for which ~~said~~ the lands
2 should be sold ~~together with, and~~ an application for ~~the~~ their sale of ~~the same~~. The
3 governor ~~shall thereupon make such investigation as the governor deems necessary~~
4 ~~respecting said lands to be sold~~ may investigate and approve or disapprove ~~such~~ the
5 application. If the governor ~~shall approve the same,~~ approves the application for the
6 sale, the governor shall issue a permit ~~shall be issued by the governor for such~~ the
7 sale on the terms set forth in the application.

8 SECTION 446. 23.15 (3) of the statutes is amended to read:

9 23.15 (3) Upon completion of ~~such~~ a sale of land under the jurisdiction of the
10 department of natural resources, [✓] the ~~chairperson and~~ secretary of the natural
11 resources board, ~~or~~ and the secretary of natural resources, ~~if the secretary is duly~~
12 ~~authorized by the natural resources board,~~ shall execute ~~such~~ the necessary
13 instruments ~~as are necessary~~ to transfer title and ~~the natural resources board or its~~
14 ~~duly authorized agents~~ shall deliver the ~~same~~ instruments to the purchaser upon
15 payment of the amount set forth in the application. Upon completion of a sale of land
16 under the jurisdiction of the department of agriculture, trade and consumer
17 protection, the secretary of agriculture, trade and consumer protection shall execute
18 the necessary instruments to transfer title and shall deliver the instruments to the
19 purchaser upon payment of the amount set forth in the application.

20 SECTION 447. 23.15 (4) of the statutes is amended to read:

21 23.15 (4) ~~Said~~ The natural resources board ~~effecting the sale of any such lands~~
22 ~~and structures shall,~~ upon receiving payment ~~therefor,~~ [✓] under sub. (3), shall deposit
23 the ~~funds~~ moneys received in the conservation fund to be used exclusively for the
24 purpose of purchasing other areas of land for the ~~creating~~ creation and ~~establishing~~
25 establishment of public hunting and fishing grounds, wildlife and fish refuges,

1 southern state forests, and state parks and for land in the lower Wisconsin state
2 riverway as defined in s. 30.40 (15). ✓

3 SECTION 448. 23.15 (4m) of the statutes is created to read:

4 23.15 (4m) The secretary of agriculture, trade and consumer protection, upon
5 receiving payment under sub. (3), shall deposit the moneys received in the ~~forestry~~
6 conservation fund to be used exclusively for the purpose of purchasing other areas of land for the
7 creation and establishment of areas in state forests other than southern state forests.

8 SECTION 449. 23.15 (5) (a) of the statutes is amended to read:

9 23.15 (5) (a) In this subsection, "surplus land" means land under the
10 jurisdiction of the department ~~which of natural resources, or forest land that is under~~
11 the jurisdiction of the department of agriculture, trade and consumer protection,
12 that is unused and not needed for department that department's operations or that
13 is not included in the that department's plan for construction or development.

14 SECTION 450. 23.15 (5) (b) of the statutes is amended to read:

15 23.15 (5) (b) Biennially, ~~beginning on January 1, 1984,~~ the department of
16 natural resources and the department of agriculture, trade and consumer protection
17 shall each submit to the state building commission and the joint committee on
18 finance an inventory of surplus land containing the description, location and fair
19 market value of each parcel.

20 SECTION 451. 23.16 (1) of the statutes is amended to read:

21 23.16 (1) PUBLICATION. The department may produce, issue or reprint
22 magazines or other periodicals on a periodic basis as it determines, pertaining to fish
23 and game, forests, parks, ~~environmental quality~~ and other similar subjects of
24 general information. The department may distribute its magazines and periodicals
25 by subscription. The department shall charge a fee for any of its magazines or

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1 periodicals, except that no fee may be charged to a person who is provided a
2 subscription to the Wisconsin Natural Resources Magazine under s. 29.235.

3 **SECTION 452.** 23.16 (5) of the statutes is amended to read:

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

9 **SECTION 453.** 23.165 (1) of the statutes is amended to read:

10 23.165 **(1)** PUBLICATIONS. The department may produce, issue, reprint and sell
11 publications not published on a periodic basis that pertain to fish and game, forests,
12 parks, environmental quality and other similar subjects of general information.

13 **SECTION 454.** 23.165 (1m) of the statutes is amended to read:

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

18 **SECTION 455.** 23.165 (5m) of the statutes is amended to read:

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

24 **SECTION 456.** 23.175 (3m) of the statutes is amended to read:

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✓

1 23.175 **(3m)** ALLOCATION BETWEEN APPROPRIATIONS. For purposes of sub. (3) (b),
 2 the department shall determine how the moneys being expended are to be allocated
 3 from the appropriations under s. 20.866 (2) (ta) and (tz). The moneys expended from
 4 the appropriation under s. 20.866 (2) (ta) shall be subject to the agreement under s.
 5 23.0917 (4r). The department may not allocate or expend any moneys from the
 6 appropriation under s. 20.866 (2) (ta) before July 1, 2000.

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7 ~~SECTION 457. 23.18 of the statutes is renumbered 278.18, and 278.18 (1) (a) and~~
 8 ~~(b) (intro.), as renumbered, are amended to read:~~

9 ~~278.18 (1) (a) Advise the department, the department of natural resources, the~~
 10 ~~governor and the legislature on matters relating to the environmental, recreational~~
 11 ~~and economic revitalization of the Milwaukee River basin.~~

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

13 ~~SECTION 458. 23.197 (2) (a) of the statutes is amended to read:~~

14 ~~23.197 (2) (a) From the appropriation under s. 20.866 (2) (ta) or (tz) or both, the~~
 15 ~~department shall provide funding to the city of Fort Atkinson for the restoration of~~
 16 ~~a river wall along the Rock River. The amount provided by the department may not~~
 17 ~~exceed the amount that equals the matching contribution made for the river wall by~~
 18 ~~the city of Fort Atkinson or \$96,500, whichever is less. The requirements for~~
 19 ~~matching contributions under s. ~~30.277~~ 23.0944 (5) shall apply.~~

20 ~~SECTION 459. 23.22 (2) (c) of the statutes is amended to read:~~

21 ~~23.22 (2) (c) Under the program established under par. (a), the department~~
 22 ~~shall promulgate rules to establish a procedure to award cost-sharing grants to~~
 23 ~~public and private entities for up to 50% of the costs of projects to control invasive~~
 24 ~~species. The rules promulgated under this paragraph shall establish criteria for~~
 25 ~~determining eligible projects and eligible grant recipients. Eligible projects shall~~

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1 include education and inspection activities at boat landings. The rules shall allow
 2 cost-share contributions to be in the form of money or in-kind goods or services or
 3 any combination thereof. In promulgating these rules, the department shall
 4 consider the recommendations of the council under sub. (3) (c). From the
 5 appropriation under s. 20.370 ~~(e) (ar)~~ (1) (bg), the department shall make available
 6 for cost-sharing grants to be awarded to local governmental units for the control of
 7 invasive species that are aquatic species \$1,000,000 in fiscal year 2005-06 and
 8 \$1,500,000 in fiscal year 2006-07 and each fiscal year thereafter.

****NOTE: Need to verify which agency will get the invasive species programs under
 ss. 23.22 and 23.24.

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9 **SECTION 460.** 23.26 (3) of the statutes is amended to read:

10 23.26 (3) Advise the department of natural resources, the department of
 11 agriculture, trade and consumer protection, and other agencies on matters
 12 pertaining to the acquisition, development, utilization, maintenance and
 13 withdrawal of state natural areas, including determinations as to the extent of
 14 multiple use that may be allowed on state natural areas that are a part of a state
 15 park, state forest, public hunting ground or similar areas under state ownership or
 16 control.

17 **SECTION 461.** 23.29 (2) of the statutes is amended to read:

18 23.29 (2) CONTRIBUTIONS; STATE MATCH. The department may accept
 19 contributions and gifts for the Wisconsin natural areas heritage program. The
 20 department shall convert donations of land which it determines, with the advice of
 21 the council, are not appropriate for the Wisconsin natural areas heritage program
 22 into cash. The department shall convert other noncash contributions into cash.
 23 These moneys shall be deposited in the general fund and credited to the

INS. 1 appropriation under s. 20.370 (1) (mg). These moneys shall be matched by an equal
64-8 2 amount released from the appropriation under s. 20.866 (2) (ta), (tt) or (tz) or from
cont 3 any combination of these appropriations to be used for natural areas land acquisition
4 activities under s. 23.27 (5). The department shall determine how the moneys being
5 released are to be allocated from these appropriations. The amounts released from
6 the appropriation under s. 20.866 (2) (ta) shall be subject to the agreement under s.
7 23.0917 (4r).

8 SECTION 462. 23.293 (4) of the statutes is amended to read:

9 23.293 (4) CONTRIBUTIONS AND GIFTS: STATE MATCH. The department may accept
10 contributions and gifts for the ice age trail program. The department may convert
11 gifts of land which it determines are not appropriate for the ice age trail program into
12 cash. The department may convert other noncash contributions and gifts into cash.
13 These moneys shall be deposited in the general fund and credited to the
14 appropriation under s. 20.370 (7) (gg). An amount equal to the value of all
15 contributions and gifts shall be released from the appropriation under s. 20.866 (2)
16 (ta), (tw) or (tz) or from any combination of these appropriations to be used for land
17 acquisition and development activities under s. 23.17. The department shall
18 determine how the moneys being released are to be allocated from these
19 appropriations. The amounts released from the appropriation under s. 20.866 (2) (ta)
20 shall be subject to the agreement under s. 23.0917 (4r).

21 SECTION 463. 23.293 (5) of the statutes is amended to read:

22 23.293 (5) LAND DEDICATIONS; VALUATION; STATE MATCH. The department shall
23 determine the value of land accepted for dedication under the ice age trail program.
24 If the land dedication involves the transfer of the title in fee simple absolute or other
25 arrangement for the transfer of all interest in the land to the state, the valuation of

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cont

1 the land shall be based on the fair market value of the land before the transfer. If
 2 the land dedication involves the transfer of a partial interest in land to the state, the
 3 valuation of the land shall be based on the extent to which the fair market value of
 4 the land is diminished by that transfer and the associated articles of dedication. If
 5 the land dedication involves a sale of land to the department at less than the fair
 6 market value, the valuation of the land shall be based on the difference between the
 7 purchase price and the fair market value. An amount equal to the valuation of the
 8 land accepted for dedication under the ice age trail program shall be released from
 9 the appropriation under s. 20.866 (2) (ta), (tw) or (tz) or from any combination of these
 10 appropriations to be used for ice age trail acquisition activities under s. 23.17. The
 11 department shall determine how the moneys being released are to be allocated from
 12 these appropriations. The amounts released from the appropriation under s. 20.866
 13 (2) (ta) shall be subject to the agreement under s. 23.0917 (4r). This subsection does
 14 not apply to dedications of land under the ownership of the state.

15 **SECTION 464.** 23.30 (4) of the statutes is created to read: ✓

16 23.30 (4) CONSULTATION REQUIRED. In carrying out its duties under sub. (3) and
 17 its duties under s. 23.31, the natural resources board shall consult with the
 18 department of agriculture, trade and consumer protection.

19 **SECTION 465.** 23.305 (title) of the statutes is amended to read: ✓

20 **23.305 (title) Leasing of ~~department land~~ certain lands for recreational**
 21 **purposes.**

22 **SECTION 466.** 23.305 (2) of the statutes is amended to read:

23 23.305 (2) Notwithstanding ss. 23.30 and 28.04, the department of natural
 24 resources may lease state park land or land in the southern state forest land forests
 25 to towns, villages, or counties for outdoor recreational purposes associated with

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1 spectator sports. Notwithstanding ss. 23.30 and 28.04, the department of
2 agriculture, trade and consumer protection may lease state forest land, other than
3 land in the southern state forests, to towns, villages, or counties for outdoor
4 recreational purposes associated with spectator sports.

5 **SECTION 467.** 23.305 (3) of the statutes is amended to read:

6 23.305 (3) The lease shall be for a term not to exceed 15 years. The lease shall
7 contain covenants to protect the department entering into the lease from all liability
8 and costs associated with use of the land and to guard against trespass and waste.
9 The rents arising from ~~the~~ a lease entered into by the department of natural
10 resources shall be paid into the state treasury and credited to the ~~proper~~
11 conservation fund. The rents arising from a lease entered into by the department of
12 agriculture, trade and consumer protection shall be paid into the state treasury and
13 credited to the ~~forestry~~ ^{conservation} fund.

14 ~~SECTION 468. 23.32 of the statutes is renumbered 278.32.~~

15 **SECTION 469.** 23.325 (1) (a) of the statutes is amended to read:

16 23.325 (1) (a) Shall consult with the department of administration, the
17 department of transportation, the department of agriculture, trade and consumer
18 protection, and the state cartographer, and may consult with other potential users
19 of the photographic products resulting from the survey, to determine the scope and
20 character of the survey.

21 **SECTION 470.** 23.325 (2) (a) of the statutes is amended to read:

22 23.325 (2) (a) After consultation with the department of transportation, the
23 department of agriculture, trade and consumer protection, and the state
24 cartographer, the department of natural resources shall select the photographic
25 products to be sold.

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