

1 SECTION 471. 23.325 (4) of the statutes is amended to read:

2 23.325 (4) All income received by the department of natural resources, the
3 department of agriculture, trade and consumer protection, and the department of
4 transportation from the sale of the photographic products, less the amount retained
5 by the department of agriculture, trade and consumer protection under s. 93.077 and
6 the amount retained by the department of transportation under s. 85.10, shall be
7 deposited in the conservation fund.

8 SECTION 472. 23.33 (1) (ig) of the statutes is amended to read:

9 23.33 (1) (ig) "Law enforcement officer" has the meaning specified under s.
10 165.85 (2) (c) and includes a person appointed as a conservation warden ~~by the~~
11 ~~department~~ under s. 23.10 (1) or a person appointed as a state forest ranger under
12 s. 28.92.

13 SECTION 473. ~~23.33 (2) (o) of the statutes is amended to read:~~

14 ~~23.33 (2) (o) Receipt of fees. All fees remitted to or collected by the department~~
15 ~~under par. (ir) shall be credited to the appropriation account under s. 20.370 (9) (hu)~~
16 ~~(1) (hw).~~

17 SECTION 474. 23.33 (5) (a) of the statutes is amended to read:

18 23.33 (5) (a) *Age restriction.* No person under 12 years of age may operate an
19 all-terrain vehicle unless he or she is operating the all-terrain vehicle for an
20 agricultural purpose and he or she is under the supervision of a person over 18 years
21 of age or unless he or she is operating a small all-terrain vehicle on an all-terrain
22 vehicle trail designated by the department of natural resources or the department
23 of agriculture, trade and consumer protection and he or she is accompanied by his
24 or her parent. No person who is under 12 years of age may operate an all-terrain
25 vehicle which is an implement of husbandry on a roadway under any circumstances.

END
INS.
64-9

INS.
64-13

INS
64-13
cont.

1 No person who is under 12 years of age may operate an all-terrain vehicle on a
2 roadway under the authorization provided under sub. (4) (d) 6. under any
3 circumstances. No person who is under 12 years of age may rent or lease an
4 all-terrain vehicle. For purposes of this paragraph, supervision does not require
5 that the person under 12 years of age be subject to continuous direction or control by
6 the person over 18 years of age.

7 **SECTION 475.** 23.33 (5m) (c) 4. of the statutes is amended to read:

8 23.33 (5m) (c) 4. Assisting the department of natural resources, the
9 department of agriculture, trade and consumer protection, and the department of
10 tourism in creating an outreach program to inform local communities of appropriate
11 all-terrain vehicle use in their communities and of the economic benefits that may
12 be gained from promoting tourism to attract all-terrain vehicle operators.

13 **SECTION 476.** 23.33 (5m) (c) 5. of the statutes is amended to read:

14 23.33 (5m) (c) 5. Attempting to improve and maintain its relationship with the
15 department of natural resources, the department of agriculture, trade and consumer
16 protection, the department of tourism, all-terrain vehicle dealers, all-terrain
17 vehicle manufacturers, snowmobile clubs, as defined in s. 350.138 (1) (e), snowmobile
18 alliances, as defined in s. 350.138 (1) (d), and other organizations that promote the
19 recreational operation of snowmobiles.

20 **SECTION 477.** 23.33 (8) (c) of the statutes is amended to read:

21 23.33 (8) (c) *Trails.* A town, village, city, county or ^() the department of natural
22 resources, or the department of agriculture, trade and consumer protection may
23 designate corridors through land which it owns or controls, or for which it obtains
24 leases, easements or permission, for use as all-terrain vehicle trails.

END
INS
64-13

25 ~~**SECTION 478.** 23.33 (9) (a) of the statutes is amended to read:~~

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

6 **SECTION 479.** 23.33 (9) (b) (intro.) of the statutes is amended to read:

7 23.33 (9) (b) *All-terrain vehicle projects.* (intro.) Any of the following
 8 all-terrain vehicle projects are eligible for funding as a state all-terrain vehicle
 9 project from the appropriation account under s. 20.370 (1) (ms) or 20.115 (5) (sr) or
 10 for aid as a nonstate all-terrain vehicle project from the appropriation accounts
 11 under s. 20.370 (5) (ct) and (cu):

12 **SECTION 480.** 23.33 (9m) of the statutes is created to read:

13 23.33 (9m) STATE TRAILS. The department of agriculture, trade and consumer
 14 protection shall designate, develop, and maintain the all-terrain vehicle trails in
 15 state forests, other than southern state forests.

16 **SECTION 481.** 23.33 (12) (a) of the statutes is amended to read:

17 23.33 (12) (a) ~~An officer of the state traffic patrol under s. 110.07 (1), inspector~~
 18 ~~under s. 110.07 (3), conservation warden appointed by the department under s.~~
 19 ~~23.10, county sheriff or municipal peace~~ Any law enforcement officer has authority
 20 and jurisdiction to enforce this section and ordinances enacted in conformity with
 21 this section.

22 **SECTION 482.** 23.39 of the statutes is created to read:

23 **23.39 Financial interest prohibited.** The secretary and any other person
 24 in a position of administrative responsibility in the department may not have a

INS.
64-19



SECTION 494

1 not be used for violations of ch. 350 relating to highway use. The citation may be used
2 for violations of local ordinances enacted by any local authority in accordance with
3 s. 23.33 (11) (am) or 30.77.

4 **SECTION 495.** 23.65 (1) of the statutes is amended to read:

5 23.65 (1) When it appears to the district attorney that a violation of s. 90.21,
6 or 134.60, ~~281.48 (2) to (5), 283.33, 285.57 (2), 285.59 (2), (3) (c) and (4), 287.07,~~
7 ~~287.08, 287.81 or 299.64 (2), subch. IV or V of ch. 30,~~ this chapter or ch. 26, 27, 28,
8 29, 30, 31, 169, or 350, or any administrative rule promulgated pursuant thereto, a
9 violation specified under s. ~~285.86,~~ or a violation of ch. 951, if the animal involved is
10 a captive wild animal, has been committed the district attorney may proceed by
11 complaint and summons.

12 **SECTION 496.** 23.65 (3) of the statutes is amended to read:

13 23.65 (3) If a district attorney refuses or is unavailable to issue a complaint,
14 a circuit judge, after conducting a hearing, may permit the filing of a complaint if he
15 or she finds there is probable cause to believe that the person charged has committed
16 a violation of s. ~~287.07, 287.08 or 287.81 subch. IV or V of ch. 30,~~ this chapter or ch.
17 26, 27, 28, 29, 30, 31 or 350 or a violation specified under s. ~~285.86.~~ The district
18 attorney shall be informed of the hearing and may attend.

19 **SECTION 497.** 24.39 (1) of the statutes is amended to read:

20 24.39 (1) The board of commissioners of public lands may grant leases of parts
21 or parcels of any public lands except state park lands and state forest lands; grant
22 easements, leases to enter upon any of said lands to flow the same or to prospect for
23 and to dig and remove therefrom ore, minerals and other deposits, and sell therefrom
24 such timber as the board shall find necessary to prevent future loss or damage. All
25 sales of standing live timber shall be on a selective cutting basis in line with federal

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67-14



1 forest practices. Such easements, leases, licenses and sales shall be made only for
 2 a full and fair consideration paid or to be paid to the state, the amount and terms
 3 whereof shall be fixed by said board, and such easements, leases, licenses and sales
 4 shall conform to the requirements, so far as applicable, prescribed by ch. 26 for the
 5 exercise by the department of natural resources and the department of agriculture,
 6 trade and consumer protection of similar powers affecting state park lands and state
 7 forest lands.

END
INS
67-14

8 **SECTION 498.** 24.39 (2) of the statutes is amended to read:

9 24.39 (2) In negotiating for such leases, licenses, or sales, and in exercising the
 10 other powers conferred by this section the board of commissioners of public lands
 11 shall, so far as it finds it desirable and practicable, request and make proper use of
 12 such services and information as the department of natural resources, the
 13 department of environmental quality, or the department of agriculture, trade and
 14 consumer protection may be able to furnish.

15 **SECTION 499.** 24.39 (4) (c) of the statutes is amended to read:

16 24.39 (4) (c) No leases under par. (a) may be executed without a prior finding
 17 of the department of ~~natural resources~~ environmental quality under s. 30.11 (5) that
 18 any proposed physical change in the area contemplated as the result of the execution
 19 of any term lease is consistent with the public interest in the navigable waters
 20 involved.

21 **SECTION 500.** 24.39 (4) (f) of the statutes is amended to read:

22 24.39 (4) (f) A municipality may sublease rights leased to it under par. (a) 1.
 23 or 2. to corporations or private persons. A municipality may also make physical
 24 improvements on and above the bottoms to which rights were leased from the board
 25 of commissioners of public lands and may sublease these improvements to

SECTION 500

1 corporations or private persons. Any subleases under this paragraph shall be
2 consistent with this subsection and with whatever standards or restrictions the
3 department of ~~natural resources~~ environmental quality, acting under s. 30.11 (5),
4 may have found at the time of execution of the original lease by the board of
5 commissioners of public lands to the municipality.

6 **SECTION 501.** 24.58 of the statutes is amended to read:

7 **24.58 Appraisers.** The board may select employees of the department of environmental quality
8 or the department of agriculture, trade and consumer protection
9 to appraise lands or perform other services in field and forest. The board shall
10 reimburse the respective department under a contract ~~with the department~~ for the
11 performance of public land management services.

12 ~~**SECTION 502.** 25.17 (1) (fs) of the statutes is created to read:~~

13 ~~25.17 (1) (fs) Forestry fund (s. 25.28)~~

14 ~~**SECTION 503.** 25.17 (1) (fv) of the statutes is created to read:~~

15 ~~25.17 (1) (fv) Forestry land endowment fund (s. 25.294).~~

16 **SECTION 504.** 25.28 of the statutes is created to read:

17 **25.28 Forestry fund. (1)** There is established a separate nonlapsible trust
18 fund designated as the forestry fund to consist of all of the following:

19 (a) All moneys accruing to the state for or in behalf of the department of
20 agriculture, trade and consumer protection under s. 29.235 (6) and chs. 23, 26, 27,
21 and 28.

22 (b) All moneys received under subchs. I and VI of ch. 77.

23 (c) All moneys received under s. 70.58.

24 (d) All other state funds appropriated or transferred to the forestry fund.

INS.
68-12A

1 (2) All moneys received from the United States for fire prevention and control,
2 forest planting, and other forestry activities shall be devoted to the purposes for
3 which these moneys are received.

4 **SECTION 505.** 25.29 (1) (a) of the statutes is amended to read:

5 25.29 (1) (a) Except as provided in ss. 25.293 and 25.295, all moneys accruing
6 to the state for or in behalf of the department under chs. ~~26, 27, 28,~~ 29, 169, and 350,
7 ~~subchs. I and VI of ch. 77~~ and ss. 23.09 to 23.31, 23.325 to 23.42, 23.50 to 23.99, 30.50
8 to 30.55, ~~70.58,~~ 71.10 (5), 71.30 (10), and 90.21, including grants received from the
9 federal government or any of its agencies except as otherwise provided by law.

10 **SECTION 506.** 25.29 (6) of the statutes is amended to read:

11 25.29 (6) All moneys received from the United States ~~for fire prevention and~~
12 ~~control, forest planting, and other forestry activities,~~ for wildlife restoration projects
13 and fish restoration and management projects, and for other purposes shall be
14 devoted to the purposes for which these moneys are received.

15 **SECTION 507.** 25.29 (7) (intro.) of the statutes is renumbered 25.28 (3) (a).

16 **SECTION 508.** 25.29 (7) (a) of the statutes is renumbered 25.28 (b) and
17 amended to read:

18 ~~25.28 (3) (a)~~ ^{25.29 (7) (a)} Eight percent of the tax levied under s. 70.58 or of the funds
19 provided for in lieu of the levy shall be used to acquire and develop forests of the state
20 for the purposes or capable of providing the benefits described under s. 28.04 (2)
21 within areas approved by the department of agriculture, trade and consumer
22 protection and the governor and located within the region composed of Manitowoc,
23 Calumet, Winnebago, Sheboygan, Fond du Lac, Ozaukee, Washington, Dodge,
24 Milwaukee, Waukesha, Jefferson, Racine, Kenosha, Walworth, Rock and Outagamie
25 counties.

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68-12B

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SECTION 509

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SECTION 509. 25.29 (7) (b) of the statutes is renumbered 25.28 (3) (b) and

amended to read:

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~~25.28 (3) (b)~~ ^{25.29 (7) (b)} An additional 4% of the tax levied under s. 70.58 or of the funds

provided in lieu of the levy shall be used to purchase forests for the state for the purposes or capable of providing the benefits described under s. 28.04 (2) within areas approved by the department of agriculture, trade and consumer protection and the governor and located within the region specified under par. (a) (am).

~~SECTION 510. 25.294 of the statutes is created to read:~~

~~25.294 Forestry land endowment fund. There is established a separate nonlapsible trust fund designated as the forestry land endowment fund, to consist of:~~

~~(1) All gifts, grants, or bequests made to the forestry land endowment fund.~~

~~The department of agriculture, trade and consumer protection may convert any noncash gift, grant, or bequest into cash for deposit into the fund.~~

~~(2) All interest and other income generated from these gifts, grants, and bequests.~~

SECTION 511. 25.295 (1) (b) of the statutes is amended to read:

25.295 (1) (b) Notwithstanding s. 23.15 (4), all moneys received by the department of natural resources state from utility easements on property located in the state park system, a southern state forest, ~~as defined in s. 27.016 (1) (c)~~, or a state recreation area ~~under ss. 23.09 (10), 27.01 (2) (g) and 28.02 (5)~~.

SECTION 512. 25.43 (2) (c) of the statutes is amended to read:

~~25.43 (2) (c) The department of administration may establish and change accounts in the environmental improvement fund other than those under pars. (a), (ae), (am) and (b). The department of administration shall consult the department~~

END
JNS:
68-12B

1 of ~~natural resources~~ environmental quality before establishing or changing an
2 account that is needed to administer the programs under ss. 281.58, 281.59 and
3 281.61.

4 **SECTION 513.** 25.43 (3) of the statutes is amended to read:

5 25.43 (3) Except for the purpose of investment as provided in s. 25.17 (2) (d),
6 the environmental improvement fund may be used only for the purposes authorized
7 under ss. 20.320 (1) (r), (s), ~~(sm)~~, (t), (x) and (y), (2) (s) and (x) and (3) (q), ~~20.370~~ 20.375
8 (4) (mt), (mx) and, (nz), ~~(8) (mr) and (9) (mt), (mx) and (ny)~~ (sr), (tt), (tx), and (ty),
9 20.505 (1) (v), (x) and (y), 281.58, 281.59, 281.60, 281.61 and 281.62.

10 **SECTION 514.** 25.46 (1e) of the statutes is amended to read:

11 25.46 (1e) The moneys transferred under s. ~~20.370~~ 20.375 (2) (mu) for
12 environmental management.

13 **SECTION 515.** 25.46 (1g) of the statutes is amended to read:

14 25.46 (1g) The moneys transferred under s. ~~20.370~~ 20.375 (4) (mw) for
15 environmental management.

16 **SECTION 516.** 26.01 (1) of the statutes is amended to read:

17 26.01 (1) Unless the context requires otherwise, "department" means the
18 department of ~~natural resources~~ agriculture, trade and consumer protection.

19 **SECTION 517.** 26.02 (1) (intro.) of the statutes is amended to read:

20 26.02 (1) DUTIES. (intro.) The council on forestry shall advise the governor, the
21 legislature, the department of ~~natural resources~~ agriculture, trade and consumer
22 protection, the department of commerce, and other state agencies, as determined to
23 be appropriate by the council, on all of the following topics as they affect forests
24 located in this state:

25 **SECTION 518.** 26.06 (1) of the statutes is amended to read:

INS.
69-6



INS.
69-6

1 26.06 (1) Foresters, forest supervisors, rangers, and state forest rangers and
2 wardens of the department and the cruisers and foresters of the board of
3 commissioners of public lands have the enforcement powers specified in s. 26.97 with
4 respect to, and may seize, without process, any forest products unlawfully severed
5 from public lands of the state, federal lands leased to the state, county forest lands
6 entered under s. 28.11, forest croplands entered under subch. I of ch. 77 or managed
7 forest land designated under subch. VI of ch. 77. Seized products cut from lands
8 under the control of the board of commissioners of public lands shall be held for the
9 commissioners and those cut from forest croplands, managed forest land or county
10 forest shall be held for the owner, and subject to the payment of severance taxes, yield
11 taxes or severance share thereon to the state. Products cut from state forest lands
12 or federal lands leased to the department shall be appraised and sold. Products
13 appraised at more than \$500 shall be sold on sealed bids not less than 10 days after
14 a class 1 notice has been published, under ch. 985, in the county where the material
15 is located. Any sheriff may seize and hold for the owner thereof any forest products
16 unlawfully severed or removed.

17 **SECTION 519.** 26.08 (1) of the statutes is amended to read:

18 26.08 (1) The department of agriculture, trade and consumer protection may,
19 ~~from time to time~~, lease parts or parcels of ~~state park lands or state forest lands~~ other
20 than lands in southern state forests. The department of natural resources may lease
21 parts or parcels of state park lands or lands in southern state forests. These leases
22 shall contain proper covenants to guard against trespass and waste. The rents
23 arising from these leases shall be paid into the state treasury to the credit of the
24 proper fund. Licenses also may be granted to prospect for ore or mineral upon any
25 of these lands; but proper security shall be taken that the licensees will fully inform

INS.
69-6

1 the department of every discovery of ore or mineral and will restore the surface to
2 its former condition and value if no discovery of valuable deposits is made. The
3 department that enters into a lease or grants a license shall retain a copy of each
4 lease or license and file the original in the office of the board of commissioners of
5 public lands.

6 **SECTION 520.** 26.08 (2) (a) of the statutes is amended to read:

7 26.08 (2) (a) Except as provided under pars. (b) to (d), ~~the department may lease~~
8 ~~state park land or state forest land~~ leases under sub. (1) shall be for terms not
9 exceeding 15 years.

10 **SECTION 521.** 26.08 (2) (b) of the statutes is amended to read:

11 26.08 (2) (b) The department of natural resources may lease Rib Mountain
12 state park lands and Willow River state park lands for terms not exceeding 30 years.

13 **SECTION 522.** 26.08 (2) (bn) of the statutes is amended to read:

14 26.08 (2) (bn) The department of natural resources may lease state park land
15 located within the boundaries of the Wisconsin Dells natural area for terms not
16 exceeding 30 years.

17 **SECTION 523.** 26.08 (2) (c) of the statutes is amended to read:

18 26.08 (2) (c) The department of natural resources may lease Kettle Moraine
19 state forest land for the YMCA Camp Matawa for a term not exceeding 30 years.

20 **SECTION 524.** 26.08 (2) (d) of the statutes is amended to read:

21 26.08 (2) (d) The department of agriculture, trade and consumer protection
22 may lease Northern Highland American Legion State Forest land on Statehouse
23 Lake in the town of Manitowish Waters for the North Lakeland Discovery Center for
24 a term not exceeding 30 years.

25 **SECTION 525.** 26.08 (3) of the statutes is amended to read:

1 26.08 (3) The department of natural resources and the department of
 2 agriculture, trade and consumer protection shall furnish to the board of
 3 commissioners of public lands such maps, plats, surveys, valuations, information
 4 and other services as the board may request respecting any of the public lands, for
 use by it in granting leases or licenses or in making sales under s. 24.39.

6 **SECTION 526.** 26.11 (6) of the statutes is amended to read:

7 26.11 (6) The department, as the director of the effort, may suppress a forest
 8 fire on lands located outside the boundaries of intensive or extensive forest fire
 9 protection districts but not within the limits of any city or village if the town
 10 responsible for suppressing fires within its boundaries spends more than \$3,000, as
 11 determined by rates established by the department, on suppressing the forest fire
 12 and if the town chairperson makes a request to the department for assistance.
 13 Persons participating in the suppression efforts shall act at the direction of the
 14 department after the department begins suppression efforts under this subsection.
 15 Funds expended by the state under this subsection shall be expended from the
 16 appropriation under s. ~~20.370 (1) (mv)~~ 20.115 (5) (q).

17 **SECTION 527.** 26.11 (7) (a) of the statutes is amended to read:

18 26.11 (7) (a) Notwithstanding s. ~~20.001 (3) (c)~~, if the sum of the unencumbered
 19 balances in the appropriation accounts under s. ~~20.370 (1) (es)~~ s. 20.115 (5) (r) and
 20 ~~(mz) (z)~~ exceeds \$1,000,000 on June 30 of any fiscal year, the amount in excess of
 21 \$1,000,000 shall lapse from the appropriation account under s. ~~20.370 (1) (es)~~ 20.115
 22 (5) (r) to the ~~forest~~ ^{conservation} fund, except as provided in par. (b).

23 **SECTION 528.** 26.11 (7) (b) of the statutes is amended to read:

24 26.11 (7) (b) Notwithstanding s. 20.001 (3) (c), if the amount in the
 25 appropriation account under s. ~~20.370 (1) (es)~~ 20.115 (5) (r) is insufficient for the

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END
INS. 69-65

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

INS.
70-2

3 **SECTION 529.** 26.12 (2) of the statutes is amended to read:

4 26.12 (2) ORGANIZATION. The department shall organize each forest protection
5 area so as to most effectively prevent, detect and suppress forest fires, and to that
6 end may employ experienced wardens or state forest rangers to have charge of its
7 efforts in each area; may subdivide each area into patrol areas; may establish lookout
8 towers, construct ranger stations, telephone lines, purchase tools for fire fighting as
9 well as other necessary supplies or equipment, and carry on all other activities
10 considered necessary to effectively protect the area from forest fires, including the
11 promulgation of rules for the payment of fire fighters, the preparation of notices and
12 forms for publication and the disposition and use of all fire-fighting equipment or
13 property. All property or equipment purchased by the state shall be owned by the
14 state, but counties or towns may purchase and own equipment for fire suppression,
15 and the equipment shall be used for the improvement of the forest fire-fighting
16 organization.

17 **SECTION 530.** 26.14 (2) of the statutes is amended to read:

18 26.14 (2) All such state forest rangers, town chairpersons, emergency fire
19 wardens, conservation wardens and other duly appointed deputies may in the
20 performance of their official duty go on the lands of any person to fight forest fires,
21 and in so doing may set back fires, dig trenches, cut fire lines or carry on all other
22 customary activities in the fighting of forest fires, without incurring a liability to
23 anyone.

24 **SECTION 531.** 26.14 (4) of the statutes is amended to read:



INS. 1 26.14 (4) Emergency fire wardens or those assisting them in the fighting of
70-2 2 forest fires shall prepare itemized accounts of their services and the services of those
cont, 3 employed by them, as well as other expenses incurred, on blanks to be furnished by
4 the department and in a manner prescribed by the department, and make oaths or
5 affirmation that said account is just and correct, which account shall be forwarded
6 and approved for payment by the department. As soon as any such account has been
7 paid by the secretary of administration the department of ~~natural resources~~
8 agriculture, trade and consumer protection shall send to the proper county treasurer
9 a bill for the county's share of such expenses. The county shall have 60 days within
10 which to pay such bill, but if not paid within that time the county shall be liable for
11 interest at the rate of 6% per year. If payment is not made within 60 days the
12 department of administration shall include such amount as a part of the next levy
13 against the county for state taxes, but no county shall be required to pay more than
14 \$5,000 in any one year. Any unpaid levy under this section shall remain a charge
15 against the county and the department of administration shall include such unpaid
16 sums in the state tax levy of the respective counties in subsequent years.

17 **SECTION 532.** 26.20 (6) (b) of the statutes is amended to read:

18 26.20 (6) (b) Any state forest ranger, conservation warden, sheriff or other duly
19 appointed authority may, in the performance of official duties, require any train
20 causing fires or suspected of causing fires to stop within a safe distance from the fires
21 to avoid further setting or spread of fire.

22 **SECTION 533.** 26.22 of the statutes is amended to read:

23 **26.22 Sales, etc.** The department of agriculture, trade and consumer
24 protection and the department of natural resources may sell any timber on land
25 under the respective department's jurisdiction ~~which that~~ has been damaged by fire,

INS.
70-2
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1 snow, hail, ice, insects, disease, or wind, on such terms and in such manner as the
2 department determines is in the best interest of the state.

3 **SECTION 534.** 26.30 (2) of the statutes is amended to read:

4 26.30 (2) POWERS. The department is vested with authority and jurisdiction in
5 all matters relating to the prevention, detection and control of forest pests on the
6 forest lands of the state, and to do all things necessary in the exercise of such
7 authority and jurisdiction, ~~except that this shall not be construed to grant any~~
8 ~~powers or authority to the department for the silvicultural control of forest pests on~~
9 ~~any land. This section shall apply only to the detection and control of forest pests on~~
10 ~~forest lands and does not affect the authority of the department of agriculture, trade~~
11 ~~and consumer protection under chs. 93 and 94. The action of the department under~~
12 ~~sub. (4) shall be coordinated with the department of agriculture, trade and consumer~~
13 ~~protection in accordance with s. 20.901. The secretaries of natural resources and~~
14 ~~agriculture, trade and consumer protection shall execute annually a memorandum~~
15 ~~of agreement to enable the coordination of pest control work of their departments.~~

16 **SECTION 535.** 26.30 (4) of the statutes is amended to read:

17 26.30 (4) SURVEYS, INVESTIGATIONS AND CONTROL. The department shall make
18 surveys and investigations to determine the presence, condition and extent of
19 infestations and it shall also carry on control measures when necessary. For such
20 purposes the department or its ~~wardens~~ state forest rangers may enter public and
21 private lands at reasonable times without incurring a liability to anyone.

22 **SECTION 536.** 26.30 (5) of the statutes is amended to read:

23 26.30 (5) COOPERATIVE AGREEMENTS. To carry out the purposes of this section
24 the department may enter into arrangements or agreements with the University of
25 Wisconsin System, the department of ~~agriculture, trade and consumer protection~~

INS.
70-2
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1 natural resources, other departments of this and other states, the U.S. department
2 of agriculture and other federal agencies and with counties, towns, corporations and
3 individuals.

4 **SECTION 537.** 26.36 of the statutes is amended to read:

5 **26.36 Forest energy resources.** Biennially, in consultation with the
6 department of ~~agriculture, trade and consumer protection~~ natural resources and any
7 other appropriate agency, the department shall prepare a report regarding the
8 extent of forest lands in this state and the potential of such lands to provide fuel for
9 use in electric generating facilities, industrial facilities and home heating systems.
10 The report shall evaluate progress made in meeting the afforestation goal under s.
11 1.12 (3) (c). The department shall submit the report before April 1 of each
12 even-numbered year to the legislature under s. 13.172 (3).

13 **SECTION 538.** 26.37 (1) (intro.) of the statutes is amended to read:

14 26.37 (1) (intro.) The department of ~~natural resources~~ agriculture, trade and
15 consumer protection and the department of commerce shall ~~jointly develop a~~ comply
16 with any plan to establish ~~developed by the department of natural resources and the~~
17 department of commerce to establish a lake states wood utilization consortium to
18 provide research, development and demonstration grants to enhance the forest
19 products industry in Wisconsin and other states. ~~The if the plan shall do~~ does all of
20 the following:

21 **SECTION 539.** 26.37 (1) (a) of the statutes is amended to read:

22 26.37 (1) (a) ~~Define~~ Defines the powers, duties and responsibilities of the
23 consortium.

24 **SECTION 540.** 26.37 (1) (b) of the statutes is amended to read:



1 26.37 (1) (b) ~~Establish~~ Establishes an implementation committee for the
2 consortium. Members of the committee may include one or more representatives
3 from the department of natural resources, the department of agriculture, trade and
4 consumer protection, the department of commerce and the forest products industry.

5 **SECTION 541.** 26.37 (1) (c) of the statutes is amended to read:

6 26.37 (1) (c) ~~Specify~~ Specifies eligibility requirements for the grants and
7 criteria for awarding the grants, including how the grants are to be distributed to
8 each state participating in the consortium.

9 **SECTION 542.** 26.37 (1) (d) of the statutes is amended to read:

10 26.37 (1) (d) ~~Require~~ Requires that the grants require matching funds or
11 in-kind contributions by industrial recipients of the grants.

12 **SECTION 543.** 26.37 (1) (e) of the statutes is amended to read:

13 26.37 (1) (e) ~~Require~~ Requires the implementation committee to identify an
14 organization that can administer and award the grants and oversee the grant
15 program.

16 **SECTION 544.** 26.37 (1) (f) of the statutes is amended to read:

17 26.37 (1) (f) ~~Require~~ Requires the consortium to actively pursue funding from
18 the states of Michigan and Minnesota of \$200,000 annually from each state for 3
19 years.

20 **SECTION 545.** 26.37 (1) (g) of the statutes is amended to read:

21 26.37 (1) (g) ~~Require~~ Requires the consortium to actively pursue federal and
22 other funding sources.

23 ~~**SECTION 546.** 26.39 (2) of the statutes is amended to read:~~

24 ~~26.39 (2) FORESTRY EDUCATION CURRICULUM: SCHOOLS. Using the moneys~~
25 ~~appropriated under s. 20.370 (1) (ca), 20.115 (5) (rp), the department, in cooperation~~



END
INS
10-2

1 with the Center for Environmental Education in the College of Natural Resources
2 at the University of Wisconsin-Stevens Point, shall develop a forestry education
3 curriculum for grades kindergarten to 12.

4 **SECTION 547.** 26.39 (3) of the statutes is amended to read:

5 26.39 (3) FORESTRY EDUCATION FOR THE PUBLIC. Using the moneys appropriated
6 under s. ~~20.370 (1) (e)~~ 20.115 (5) (rs), the department shall develop a program to
7 educate the public on the value of sustainable forestry. The program shall include
8 support for educational efforts conducted by school districts at school forests or
9 conducted by other entities that provide education on the topic of sustainable
10 forestry.

11 **SECTION 548.** 26.39 (7) (a) of the statutes is amended to read:

12 26.39 (7) (a). From the appropriation under s. ~~20.370 (5) (ax)~~ 20.115 (5) (sq), the
13 department shall establish a scholarship grant program to assist individuals who
14 are seeking certification by the Wisconsin Professional Loggers Association as
15 master loggers. A scholarship grant under the program may not exceed 50 percent
16 of the total cost of receiving the certification. The department shall promulgate rules
17 that establish criteria for the program.

18 **SECTION 549.** 27.01 (7) (a) 3. of the statutes is amended to read:

19 27.01 (7) (a) 3. In this subsection "vehicle admission area" means the Bong area
20 lands acquired under s. 23.09 (13), the Wisconsin Dells natural area, the Point Beach
21 state forest, recreational areas in other state forests designated as such by the
22 department of natural resources or the department of agriculture, trade and
23 consumer protection, designated use zones within recreation areas established
24 under s. 23.091 (3), and any state park or roadside park except those specified in par.
25 (c) 5.

2009 Act 88

INS 70-14B



INS.
70-14B
cont.

SECTION 550. 27.01 (7) (gu) of the statutes is amended to read:

27.01 (7) (gu) *Transaction payments.* The department shall establish a system under which ~~the department pays~~ each agent appointed under sub. (7m) (a) 1. a ~~payment of~~ is paid 50 cents for each time that the agent processes a transaction through the statewide automated system contracted for under sub. (7m) (d). This payment is in addition to any issuing fee retained by the agent. ~~The department shall make these~~ These payments shall be made by allowing the agent to retain an amount equal to the payments from the amounts that are collected by the agent and that would otherwise be remitted to the department.

SECTION 551. 27.01 (7) (h) of the statutes is renumbered 27.01 (7) (h) 1.

SECTION 552. 27.01 (7) (h) 2. of the statutes is created to read:

27.01 (7) (h) 2. The department of natural resources and the department of agriculture, trade and consumer protection shall enter into an agreement to determine how the moneys credited to the conservation fund under subd. 1. will be allocated for use between the departments, how the payments made under par. (gu) will be allocated for payment between the departments, and how the fees collected for conservation patron licenses will be allocated between the departments. The secretary of administration shall resolve any disputes between the departments concerning the agreement entered into under this subdivision.

SECTION 553. 27.01 (7m) (a) of the statutes ~~is~~ ^{as affected by 2009 Wisconsin Act 70,} renumbered 27.01 (7m) (a) 1.

SECTION 554. 27.01 (7m) (a) 2. of the statutes is created to read:

27.01 (7m) (a) 2. The department of agriculture, trade and consumer protection, as an agent of the department, shall issue vehicle admission receipts and collect the vehicle admission fees under sub. (7). The vehicle admission fees collected

2004
70

INS.
70-14B2
cont

1 by the department of agriculture, trade and consumer protection shall be deposited
2 in the conservation fund.

3 **SECTION 555.** 27.01 (7m) (b) of the statutes is renumbered 27.01 (7m) (b) 1. and
4 amended to read:

5 27.01 (7m) (b) 1. An agent appointed under par. (a) 1 shall collect the
6 applicable issuing fee specified in sub. (7) (gr). The agent may retain the issuing fees
7 to compensate the agent for the agent's services in issuing the receipts.

8 **SECTION 556.** 27.01 (7m) (b) 2. of the statutes is created to read:

9 27.01 (7m) (b) 2. The department of agriculture, trade and consumer protection
10 shall collect the applicable issuing fee specified in sub. (7) (gr) for the vehicle
11 admission receipts that it issues and shall deposit the issuing fees into the ~~forestry~~
12 conservation fund.

13 **SECTION 557.** 27.01 (10) (b) of the statutes is amended to read:

14 27.01 (10) (b) *Establishment, operation and categories of campgrounds.* The
15 department of natural resources and the department of agriculture, trade and
16 consumer protection may each establish and operate state campgrounds ~~in state~~
17 ~~parks, state forests and other~~ on lands under ~~its~~ their respective supervision and
18 management. ~~The~~ Each department may classify, by rule, its state campgrounds into
19 separate categories.

20 **SECTION 558.** 27.01 (10) (d) 1. of the statutes is amended to read:

21 27.01 (10) (d) 1. The camping fee for each night at a campsite in a campground
22 which is classified as a Type "A" campground ~~by the department~~ under par. (b) is \$10
23 for a resident camping party.

24 **SECTION 559.** 27.01 (10) (d) 2. of the statutes is amended to read:

INS
70-14B
cont

1 27.01 (10) (d) 2. The camping fee for each night at a campsite in a campground
2 which is classified as a Type "A" campground ~~by the department~~ under par. (b) is \$12
3 for a nonresident camping party.

4 **SECTION 560.** 27.01 (10) (d) 3. of the statutes is amended to read:

5 27.01 (10) (d) 3. The camping fee for each night at a campsite in a state
6 campground which is classified as a Type "B" campground ~~by the department~~ under
7 par. (b) is \$9 for a resident camping party.

8 **SECTION 561.** 27.01 (10) (d) 4. of the statutes is amended to read:

9 27.01 (10) (d) 4. The camping fee for each night at a campsite in a state
10 campground which is classified as a Type "B" campground ~~by the department~~ under
11 par. (b) is \$11 for a nonresident camping party.

12 **SECTION 562.** 27.01 (10) (d) 5. of the statutes is amended to read:

13 27.01 (10) (d) 5. The camping fee for each night at a campsite in a campground
14 which is classified as a Type "C" campground ~~by the department~~ under par. (b) is \$8
15 for a resident camping party.

16 **SECTION 563.** 27.01 (10) (d) 6. of the statutes is amended to read:

17 27.01 (10) (d) 6. The camping fee for each night at a campsite in a campground
18 which is classified as a Type "C" campground ~~by the department~~ under par. (b) is \$10
19 for a nonresident camping party.

20 **SECTION 564.** 27.01 (10) (e) of the statutes is amended to read:

21 27.01 (10) (e) *Determination of residency.* The department of natural resources
22 and the department of agriculture, trade and consumer protection shall base its
23 ~~determination~~ their determinations of whether a camping party is a resident or
24 nonresident camping party upon the residency of the person who applies for a
25 reservation under sub. (11) at the time the application for reservation is made or, if



INS. 1 no reservation is made, the residency of the person who registers for the campsite at
70-14B2 2 the time of registration.

cont. 3 SECTION 565. 27.01 (10) (f) of the statutes is amended to read:

4 27.01 (10) (f) *Waiver of fees; special fees.* The department of natural resources
5 or the department of agriculture, trade and consumer protection may waive camping
6 fees, charge additional camping fees or charge special fees instead of camping fees
7 for certain classes of persons or groups, certain areas, certain types of camping or
8 times of the year and for admission to special events.

9 SECTION 566. 27.01 (10) (g) (intro.) of the statutes is amended to read:

10 27.01 (10) (g) *Additional camping fees.* (intro.) Besides the additional camping
11 fees authorized under par. (f), the department ^{of} natural resources or the department
12 of agriculture, trade and consumer protection may charge:

13 SECTION 567. 27.01 (10) (h) of the statutes is amended to read:

14 27.01 (10) (h) *Increased camping fees.* In addition to its authority under par.
15 (f), the department of natural resources and the department of agriculture, trade and
16 consumer protection shall determine which state campgrounds under their
17 respective supervision and management are located in areas where local market
18 conditions justify ~~the establishment of charging~~ higher camping fees ~~to be charged~~
19 ~~by the department. For these state campgrounds, the department. The departments~~
20 shall promulgate rules for state campgrounds under their respective supervision and
21 management to establish higher camping fees to be based on the applicable local
22 market conditions.

23 SECTION 568. 27.01 (11) (a) of the statutes is amended to read:

24 27.01 (11) (a) *Authorization.* The department of natural resources and the
25 department of agriculture, trade and consumer protection may ~~establish and jointly~~

1 operate a campground reservation system for state campgrounds in state parks,
2 state forests and other lands under ~~the either~~ department's supervision and ~~control~~.
3 ~~The department management and~~ may participate with owners of private
4 campgrounds in a cooperative reservation system.

5 SECTION 569. 27.01 (11) (b) (intro.) of the statutes is amended to read:

6 27.01 (11) (b) *Rules.* (intro.) The department of natural resources and the
7 department of agriculture, trade and consumer protection shall promulgate rules for
8 the operation of the campground reservation system. The rules shall include all of
9 the following:

10 SECTION 570. 27.01 (11) (cm) of the statutes is amended to read:

11 27.01 (11) (cm) *Contracts.* The department of natural resources and the
12 department of agriculture, trade and consumer protection may jointly enter into a
13 contract with another party to operate the campground reservation system that the
14 ~~department establishes~~ departments establish under par. (a).

15 SECTION 571. 27.01 (11) (cr) (intro.) of the statutes is amended to read:

16 27.01 (11) (cr) *Contracts; distribution of fees.* (intro.) A contract entered into
17 under this paragraph shall require that the department entering into the contract
18 retain \$1 of each reservation fee collected. Under the contract the other party shall
19 be required to do either of the following:

20 ~~SECTION 572. 27.01 (11) (cr) 1. of the statutes is amended to read:~~

21 ~~27.01 (11) (cr) 1. Remit the entire amount of each reservation fee it collects to~~
22 ~~the department with which it entered into the contract. ~~The~~ That department shall~~
23 ~~credit to the appropriation under s. 20.370 (4) (2) (er) for payment to the party all but~~
24 ~~\$1 of each fee remitted.~~

25 SECTION 573. 27.01 (11) (cr) 2. of the statutes is amended to read:

END
INS.
70-14B

INS
70-18
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1 27.01 **(11)** (cr) 2. Remit \$1 of each reservation fee it collects to the department
2 with which it entered into the contract.

3 **SECTION 574.** 27.01 (11) (i) of the statutes is amended to read:

4 27.01 **(11)** (i) *Cooperation with tourism.* The department of natural resources
5 and the department of tourism shall work jointly ~~to establish an~~ on any automated
6 campground reservation system established or operated by the department of
7 natural resources. The department of agriculture, trade and consumer protection
8 and the department of tourism shall work jointly on any automated campground
9 reservation system established or operated by the department of agriculture, trade
10 and consumer protection.

11 **SECTION 575.** 27.01 (12) of the statutes is amended to read:

12 27.01 **(12)** LEGAL COUNSEL. A representative of the department of justice
13 designated by the attorney general shall act as legal counsel for ~~said~~ the department
14 of natural resources, both in proceedings and litigation, and in giving advice and
15 counsel. The respective district attorneys of the county or counties where ~~said~~ the
16 relevant park is or shall be located shall prosecute all violations of this section
17 occurring within their respective counties ~~as provided in s. 26.18.~~

18 **SECTION 576.** 27.016 (1) (c) of the statutes is repealed.

19 **SECTION 577.** 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)~~ (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.

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70-18

1 ~~SECTION 578.~~ 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) (es) 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.~~

7 **SECTION 579.** 28.005 of the statutes is amended to read:

8 **28.005 Definition.** "Department" when used in this chapter without other
9 words of description or qualification means the department of ~~natural resources~~
10 agriculture, trade and consumer protection.

11 **SECTION 580.** 28.01 of the statutes is amended to read:

12 **28.01 Forestry supervision.** The department shall execute all matters
13 pertaining to forestry within the jurisdiction of the state, direct the management of
14 state forests, other than southern state forests, collect data relative to forest use and
15 conditions, and advance the cause of forestry within the state.

16 **SECTION 581.** 28.012 of the statutes is created to read:

17 **28.012 Powers of department. (1)** For the state forests, other than southern
18 state forests, the department may accept and administer, in the name of the state,
19 any gifts, grants, bequests, and devises, including land, interests in land, and funds
20 made available to the department by the federal government under any act of
21 congress relating to any of the functions of the department.

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

INS.
71-b

V

INS.
71-6



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

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

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

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

18 **SECTION 582.** 28.02 (title) of the statutes is amended to read:

19 **28.02** (title) **State forests forest lands.**

20 **SECTION 583.** 28.02 (1) of the statutes is amended to read:

21 28.02 (1) **DEFINED.** "State ~~forests~~ forest lands" include all lands granted to the
22 state by an act of congress entitled, "An act granting lands to the state of Wisconsin
23 for forestry purposes," approved June 27, 1906; all lands donated to the state by the
24 Nebagamon Lumber Company for forestry purposes; all lands acquired pursuant to
25 chapter 450, laws of 1903, chapter 264, laws of 1905, chapter 638, laws of 1911, and

INS.
71-b

1 chapter 639, laws of 1911, or under ss. 1494-41 to 1494-62, 1915 stats., and all lands
2 subsequently acquired for forestry purposes. Unless an island is designated as state
3 forest land by the department, "state forest lands" do not include lands granted to
4 the state by an act of congress entitled, "An act granting unsurveyed and unattached
5 islands to the state of Wisconsin for forestry purposes," approved August 22, 1912.
6 The department may designate as state forest lands any lands within state forest
7 boundaries which were purchased with other conservation funds and where forestry
8 would not conflict with a more intensive use.

9 SECTION 584. 28.02 (2) of the statutes is amended to read:

10 28.02 (2) ACQUISITION. The department of agriculture, trade and consumer
11 protection may acquire lands or interest in lands by grant, devise, gift,
12 condemnation, or purchase within the boundaries of established state forests or
13 purchase areas, other than southern state forests; and outside of such boundaries for
14 forest nurseries, tracts for forestry research or demonstration and for forest
15 protection structures, or for access to such properties. The department of natural
16 resources may acquire lands or interest in lands by grant, devise, gift, condemnation,
17 or purchase within the boundaries of southern state forests. In the case of
18 condemnation the department shall first obtain approval from the appropriate
19 standing committees of each house of the legislature as determined by the presiding
20 officer thereof.

21 SECTION 585. 28.025 (3) (a) 2. of the statutes is amended to read:

22 28.025 (3) (a) 2. Notwithstanding subd. 1., the department shall submit its
23 report to the council on forestry as required under subd. 1. by January 1, 2009, and
24 biennially thereafter, if the forested property that is the subject of the report has not
25 been inventoried by the department under s. ~~23.135~~ 26.025.

INS.
71-b



1 **SECTION 586.** 28.03 (1) of the statutes is amended to read:

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

4 **SECTION 587.** 28.03 (3) of the statutes is amended to read:

5 28.03 (3) DEPARTMENT MAY NAME. The department of agriculture, trade and
6 consumer protection or the department of natural resources may designate by
7 appropriate name any state forest not expressly named by the legislature.

8 **SECTION 588.** 28.03 (4) of the statutes is created to read:

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

11 **SECTION 589.** 28.035 (2) of the statutes is amended to read:

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

18 **SECTION 590.** 28.035 (3) (b) of the statutes is amended to read:

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

25 **SECTION 591.** 28.04 (2) (a) of the statutes is amended to read:

INS.
71-6

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

16 **SECTION 592.** 28.04 (2) (b) of the statutes is amended to read:

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

21 **SECTION 593.** 28.04 (2) (c) of the statutes is amended to read:

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

25 **SECTION 594.** 28.04 (3) (a) of the statutes is amended to read:

INS.
71-6

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

9 **SECTION 595.** 28.04 (3) (b) of the statutes is amended to read:

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

22 **SECTION 596.** 28.042 (1) of the statutes is amended to read:

23 28.042 (1) The department of agriculture, trade and consumer protection shall
 24 undertake and maintain an inventory of forested areas on land owned by the state,
 25 including other than forested areas on land in southern state forests. The

INS,
71-b

1 department of natural resources shall undertake and maintain an inventory of
 2 forested areas in southern state forests. The inventories shall include the areas of
 3 timber in these forested areas that have been or are to be harvested for purposes of
 4 state forestry management.

5 **SECTION 597.** 28.042 (2) of the statutes is amended to read:

6 28.042 (2) The department of agriculture, trade and consumer protection, in
 7 performing its duties under this chapter, shall give priority to the completion of the
 8 inventory described in sub. (1) and the completion of the harvesting of timber that
 9 has been identified for harvesting in this inventory.

10 **SECTION 598.** 28.045 (1) of the statutes is amended to read:

11 28.045 (1) Every person hired as a field forester by the department of
 12 agriculture, trade and consumer protection or the department of natural resources
 13 on or after November 20, 2003, shall have received a bachelor's or higher degree in
 14 forestry from a school of forestry with a curriculum accredited by the Society of
 15 American Foresters or an equivalent degree, as determined by the chief state
 16 forester.

17 **SECTION 599.** 28.045 (2) of the statutes is amended to read:

18 28.045 (2) Notwithstanding s. 230.14 (3m), the department of agriculture,
 19 trade and consumer protection or the department of natural resources may require
 20 as a condition of application that an applicant for the position of field forester has met
 21 the educational requirements specified under sub. (1).

22 **SECTION 600.** 28.047 of the statutes is created to read:

23 **28.047 Designation of trails and areas.** (1) In this section, "special use
 24 area" includes a trail, campground, or picnic area. ✓

INS
7-1-0



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

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

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

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

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

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

14 **SECTION 601.** 28.05 (1) of the statutes is amended to read:

15 28.05 (1) LIMITATIONS. Cutting shall be limited to trees marked or designated
16 for cutting by a forester employed by the department of agriculture, trade or
17 consumer protection or the department of natural resources or by an individual
18 determined by the department of agriculture, trade or consumer protection or the
19 department of natural resources to be qualified to do such marking or designating
20 and who is under the oversight of a forester employed by ~~the~~ that department. The
21 department of agriculture, trade and consumer protection, with respect to state
22 forests other than southern state forests, and the department of natural resources
23 with respect to southern state forests, may sell products removed in cultural or
24 salvage cuttings and standing timber designated in timber sale contracts, but all
25 sales shall be based on tree scale or on the scale, measure or count of the cut products.

and

and

INS. 1 ~~The~~ That department may require that a person purchasing products or standing
71-b 2 timber under a timber sale contract provide surety for the proper performance of the
3 contract either directly or through a bond furnished by a surety company authorized
4 to do business in this state.

5 SECTION 602. 28.05 (3) (a) of the statutes is amended to read:

6 28.05 (3) (a) The department of agriculture, trade and consumer protection and
7 the department of natural resources shall, by rule, each establish a program that
8 allows private cooperating foresters to assist the state in the harvesting and sale of
9 timber from state forest lands under the respective department's jurisdiction to meet
10 the annual allowable timber harvest established under s. 28.025. The rule shall
11 include provisions authorizing ~~the~~ each department to contract with cooperating
12 foresters for the purpose of harvesting and selling timber from state forest lands and
13 authorizing cooperating foresters to receive a portion of the proceeds from each
14 timber sale. ~~The department shall~~ rules shall ~~establish in the rule~~ a method for
15 determining what portion of the proceeds received from each timber sale shall be
16 paid to the private cooperating foresters for their services in assisting the ~~division~~
17 respective department in the harvesting and sale of timber from state forest lands.
18 The ~~division~~ departments shall ask the council on forestry to recommend a method
19 for determining what portion of the proceeds received from each timber sale shall be
20 paid to private cooperating foresters under the rule.

21 SECTION 603. 28.05 (3) (b) of the statutes is amended to read:

22 28.05 (3) (b) Each private cooperating forester with whom the department of
23 agriculture, trade and consumer protection or the department of natural resources
24 contracts under par. (a) to harvest and sell timber from state forest lands shall be

END
INS.
71-6

1 entitled to receive a portion of the proceeds from the sale of such timber in the amount
2 determined by the respective department under par. (a).

3 **SECTION 604.** 28.06 (2m) (a) of the statutes is amended to read:

4 ~~28.06 (2m) (a) A person who purchases a seedling under sub. (2) shall pay, in
5 addition to the price of the seedling charged under sub. (2), a surcharge for each
6 seedling purchased. Beginning on September 1, 2001, and ending on June 30, 2002,
7 the surcharge shall be 2 cents for each seedling. Beginning on July 1, 2002, the
8 surcharge shall be 3 cents for each seedling. All surcharges collected under this
9 paragraph shall be deposited in the conservation forestry fund.~~

10 **SECTION 605.** 28.06 (2m) (b) of the statutes is amended to read:

11 ~~28.06 (2m) (b) For fiscal year 2002-03 and each fiscal year thereafter, the
12 department shall credit 50% of the moneys received as surcharges under par. (a)
13 during the applicable fiscal year to the appropriation account under s. ~~20.370 (1) (cu)~~
14 20.115 (5) (rp) and the remaining 50% to the appropriation account under s. ~~20.370~~
15 ~~(1) (cv)~~ 20.115 (5) (rs).~~

16 **SECTION 606.** 28.08 of the statutes is amended to read:

17 ~~**28.08 Income.** All income from state forest lands shall be paid into the state
18 treasury to the credit of the conservation forestry fund.~~

19 **SECTION 607.** 28.11 (5m) (a) (intro.) of the statutes is amended to read:

20 ~~28.11 (5m) (a) (intro.) The department may make grants, from the
21 appropriation under s. ~~20.370 (5) (bw)~~ 20.115 (5) (w), to counties having lands
22 entered under sub. (4) to fund all of the following for one professional forester in the
23 position of county forest administrator or assistant county forest administrator:~~

24 **SECTION 608.** 28.11 (5r) (b) of the statutes is amended to read:

INS.
71-18



INS
71-18
cont.

1 28.11 (5r) (b) The department may make grants, from the appropriation under
2 s. ~~20.370 (5) (bw)~~ 20.115 (5) (w), to counties having lands entered under sub. (4) to
3 fund the cost of activities designed to improve sustainable forestry on the lands.

4 SECTION 609. 28.11 (8) (a) of the statutes is amended to read:

5 28.11 (8) (a) *Acreage payments.* As soon after April 20 of each year as feasible,
6 the department shall pay to each town treasurer 30 cents per acre, based on the
7 acreage of such lands as of the preceding June 30, as a grant out of the appropriation
8 made by s. ~~20.370 (5) (bv)~~ 20.115 (5) (vm) on each acre of county lands entered under
9 this section.

10 SECTION 610. 28.11 (8) (b) 1. of the statutes is amended to read:

11 28.11 (8) (b) 1. A county having established and maintaining a county forest
12 under this section is eligible to receive from the state from the appropriations under
13 s. ~~20.370 (5) (bq) and (bs)~~ 20.115 (5) (t) and (u) an annual payment as a noninterest
14 bearing loan to be used for the purchase, development, preservation and
15 maintenance of the county forest lands and the payment shall be credited to a county
16 account to be known as the county forestry aid fund. A county board may, by a
17 resolution adopted during the year and transmitted to the department by December
18 31, request to receive a payment of not more than 50 cents for each acre of land
19 entered and designated as "county forest land". The department shall review the
20 request and approve the request if the request is found to be consistent with the
21 comprehensive county forest land use plan. If any lands purchased from the fund
22 are sold, the county shall restore the purchase price to the county forestry aid fund.
23 The department shall pay to the county the amount due to it on or before March 31
24 of each year, based on the acreage of the lands as of the preceding June 30. If the
25 amounts in the appropriations under s. ~~20.370 (5) (bq) and (bs)~~ 20.115 (5) (t) and (u)

INS.
71-18
Cont.



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

3 **SECTION 611.** 28.11 (8) (b) 2. of the statutes is amended to read:

4 28.11 **(8)** (b) 2. The department may allot additional interest free forestry aid
5 loans on a project basis to individual counties to permit the counties to undertake
6 meritorious and economically productive forestry operations, including land
7 acquisitions. These additional aids may not be used for the construction of
8 recreational facilities or for fish and game management projects. Application shall
9 be made in the manner and on forms prescribed by the department and specify the
10 purpose for which the additional aids will be used. The department shall make an
11 investigation as it deems necessary to satisfy itself that the project is feasible,
12 desirable and consistent with the comprehensive plan. If the department so finds,
13 it may make allotments in such amounts as it determines to be reasonable and
14 proper and charge the allotments to the forestry fund account of the county. These
15 allotments shall be credited by the county to the county forestry aid fund. After
16 determining the loans as required under subd. 1., the department shall make the
17 remainder of the amounts appropriated under s. ~~20.370 (5) (bq) and (bs)~~ 20.115 (5)
18 (t) and (u) for that fiscal year available for loans under this subdivision. The
19 department shall also make loans under this subdivision from the appropriations
20 under s. ~~20.370 (5) (bt) and (bu)~~ 20.115 (5) (um) and (v).

21 **SECTION 612.** 28.11 (9) (am) of the statutes is amended to read:

22 28.11 **(9)** (am) The acreage loan severance share payments shall be deposited
23 in the ^{state} ~~conservation~~ ~~forestry~~ fund and credited to the appropriation under s. 20.370
24 ~~(5) (bq)~~ 20.115 (5) (t), and the project loan severance share payments shall be

*stef ✓
no strike*

1 deposited in the ~~conservation forestry~~ fund and credited to the appropriation under
2 s. ~~20.370 (5) (bu)~~ 20.115 (5) (v).

3 SECTION 613. 28.11 (9) (ar) 1. of the statutes is amended to read:

4 28.11 (9) (ar) 1. Notwithstanding s. 20.001 (3) (c), if the sum of the
5 unencumbered balances in the appropriations under s. ~~20.370 (5) (bq), (bt) and (bu)~~
6 20.115 (5) (t), (um), and (v) exceeds \$400,000 on June 30 of any fiscal year, the amount
7 in excess of \$400,000 shall lapse from the appropriation under s. ~~20.370 (5) (bq)~~
8 20.115 (5) (t) to the ~~conservation forestry~~ fund, except as provided in subd. 2.

*stef ✓
no strike*

9 SECTION 614. 28.11 (9) (ar) 2. of the statutes is amended to read:

10 28.11 (9) (ar) 2. Notwithstanding s. 20.001 (3) (c), if the amount in the
11 appropriation under s. ~~20.370 (5) (bq)~~ 20.115 (5) (t) is insufficient for the amount that
12 must lapse under subd. 1., the remainder that is necessary for the lapse shall lapse
13 from the appropriation under s. ~~20.370 (5) (bu)~~ 20.115 (5) (v).

14 SECTION 615. 28.11 (12) of the statutes is amended to read:

15 28.11 (12) ENFORCEMENT. If at any time it appears to the department that the
16 lands are not being managed in accordance with this section it shall so advise the
17 county forestry committee and the county clerk. If the condition persists the
18 department may ~~proceed against the persons responsible for such noncompliance~~
19 ~~under s. 30.03 (4) order a hearing under ch. 227 concerning the noncompliance, and~~
20 ~~may request the hearing examiner to issue an order directing the responsible parties~~
21 ~~to perform or refrain from performing acts in order to remedy the noncompliance.~~
22 ~~If any person fails or neglects to obey an order, the department may request the~~
23 ~~attorney general to institute proceedings for the enforcement of the department's~~
24 ~~order in the name of the state. The proceedings shall be brought in the manner and~~
25 ~~with the effect of proceedings under s. 111.07 (7). No penalty may be imposed for~~

*END
INS.
71-18*

~~violation of a hearing examiner's order under this subsection, but violation of a judgment enforcing the order may be punished in civil contempt proceedings~~

INS.
72-7

SECTION 616. 28.90 of the statutes is created to read:

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

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

SECTION 617. 28.92 of the statutes is created to read:

28.92 State forest rangers. (1) The persons appointed by the department to enforce the laws relating to state forests shall be known as state forest rangers and shall be subject to ch. 230.

(2) The department shall provide to all state forest rangers, before exercising any of their powers, a commission issued by the department under its seal, to read substantially as follows:

STATE OF WISCONSIN

DEPARTMENT OF AGRICULTURE, TRADE AND CONSUMER PROTECTION

To all to whom these presents shall come, greeting:

Know ye, that reposing special trust and confidence in the integrity and ability of, of the county of, we do hereby appoint and constitute a state forest ranger for the state of Wisconsin, and do authorize and empower to execute and fulfill the duties of that office according to law, during good behavior and the faithful performance of the duties of that office.



INS.
72-7

1 In testimony whereof, the secretary has hereunto affixed the secretary's
2 signature and the official seal of the department, at its office in the city of Madison,
3 Wisconsin, this day of,

4 (Seal)

STATE OF WISCONSIN

5 DEPARTMENT OF AGRICULTURE, TRADE AND CONSUMER PROTECTION

6 By

7 (3) The department shall furnish to each state forest ranger at the time of the
8 ranger's appointment, a pocket identification folder in the same form and substance
9 as the folder described in s. 23.10 (5), except that the impression shall be the seal of
10 the department.

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

15 **SECTION 618.** 28.94 of the statutes is created to read:

16 **28.94 Resisting or falsely impersonating a state forest ranger.** Any
17 person who does any of the following may be fined not more than \$10,000 or
18 imprisoned for not more than 9 months or both:

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

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

23 **SECTION 619.** 28.98 of the statutes is created to read:

1 **28.98 General penalty provision.** Any person who violates any provision
2 of this chapter or any rule promulgated or order issued under this chapter for which
3 no other penalty is prescribed is subject to a forfeiture of not more than \$100.

4 **SECTION 620.** 29.088 (2g) (b) of the statutes is amended to read:

5 29.088 **(2g)** (b) Subsections (1) and (2) do not apply to toxicants placed in the
6 waters of a preexisting fish rearing facility that is an artificial body of water if the
7 toxicants are necessary to the operation of the fish farm and the department of environmental quality
8 has issued a permit under s. 283.31 for the preexisting fish
9 rearing facility.

10 **SECTION 621.** 29.219 (3) (c) of the statutes is amended to read:

11 29.219 **(3)** (c) *Use of fees.* The department shall deposit receipts from the sale
12 of resident 2-day sports fishing licenses under this subsection in the conservation
13 fund. The department shall credit 50% of these receipts to the appropriation under
14 s. 20.370 ~~(4)~~ **(1)** (ku).

15 **SECTION 622.** 29.219 (3m) (c) of the statutes is amended to read:

16 29.219 **(3m)** (c) *Use of fees.* The department shall deposit receipts from the sale
17 of 2-day inland lake trout fishing licenses under this subsection in the conservation
18 fund. The department shall credit 50 percent of these receipts to the appropriation
19 account under s. 20.370 ~~(4)~~ **(1)** (kv).

20 **SECTION 623.** 29.228 (7) (c) of the statutes is amended to read:

21 29.228 **(7)** (c) *Use of fees.* The department shall deposit receipts from the sale
22 of nonresident 2-day sports fishing licenses under this subsection in the
23 conservation fund. The department shall credit 50% of these receipts to the
24 appropriation under s. 20.370 ~~(4)~~ **(1)** (ku).

25 **SECTION 624.** 29.2285 (3) (e) of the statutes is amended to read:

END
INS.
72-7

1 **SECTION 645.** 30.1255 of the statutes is renumbered 23.243.

2 **SECTION 646.** 30.20 (1g) (c) of the statutes is amended to read:

3 30.20 **(1g)** (c) A removal of material by the drainage board for the Duck Creek
4 Drainage District from a drain that the board operates in the Duck Creek Drainage
5 District is exempt from the individual and general permit requirements under this
6 section if the removal is required, under rules promulgated by the department of
7 agriculture, trade and consumer protection, in order to conform the drain to
8 specifications imposed by the department of agriculture, trade and consumer
9 protection after consulting with the department of ~~natural resources~~ environmental
10 quality.

11 **SECTION 647.** 30.203 of the statutes is renumbered 23.178.

12 **SECTION 648.** 30.24 of the statutes is renumbered 23.0942.

13 **SECTION 649.** 30.26 of the statutes is renumbered 23.43.

14 **SECTION 650.** 30.265 of the statutes is renumbered 23.431.

15 **SECTION 651.** 30.27 of the statutes is renumbered 23.432.

16 **SECTION 652.** 30.275 of the statutes is renumbered 23.434.

17 **SECTION 653.** 30.277 of the statutes is renumbered 23.0944, and 23.0944 (1m),
18 as renumbered, is amended to read:

19 23.0944 **(1m)** FUNDING. Beginning in fiscal year 1992-93, from the
20 appropriation under s. 20.866 (2) (tz), the department shall award grants to
21 governmental units to assist them in projects on or adjacent to rivers that flow
22 through urban areas. The department may award these grants from the
23 appropriation under s. 20.866 (2) (ta) beginning on July 1, 2000 subject to the
24 agreement under s. 23.0917 (4r).

25 **SECTION 654.** 30.40 (3e) of the statutes is created to read:

INS.
78-11

1 ~~30.40 (3e)~~ "Department" means the department of natural resources.

2 SECTION 655. 30.40 (3g) of the statutes is amended to read:

3 30.40 (3g) "Forester" means a person who is employed by the department of
4 natural resources or the department of agriculture, trade and consumer protection
5 to carry out assigned forest management responsibilities or who has received a
6 bachelor's or higher degree from a school of forestry with curriculum accredited by
7 the society of American foresters in the management of forest resources.

8 ~~SECTION 656.~~ 30.40 (15m) of the statutes is created to read:

9 ~~30.40 (15m)~~ "Secretary" means the secretary of natural resources.

10 SECTION 657. 30.42 (1) (d) 1. of the statutes is amended to read:

11 30.42 (1) (d) 1. Promulgate rules, in consultation with the department of
12 agriculture, trade and consumer protection, that are applicable only to land in the
13 riverway to regulate the cutting and harvesting of timber so that the effect of cutting
14 or harvesting of timber on the scenic beauty and the natural value of the riverway
15 is minimized. For land that is in the river edge zone or the bluff zone, the rules
16 promulgated under this paragraph shall require that the cutting and harvesting of
17 timber be solely by selection cutting and that the minimum basal area for the
18 residual stand of timber be 60 square feet per acre. The rules promulgated under this
19 paragraph do not apply to any cutting or harvesting of timber subject to regulation
20 under s. 30.43 (3).

21 ~~SECTION 658.~~ 30.50 (3m) of the statutes is created to read:

22 ~~30.50 (3m)~~ "Department" means the department of natural resources.

23 SECTION 659. 30.50 (4s) of the statutes is amended to read:

INS.
78-13

INS.
78-15

INS.
78-17
↓

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

4 **SECTION 660.** 30.50 (11m) of the statutes is created to read:

5 30.50 **(11m)** "Secretary" means the secretary of natural resources.

6 **SECTION 661.** 30.52 (1m) (e) of the statutes is amended to read:

7 30.52 **(1m)** (e) *Receipt of fees.* All fees remitted to or collected by the department
 8 under par. (ar) shall be credited to the appropriation account under s. 20.370 ~~(9) (hu)~~
 9 (1) (hw).

10 **SECTION 662.** 30.52 (3m) ~~(b)~~ of the statutes is amended to read:

11 30.52 **(3m)** ~~(b)~~ All moneys collected under par. (a) shall be deposited into the
 12 account under s. 20.370 ~~(3) (1)~~ (is).

13 **SECTION 663.** 30.54 (2) of the statutes is amended to read:

14 30.54 **(2)** If a person applies for a replacement certificate under sub. (1),
 15 ~~conservation wardens or local law enforcement officials~~ law enforcement officers.
 16 after presenting appropriate credentials to the owner or legal representative of the
 17 owner named in the certificate of title, shall inspect the boat's engine serial number
 18 or hull identification number, for purposes of verification or enforcement.

19 **SECTION 664.** 30.544 of the statutes is amended to read:

20 **30.544 Inspection of boats purchased out-of-state.** For purposes of
 21 enforcement, ~~conservation wardens or local law enforcement officials~~ law
 22 enforcement officers. after presenting appropriate credentials to the owner of a boat
 23 which was purchased outside of this state and which is subject to the certificate of
 24 title requirements of this chapter, shall inspect the boat's engine serial number or
 25 hull identification number.

END
INS.
78-17

INS.
79-3

1 SECTION 665. 30.67 (2) (a) of the statutes is amended to read:

2 30.67 (2) (a) If a boating accident results in death or injury to any person, the
3 disappearance of any person from a boat under circumstances indicating death or
4 injury, or property damage, every operator of a boat involved in an accident shall,
5 without delay and by the quickest means available, give notice of the accident to a
6 ~~conservation warden or local~~ law enforcement officer and shall file a written report
7 with the department on the form prescribed by it. The department shall promulgate
8 rules necessary to keep accident reporting requirements in conformity with rules
9 adopted by the U.S. coast guard.



END
INS.
79-3

10 SECTION 666. 30.773 (2) of the statutes is amended to read:

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

18 SECTION 667. 30.92 (1) (b) of the statutes is amended to read:

19 30.92 (1) (b) "Governmental unit" means the department of natural resources,
20 the department of agriculture, trade and consumer protection, a municipality, a lake
21 sanitary district, a public inland lake protection and rehabilitation district organized
22 under ch. 33, the Milwaukee River revitalization council, the Lower Wisconsin State
23 Riverway board, or any other local governmental unit, as defined in s. 66.0131 (1) (a),
24 that is established for the purpose of lake management.

INS.
79-11B

25 SECTION 668. 30.92 (3) (b) 7. of the statutes is amended to read:

1 ~~determines, after consultation with the department of natural resources, that such~~
2 ~~minimum discharge is not necessary for the protection of fish life. Any person, firm~~
3 ~~or corporation violating this section shall be fined not less than \$50 nor more than~~
4 ~~\$1,000.~~

5 **SECTION 682.** 32.02 (15m) of the statutes is created to read:

INS.
82-13

6 32.02 (15m) The department of agriculture, trade and consumer protection
7 with the approval of the appropriate standing committees of each house of the
8 legislature as determined by the presiding officer thereof and as authorized by law,
9 for acquisition of lands.

10 **SECTION 683.** 32.035 (3) of the statutes is amended to read:

11 32.035 (3) PROCEDURE. The condemnor shall notify the department of any
12 project involving the actual or potential exercise of the powers of eminent domain
13 affecting a farm operation. If the condemnor is the department of natural resources,
14 or the department of agriculture, trade and consumer protection, the notice required
15 by this subsection shall be given at the time that permission of the ~~senate and~~
16 ~~assembly~~ appropriate standing committees on natural resources is sought under s.
17 23.09 (2) (d) ~~or~~, 27.01 (2) (a), or 28.02 (2). To prepare an agricultural impact statement
18 under this section, the department may require the condemnor to compile and
19 submit information about an affected farm operation. The department shall charge
20 the condemnor a fee approximating the actual costs of preparing the statement. The
21 department may not publish the statement if the fee is not paid.

22 **SECTION 684.** 33.01 (2) of the statutes is amended to read:

23 33.01 (2) "Department" means the department of ~~natural resources~~
24 environmental quality.

25 **SECTION 685.** 33.265 of the statutes is amended to read:

SECTION 691

1 education and technical assistance program to promote pollution prevention in this
2 state.

3 **SECTION 692.** 36.27 (3m) (a) 2. of the statutes is amended to read:

4 36.27 (3m) (a) 2. "Law enforcement officer" has the meaning given in s. 165.85
5 (2) (b) and includes a person appointed as a conservation warden under s. 23.10 and
6 a person appointed as an environmental warden under s. 278.10.

JNS.
84-23

7 **SECTION 693.** 40.02 (17) (n) of the statutes is created to read:

8 40.02 (17) (n) Notwithstanding par. (d), each participant who is a state forest
9 ranger on or after the effective date of this paragraph [revisor inserts date], shall
10 be granted creditable service as a protective occupation participant for all covered
11 service as a state forest ranger that was earned on or after the effective date of this
12 paragraph [revisor inserts date], but may not be granted creditable service as a
13 protective occupation participant for any covered service as a state forest ranger that
14 was earned before the effective date of this paragraph [revisor inserts date],
15 unless that service was earned while the participant was classified under sub. (48)
16 (a) and s. 40.06 (1) (d) as a protective occupation participant.

17 **SECTION 694.** 40.02 (48) (am) 5m. of the statutes is created to read:

18 40.02 (48) (am) 5m. An environmental warden.

19 **SECTION 695.** 40.02 (48) (c) of the statutes is amended to read:

20 40.02 (48) (c) In s. 40.65, "protective occupation participant" means a
21 participating employee who is a police officer, fire fighter, an individual determined
22 by a participating employer under par. (a) or (bm) to be a protective occupation
23 participant, county undersheriff, deputy sheriff, state probation and parole officer,
24 county traffic police officer, conservation warden, state forest ranger, field
25 conservation employee of the department of natural resources or the department of

1 ~~agriculture, trade and consumer protection~~ who is subject to call for forest fire control
 2 or warden duty, ~~environmental warden~~, member of the state traffic patrol, state
 3 motor vehicle inspector, University of Wisconsin System full-time police officer,
 4 guard or any other employee whose principal duties are supervision and discipline
 5 of inmates at a state penal institution, excise tax investigator employed by the
 6 department of revenue, person employed under s. 61.66 (1), or special criminal
 7 investigation agent employed by the department of justice.

8 SECTION 696. 40.65 (4w) of the statutes is created to read:

9 40.65 (4w) A state forest ranger who becomes a protective occupation
 10 participant on or after the effective date of this subsection [revisor inserts date],
 11 is not entitled to a duty disability benefit under this section for an injury or disease
 12 occurring before the effective date of this subsection [revisor inserts date].

13 SECTION 697. 42.09 (2) (b) of the statutes is amended to read:

14 42.09 (2) (b) The state fair park board shall allow the department of natural
 15 resources ~~and the department of agriculture, trade and consumer protection~~ access
 16 to and use of the buildings, appurtenances, fixtures, exhibits and other structures
 17 and facilities described in par. (a) so that the ~~department~~ departments may prepare,
 18 display and dismantle exhibits during events occurring at state fair park.

19 SECTION 698. 44.57 (1) (c) of the statutes is amended to read:

20 44.57 (1) (c) Game farms, fish hatcheries, nurseries and other production
 21 facilities operated by the department of natural resources ~~or the department of~~
 22 ~~agriculture, trade and consumer protection.~~

23 SECTION 699. 46.34 of the statutes is amended to read:

24 46.34 Emission standards for hazardous air contaminants. The
 25 department may assist the department of ~~natural resources~~ environmental quality

INS.
85-13

LRB

LRB

1 in the development of emission standards for hazardous air contaminants under s.
2 285.27 (2) (b).

3 **SECTION 700.** 59.01 of the statutes is amended to read:

4 **59.01 Body corporate; status.** Each county in this state is a body corporate,
5 authorized to sue and be sued, to acquire and hold, lease or rent real and personal
6 estate for public uses or purposes, including lands acquired under ch. 75, to sell, lease
7 and convey the same, including the authority to enter into leases or contracts with
8 the state for a period of years for the uses and purposes specified in s. ss. 23.09 (2)
9 (d) and 28.02 (2), to make such contracts and to do such other acts as are necessary
10 and proper to the exercise of the powers and privileges granted and the performance
11 of the legal duties charged upon it.

12 **SECTION 701.** 59.692 (1) (a) of the statutes is amended to read:

13 59.692 (1) (a) "Department" means the department of ~~natural resources~~
14 environmental quality.

15 **SECTION 702.** 59.693 (1) of the statutes is amended to read:

16 59.693 (1) DEFINITION. In this section, "department" means the department of
17 ~~natural resources~~ environmental quality.

18 **SECTION 703.** 59.70 (2) (q) 4. of the statutes is amended to read:

19 59.70 (2) (q) 4. The cleanup of the site is conducted under the supervision of the
20 department of ~~natural resources~~ environmental quality.

21 **SECTION 704.** 59.70 (6) (a) 1. of the statutes is amended to read:

22 59.70 (6) (a) 1. "Department" means the department of ~~natural resources~~
23 environmental quality.

24 **SECTION 705.** 59.70 (13) (b) of the statutes is amended to read:

INS.
85-18

1 59.70 (13) (b) Members or employees of the commission may request admission
2 onto any property within the district at reasonable times to determine if mosquito
3 breeding is present. If the owner or occupant refuses admission, the commission
4 member or employee shall seek a warrant to inspect the property as a potential
5 mosquito breeding ground. Commission members or employees may enter upon
6 property to clean up stagnant pools of water or shores of lakes or streams, and may
7 spray mosquito breeding areas with insecticides subject to the approval of the district
8 director and the department of ~~natural resources~~ environmental quality. The
9 commission shall notify the property owner of any pending action under this
10 paragraph and shall provide the property owner with a hearing prior to acting under
11 this paragraph if the owner objects to the commission's actions.

IWS.
86-17
12 **SECTION 706.** 59.74 (2) (g) of the statutes is amended to read:

13 59.74 (2) (g) Every land surveyor and every officer of the department of natural
14 resources, every officer of the department of agriculture, trade and consumer
15 protection, and the district attorney shall enforce this subsection.

16 **SECTION 707.** 60.627 (1) of the statutes is amended to read:

17 60.627 (1) DEFINITION. In this section, "department" means the department of
18 ~~natural resources~~ environmental quality.

19 **SECTION 708.** 60.71 (4) (b) of the statutes is amended to read:

20 60.71 (4) (b) The town board shall publish a class 2 notice, under ch. 985, of the
21 hearing. The notice shall contain an announcement of the hearing and a description
22 of the boundaries of the proposed town sanitary district. The town board shall mail
23 the notice to the department of commerce and the department of ~~natural resources~~
24 environmental quality at least 10 days prior to the hearing.

25 **SECTION 709.** 60.71 (4) (c) of the statutes is amended to read: