

1 **SECTION 424.** 23.097 (1b) of the statutes is created to read:

2 23.097 (1b) In this section, “department” means the department of agriculture,
3 trade and consumer protection.

4 **SECTION 425.** 23.098 (1) (ag) of the statutes is amended to read:

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

10 **SECTION 426.** 23.098 (2) of the statutes is amended to read:

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

18 **SECTION 427.** 23.098 (2m) of the statutes is created to read:

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

24 **SECTION 428.** 23.098 (3) of the statutes is amended to read:

1 23.098 (3) The department of natural resources and the department of
2 agriculture, trade and consumer protection shall jointly promulgate rules to
3 establish criteria to be used in determining which property development activities
4 are eligible for these grants under this section. The rules promulgated by the
5 department of natural resources under this subsection that are in effect on the
6 effective date of this subsection ... [LRB inserts date], shall remain in effect until
7 rules are jointly promulgated by the 2 departments.

8 **SECTION 429.** 23.098 (4) (a) of the statutes is amended to read:

9 23.098 (4) (a) The department of natural resources and the department of
10 agriculture, trade and consumer protection shall periodically prepare a list of
11 projects on department properties that are eligible for grants under this section and
12 shall include in the list the estimated cost of each project.

13 **SECTION 430.** 23.098 (4) (am) of the statutes is amended to read:

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

19 **SECTION 431.** 23.098 (4) (b) of the statutes is amended to read:

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

23 **SECTION 432.** 23.11 (1) of the statutes is amended to read:

24 23.11 (1) In addition to the powers and duties ~~heretofore~~ conferred and imposed
25 upon said the department by this chapter it shall have and take the general care,

1 protection and supervision of all state parks, of all state fish hatcheries and lands
2 used therewith, of all southern state forests, and of all lands owned by the state or
3 in which it has any interests, except lands the care and supervision of which are
4 vested in some other officer, body or board; and said the department is granted such
5 further powers as may be necessary or convenient to enable it to exercise the
6 functions and perform the duties required of it by this chapter and by other
7 provisions of law. But it may not perform any act upon state lands held for sale that
8 will diminish their salable value.

9 **SECTION 433.** 23.11 (5) of the statutes is amended to read:

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

15 **SECTION 434.** 23.113 of the statutes is renumbered 28.037 and amended to
16 read:

17 **28.037 Designation of chief state forester.** The secretary shall designate
18 ~~the administrator of the division of forestry in the department as the~~ a chief state
19 forester. ~~The chief state forester~~ who shall be a professional forester as recognized
20 by the Society of American Foresters.

21 **SECTION 435.** 23.114 of the statutes is renumbered 28.039.

22 **SECTION 436.** 23.125 of the statutes is repealed.

23 **SECTION 437.** 23.13 of the statutes is amended to read:

24 **23.13 Governor to be informed.** The board of commissioners of public lands
25 and, the department of natural resources, and the department of agriculture, trade

1 and consumer protection shall furnish to the governor upon the governor's request
2 a copy of any paper, document or record in their respective offices and give the
3 governor orally such information as the governor may call for.

4 **SECTION 438.** 23.135 of the statutes is renumbered 26.025.

5 **SECTION 439.** 23.14 of the statutes is amended to read:

6 **23.14 Approval required before new lands acquired.** Prior to the initial
7 acquisition of any lands by the department of natural resources after July 1, 1977,
8 for any new facility or project, and prior to the initial acquisition of any lands by the
9 department of agriculture, trade and consumer protection for any new facility or
10 project relating to forestry, the proposed initial acquisition shall be submitted to the
11 governor for his or her approval. New facilities or projects include, without
12 limitation because of enumeration, state parks, state forests, recreation areas, public
13 shooting, trapping or fishing grounds or waters, fish hatcheries, game farms, forest
14 nurseries, experimental stations, endangered species preservation areas, picnic and
15 camping grounds, hiking trails, cross-country ski trails, bridle trails, nature trails,
16 bicycle trails, snowmobile trails, youth camps, land in the lower Wisconsin state
17 riverway as defined in s. 30.40 (15), natural areas and wild rivers.

18 **SECTION 440.** 23.15 (title) of the statutes is amended to read:

19 **23.15 (title) Sale of certain state-owned lands under the jurisdiction of**
20 **~~the department of natural resources.~~**

21 **SECTION 441.** 23.15 (1) of the statutes is amended to read:

22 23.15 (1) The natural resources board may sell, at public or private sale, lands
23 real property and structures owned by the state that are under the jurisdiction of the
24 department of natural resources, except central or district office facilities, when if
25 the natural resources board determines that ~~said lands~~ the real property and

1 structures are no longer necessary for the state's use for conservation purposes and,
2 if real property, the real property is not the subject of a petition under s. 560.9810 (2).

3 **SECTION 442.** 23.15 (1m) of the statutes is created to read:

4 23.15 (1m) The secretary of agriculture, trade and consumer protection may
5 sell, at public or private sale, state forest land and structures on that land owned by
6 the state that are under the jurisdiction of the department of agriculture, trade and
7 consumer protection if the department of agriculture, trade and consumer protection
8 determines that the real property and structures are no longer necessary for the
9 state's use for conservation purposes and, if real property, the real property is not the
10 subject of a petition under s. 560.9810 (2).

11 **SECTION 443.** 23.15 (2) of the statutes is amended to read:

12 23.15 (2) ~~Said~~ The natural resources board and the secretary of agriculture,
13 trade and consumer protection shall present to the governor a full and complete
14 report of the lands to be sold, the reason for the sale, the price for which said the lands
15 should be sold ~~together with, and~~ an application for ~~the~~ their sale of ~~the same~~. The
16 governor ~~shall thereupon make such investigation as the governor deems necessary~~
17 ~~respecting said lands to be sold~~ may investigate and approve or disapprove such the
18 application. If the governor ~~shall approve the same,~~ approves the application for the
19 sale, the governor shall issue a permit ~~shall be issued by the governor for such~~ the
20 sale on the terms set forth in the application.

21 **SECTION 444.** 23.15 (3) of the statutes is amended to read:

22 23.15 (3) Upon completion of ~~such~~ a sale of land under the jurisdiction of the
23 department of natural resources, the ~~chairperson and~~ secretary of the natural
24 resources board, ~~or~~ and the secretary of natural resources, ~~if the secretary is duly~~
25 ~~authorized by the natural resources board,~~ shall execute ~~such~~ the necessary

1 instruments ~~as are necessary~~ to transfer title and ~~the natural resources board or its~~
2 ~~duly authorized agents~~ shall deliver the ~~same~~ instruments to the purchaser upon
3 payment of the amount set forth in the application. Upon completion of a sale of land
4 under the jurisdiction of the department of agriculture, trade and consumer
5 protection, the secretary of agriculture, trade and consumer protection shall execute
6 the necessary instruments to transfer title and shall deliver the instruments to the
7 purchaser upon payment of the amount set forth in the application.

8 **SECTION 445.** 23.15 (4) of the statutes is amended to read:

9 23.15 (4) ~~Said The natural resources board effecting the sale of any such lands~~
10 ~~and structures shall, upon receiving payment therefor, under sub. (3), shall deposit~~
11 ~~the funds~~ moneys received in the conservation fund to be used exclusively for the
12 purpose of purchasing other areas of land for the ~~creating~~ creation and ~~establishing~~
13 establishment of public hunting and fishing grounds, wildlife and fish refuges,
14 southern state forests, and state parks and for land in the lower Wisconsin state
15 riverway as defined in s. 30.40 (15).

16 **SECTION 446.** 23.15 (4m) of the statutes is created to read:

17 23.15 (4m) The secretary of agriculture, trade and consumer protection, upon
18 receiving payment under sub. (3), shall deposit the moneys received in the
19 conservation fund to be used exclusively for the purpose of purchasing other areas
20 of land for the creation and establishment of areas in state forests other than
21 southern state forests.

22 **SECTION 447.** 23.15 (5) (a) of the statutes is amended to read:

23 23.15 (5) (a) In this subsection, “surplus land” means land under the
24 jurisdiction of the department ~~which of natural resources, or forest land that is under~~
25 the jurisdiction of the department of agriculture, trade and consumer protection,

1 that is unused and not needed for ~~department~~ that department's operations or that
2 is not included in the that department's plan for construction or development.

3 **SECTION 448.** 23.15 (5) (b) of the statutes is amended to read:

4 23.15 (5) (b) Biennially, ~~beginning on January 1, 1984,~~ the department of of
5 natural resources and the department of agriculture, trade and consumer protection
6 shall each submit to the state building commission and the joint committee on
7 finance an inventory of surplus land containing the description, location and fair
8 market value of each parcel.

9 **SECTION 449.** 23.16 (1) of the statutes is amended to read:

10 23.16 (1) PUBLICATION. The department may produce, issue or reprint
11 magazines or other periodicals on a periodic basis as it determines, pertaining to fish
12 and game, forests, parks, ~~environmental quality~~ and other similar subjects of
13 general information. The department may distribute its magazines and periodicals
14 by subscription. The department shall charge a fee for any of its magazines or
15 periodicals, except that no fee may be charged to a person who is provided a
16 subscription to the Wisconsin Natural Resources Magazine under s. 29.235.

17 **SECTION 450.** 23.16 (5) of the statutes is amended to read:

18 23.16 (5) USE OF MONEYS. The department shall use the moneys collected under
19 this section for the costs specified in sub. (4). If the moneys collected under this
20 section exceed the amount necessary for the costs specified in sub. (4), the
21 department shall use the excess for educational and informational activities
22 concerning conservation ~~and the environment~~.

23 **SECTION 451.** 23.165 (1) of the statutes is amended to read:

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

4 **SECTION 452.** 23.165 (1m) of the statutes is amended to read:

5 23.165 (1m) PHOTOGRAPHS, SLIDES, VIDEOTAPES, ARTWORK. The department may
6 produce, issue, reprint and sell photographs, slides, videotapes and artwork if they
7 pertain to fish and game, forests, parks, ~~environmental quality~~ and other similar
8 subjects of general information.

9 **SECTION 453.** 23.165 (5m) of the statutes is amended to read:

10 23.165 (5m) USE OF MONEYS. The department shall use the moneys collected
11 under this section for the costs specified in sub. (5). If the moneys collected under
12 this section exceed the amount necessary for the costs specified in sub. (5), the
13 department shall use the excess for educational and informational activities
14 concerning conservation ~~and the environment~~.

15 **SECTION 454.** 23.175 (3m) of the statutes is amended to read:

16 23.175 (3m) ALLOCATION BETWEEN APPROPRIATIONS. For purposes of sub. (3) (b),
17 the department shall determine how the moneys being expended are to be allocated
18 from the appropriations under s. 20.866 (2) (ta) and (tz). The moneys expended from
19 the appropriation under s. 20.866 (2) (ta) shall be subject to the agreement under s.
20 23.0917 (4r). The department may not allocate or expend any moneys from the
21 appropriation under s. 20.866 (2) (ta) before July 1, 2000.

22 **SECTION 455.** 23.18 of the statutes is renumbered 278.18, and 278.18 (1) (a) and
23 (b) (intro.), as renumbered, are amended to read:

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

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

5 **SECTION 456.** 23.197 (2) (a) of the statutes is amended to read:

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

12 **SECTION 457.** 23.26 (3) of the statutes is amended to read:

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

20 **SECTION 458.** 23.29 (2) of the statutes is amended to read:

21 23.29 (2) CONTRIBUTIONS; STATE MATCH. The department may accept
22 contributions and gifts for the Wisconsin natural areas heritage program. The
23 department shall convert donations of land which it determines, with the advice of
24 the council, are not appropriate for the Wisconsin natural areas heritage program
25 into cash. The department shall convert other noncash contributions into cash.

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

9 **SECTION 459.** 23.293 (4) of the statutes is amended to read:

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

22 **SECTION 460.** 23.293 (5) of the statutes is amended to read:

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

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

16 **SECTION 461.** 23.30 (4) of the statutes is created to read:

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

20 **SECTION 462.** 23.305 (title) of the statutes is amended to read:

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

23 **SECTION 463.** 23.305 (2) of the statutes is amended to read:

24 23.305 (2) Notwithstanding ss. 23.30 and 28.04, the department of natural
25 resources may lease state park land or land in the southern state forest land forests

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

6 **SECTION 464.** 23.305 (3) of the statutes is amended to read:

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

15 **SECTION 465.** 23.32 of the statutes is renumbered 278.32.

16 **SECTION 466.** 23.325 (1) (a) of the statutes is amended to read:

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

22 **SECTION 467.** 23.325 (2) (a) of the statutes is amended to read:

23 23.325 (2) (a) After consultation with the department of transportation, the
24 department of agriculture, trade and consumer protection, and the state

1 cartographer, the department of natural resources shall select the photographic
2 products to be sold.

3 **SECTION 468.** 23.325 (4) of the statutes is amended to read:

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

10 **SECTION 469.** 23.33 (1) (ig) of the statutes is amended to read:

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

15 **SECTION 470.** 23.33 (2) (o) of the statutes is amended to read:

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

19 **SECTION 471.** 23.33 (5) (a) of the statutes is amended to read:

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

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

9 **SECTION 472.** 23.33 (5m) (c) 4. of the statutes is amended to read:

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

15 **SECTION 473.** 23.33 (5m) (c) 5. of the statutes is amended to read:

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

22 **SECTION 474.** 23.33 (8) (c) of the statutes is amended to read:

23 23.33 (8) (c) *Trails*. A town, village, city, county or, the department of natural
24 resources, or the department of agriculture, trade and consumer protection may

1 designate corridors through land which it owns or controls, or for which it obtains
2 leases, easements or permission, for use as all-terrain vehicle trails.

3 **SECTION 475.** 23.33 (9) (a) of the statutes is amended to read:

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

9 **SECTION 476.** 23.33 (9) (b) (intro.) of the statutes is amended to read:

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

15 **SECTION 477.** 23.33 (9m) of the statutes is created to read:

16 23.33 (9m) STATE TRAILS. The department of agriculture, trade and consumer
17 protection shall designate, develop, and maintain the all-terrain vehicle trails in
18 state forests, other than southern state forests.

19 **SECTION 478.** 23.33 (12) (a) of the statutes is amended to read:

20 23.33 (12) (a) ~~An officer of the state traffic patrol under s. 110.07 (1), inspector~~
21 ~~under s. 110.07 (3), conservation warden appointed by the department under s.~~
22 ~~23.10, county sheriff or municipal peace~~ Any law enforcement officer has authority
23 and jurisdiction to enforce this section and ordinances enacted in conformity with
24 this section.

25 **SECTION 479.** 23.385 of the statutes is created to read:

1 **23.385 Financial interest prohibited.** The secretary and any other person
2 in a position of administrative responsibility in the department may not have a
3 financial interest in any enterprise that might profit by weak or preferential
4 administration or enforcement of the powers and duties of the department.

5 **SECTION 480.** 23.40 (3) (d) of the statutes is amended to read:

6 23.40 (3) (d) ~~Except as provided in par. (e), the~~ The department shall deposit
7 any environmental impact statement fee in the general fund and shall designate
8 clearly the amount of the fee related to the cost of authorized environmental
9 consultant services and the amount of the fee related to the cost of printing and
10 postage.

11 **SECTION 481.** 23.40 (3) (e) of the statutes is repealed.

12 **SECTION 482.** 23.41 (1) (intro.) and (b) of the statutes are consolidated,
13 renumbered 23.41 (1) and amended to read:

14 23.41 (1) In this section: (b) ~~“Environmental,~~ “environmental consultant
15 services” includes services provided by environmental scientists, engineers and
16 other experts.

17 **SECTION 483.** 23.41 (1) (a) of the statutes is repealed.

18 **SECTION 484.** 23.41 (2) of the statutes is repealed.

19 **SECTION 485.** 23.41 (5) of the statutes is repealed.

20 **SECTION 486.** 23.41 (5m) of the statutes is repealed.

21 **SECTION 487.** 23.42 of the statutes is renumbered 278.42.

22 **SECTION 488.** 23.425 (title), (1) and (2) (a) of the statutes are renumbered
23 278.425 (title), (1) and (2).

24 **SECTION 489.** 23.425 (2) (b) of the statutes is renumbered 23.425 and amended
25 to read:

1 **23.425 MacKenzie center.** The fees collected by the department under par.
2 (a) may collect fees for the use of the MacKenzie environmental center. The fees shall
3 be deposited in the general fund and credited to the appropriation under s. 20.370
4 (9) (1) (gb).

5 **SECTION 490.** 23.50 (1) of the statutes is amended to read:

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

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17 **SECTION 491.** 23.53 (1) of the statutes is amended to read:

18 23.53 (1) The citation created under this section shall, in all actions to recover
19 forfeitures, plus costs, fees, and surcharges imposed under ch. 814, for violations of
20 those statutes enumerated in s. 23.50 (1), any administrative rules promulgated
21 thereunder, and any rule of the Kickapoo reserve management board under s. 41.41
22 (7) (k) be used by any law enforcement officer with authority to enforce those laws,
23 except that the uniform traffic citation created under s. 345.11 may be used by a
24 traffic officer employed under s. 110.07 in enforcing s. 167.31 or by an officer of a law
25 enforcement agency of a municipality or county ~~or a traffic officer employed under~~

1 ~~s. 110.07 in enforcing s. 287.81.~~ In accordance with s. 345.11 (1m), the citation shall
2 not be used for violations of ch. 350 relating to highway use. The citation may be used
3 for violations of local ordinances enacted by any local authority in accordance with
4 s. 23.33 (11) (am) or 30.77.

5 **SECTION 492.** 23.65 (1) of the statutes is amended to read:

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

13 **SECTION 493.** 23.65 (3) of the statutes is amended to read:

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

20 **SECTION 494.** 24.39 (1) of the statutes is amended to read:

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

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

9 **SECTION 495.** 24.39 (2) of the statutes is amended to read:

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

15 **SECTION 496.** 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 497.** 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

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 498.** 24.58 of the statutes is amended to read:

7 **24.58 Appraisers.** The board may select employees of the department of of
8 natural resources 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 499.** 25.29 (6) of the statutes is amended to read:

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

17 ~~**SECTION 500.** 25.29 (7) (intro.) of the statutes is renumbered 25.28 (3) (a).~~

18 **SECTION 501.** 25.29 (7) (a) of the statutes is amended to read:

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

1 Milwaukee, Waukesha, Jefferson, Racine, Kenosha, Walworth, Rock and Outagamie
2 counties.

3 **SECTION 502.** 25.29 (7) (b) of the statutes is amended to read:

4 25.29 (7) (b) An additional 4% of the tax levied under s. 70.58 or of the funds
5 provided in lieu of the levy shall be used to purchase forests for the state for the
6 purposes or capable of providing the benefits described under s. 28.04 (2) within
7 areas approved by the department of agriculture, trade and consumer protection and
8 the governor and located within the region specified under par. (a) (am).

9 **SECTION 503.** 25.295 (1) (b) of the statutes is amended to read:

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

14 **SECTION 504.** 25.43 (2) (c) of the statutes is amended to read:

15 25.43 (2) (c) The department of administration may establish and change
16 accounts in the environmental improvement fund other than those under pars. (a),
17 (ae), (am) and (b). The department of administration shall consult the department
18 of ~~natural resources~~ environmental quality before establishing or changing an
19 account that is needed to administer the programs under ss. 281.58, 281.59 and
20 281.61.

21 **SECTION 505.** 25.43 (3) of the statutes is amended to read:

22 25.43 (3) Except for the purpose of investment as provided in s. 25.17 (2) (d),
23 the environmental improvement fund may be used only for the purposes authorized
24 under ss. 20.320 (1) (r), (s), (sm), (t), (x) and (y), (2) (s) and (x) and (3) (q), ~~20.370~~ 20.375

1 (4) (mt), (mx) ~~and~~, (nz), ~~(8) (mr) and (9) (mt), (mx) and (ny) (sr), (tt), (tx), and (ty),~~
2 20.505 (1) (v), (x) and (y), 281.58, 281.59, 281.60, 281.61 and 281.62.

3 **SECTION 506.** 25.46 (1e) of the statutes is amended to read:

4 25.46 **(1e)** The moneys transferred under s. ~~20.370~~ 20.375 (2) (mu) for
5 environmental management.

6 **SECTION 507.** 25.46 (1g) of the statutes is amended to read:

7 25.46 **(1g)** The moneys transferred under s. ~~20.370~~ 20.375 (4) (mw) for
8 environmental management.

9 **SECTION 508.** 26.01 (1) of the statutes is amended to read:

10 26.01 **(1)** Unless the context requires otherwise, "department" means the
11 department of ~~natural resources~~ agriculture, trade and consumer protection.

12 **SECTION 509.** 26.02 (1) (intro.) of the statutes is amended to read:

13 26.02 **(1) DUTIES.** (intro.) The council on forestry shall advise the governor, the
14 legislature, the department of ~~natural resources~~ agriculture, trade and consumer
15 protection, the department of commerce, and other state agencies, as determined to
16 be appropriate by the council, on all of the following topics as they affect forests
17 located in this state:

18 **SECTION 510.** 26.06 (1) of the statutes is amended to read:

19 26.06 **(1)** Foresters, forest supervisors, rangers, and state forest rangers and
20 wardens of the department and the cruisers and foresters of the board of
21 commissioners of public lands have the enforcement powers specified in s. 26.97 with
22 respect to, and may seize, without process, any forest products unlawfully severed
23 from public lands of the state, federal lands leased to the state, county forest lands
24 entered under s. 28.11, forest croplands entered under subch. I of ch. 77 or managed
25 forest land designated under subch. VI of ch. 77. Seized products cut from lands

1 under the control of the board of commissioners of public lands shall be held for the
2 commissioners and those cut from forest croplands, managed forest land or county
3 forest shall be held for the owner, and subject to the payment of severance taxes, yield
4 taxes or severance share thereon to the state. Products cut from state forest lands
5 or federal lands leased to the department shall be appraised and sold. Products
6 appraised at more than \$500 shall be sold on sealed bids not less than 10 days after
7 a class 1 notice has been published, under ch. 985, in the county where the material
8 is located. Any sheriff may seize and hold for the owner thereof any forest products
9 unlawfully severed or removed.

10 **SECTION 511.** 26.08 (1) of the statutes is amended to read:

11 26.08 (1) The department of agriculture, trade and consumer protection may,
12 ~~from time to time~~, lease parts or parcels of ~~state park lands or state forest lands~~ other
13 than lands in southern state forests. The department of natural resources may lease
14 parts or parcels of state park lands or lands in southern state forests. These leases
15 shall contain proper covenants to guard against trespass and waste. The rents
16 arising from these leases shall be paid into the state treasury to the credit of the
17 proper fund. Licenses also may be granted to prospect for ore or mineral upon any
18 of these lands; but proper security shall be taken that the licensees will fully inform
19 the department of every discovery of ore or mineral and will restore the surface to
20 its former condition and value if no discovery of valuable deposits is made. The
21 department that enters into a lease or grants a license shall retain a copy of each
22 lease or license and file the original in the office of the board of commissioners of
23 public lands.

24 **SECTION 512.** 26.08 (2) (a) of the statutes is amended to read:

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

4 **SECTION 513.** 26.08 (2) (b) of the statutes is amended to read:

5 26.08 (2) (b) The department of natural resources may lease Rib Mountain
6 state park lands and Willow River state park lands for terms not exceeding 30 years.

7 **SECTION 514.** 26.08 (2) (bn) of the statutes is amended to read:

8 26.08 (2) (bn) The department of natural resources may lease state park land
9 located within the boundaries of the Wisconsin Dells natural area for terms not
10 exceeding 30 years.

11 **SECTION 515.** 26.08 (2) (c) of the statutes is amended to read:

12 26.08 (2) (c) The department of natural resources may lease Kettle Moraine
13 state forest land for the YMCA Camp Matawa for a term not exceeding 30 years.

14 **SECTION 516.** 26.08 (2) (d) of the statutes is amended to read:

15 26.08 (2) (d) The department of agriculture, trade and consumer protection
16 may lease Northern Highland American Legion State Forest land on Statehouse
17 Lake in the town of Manitowish Waters for the North Lakeland Discovery Center for
18 a term not exceeding 30 years.

19 **SECTION 517.** 26.08 (3) of the statutes is amended to read:

20 26.08 (3) The department of natural resources and the department of
21 agriculture, trade and consumer protection shall furnish to the board of
22 commissioners of public lands such maps, plats, surveys, valuations, information
23 and other services as the board may request respecting any of the public lands, for
24 use by it in granting leases or licenses or in making sales under s. 24.39.

25 **SECTION 518.** 26.11 (6) of the statutes is amended to read:

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

11 **SECTION 519.** 26.11 (7) of the statutes is amended to read:

12 26.11 (7) (a) Notwithstanding s. 20.001 (3) (c), if the sum of the unencumbered
13 balances in the appropriation accounts under s. ~~20.370 (1) (es)~~ 20.115 (5) (rf) and ~~(mz)~~
14 (z) exceeds \$1,000,000 on June 30 of any fiscal year, the amount in excess of
15 \$1,000,000 shall lapse from the appropriation account under s. ~~20.370 (1) (es)~~ 20.115
16 (5) (rf) to the conservation fund, except as provided in par. (b).

17 (b) Notwithstanding s. 20.001 (3) (c), if the amount in the appropriation account
18 under s. ~~20.370 (1) (es)~~ 20.115 (5) (rf) is insufficient for the amount that must lapse
19 under par. (a), the remainder that is necessary for the lapse shall lapse from the
20 appropriation account under s. ~~20.370 (1) (mz)~~ 20.115 (5) (z).

21 **SECTION 520.** 26.12 (2) of the statutes is amended to read:

22 26.12 (2) ORGANIZATION. The department shall organize each forest protection
23 area so as to most effectively prevent, detect and suppress forest fires, and to that
24 end may employ experienced wardens or state forest rangers to have charge of its
25 efforts in each area; may subdivide each area into patrol areas; may establish lookout

1 towers, construct ranger stations, telephone lines, purchase tools for fire fighting as
2 well as other necessary supplies or equipment, and carry on all other activities
3 considered necessary to effectively protect the area from forest fires, including the
4 promulgation of rules for the payment of fire fighters, the preparation of notices and
5 forms for publication and the disposition and use of all fire-fighting equipment or
6 property. All property or equipment purchased by the state shall be owned by the
7 state, but counties or towns may purchase and own equipment for fire suppression,
8 and the equipment shall be used for the improvement of the forest fire-fighting
9 organization.

10 **SECTION 521.** 26.14 (2) of the statutes is amended to read:

11 26.14 (2) All such state forest rangers, town chairpersons, emergency fire
12 wardens, conservation wardens and other duly appointed deputies may in the
13 performance of their official duty go on the lands of any person to fight forest fires,
14 and in so doing may set back fires, dig trenches, cut fire lines or carry on all other
15 customary activities in the fighting of forest fires, without incurring a liability to
16 anyone.

17 **SECTION 522.** 26.14 (4) of the statutes is amended to read:

18 26.14 (4) Emergency fire wardens or those assisting them in the fighting of
19 forest fires shall prepare itemized accounts of their services and the services of those
20 employed by them, as well as other expenses incurred, on blanks to be furnished by
21 the department and in a manner prescribed by the department, and make oaths or
22 affirmation that said account is just and correct, which account shall be forwarded
23 and approved for payment by the department. As soon as any such account has been
24 paid by the secretary of administration the department of ~~natural resources~~
25 agriculture, trade and consumer protection shall send to the proper county treasurer

1 a bill for the county's share of such expenses. The county shall have 60 days within
2 which to pay such bill, but if not paid within that time the county shall be liable for
3 interest at the rate of 6% per year. If payment is not made within 60 days the
4 department of administration shall include such amount as a part of the next levy
5 against the county for state taxes, but no county shall be required to pay more than
6 \$5,000 in any one year. Any unpaid levy under this section shall remain a charge
7 against the county and the department of administration shall include such unpaid
8 sums in the state tax levy of the respective counties in subsequent years.

9 **SECTION 523.** 26.20 (6) (b) of the statutes is amended to read:

10 26.20 (6) (b) Any state forest ranger, conservation warden, sheriff or other duly
11 appointed authority may, in the performance of official duties, require any train
12 causing fires or suspected of causing fires to stop within a safe distance from the fires
13 to avoid further setting or spread of fire.

14 **SECTION 524.** 26.22 of the statutes is amended to read:

15 **26.22 Sales, etc.** The department of agriculture, trade and consumer
16 protection and the department of natural resources may sell any timber on land
17 under the respective department's jurisdiction ~~which that~~ has been damaged by fire,
18 snow, hail, ice, insects, disease, or wind, on such terms and in such manner as the
19 department determines is in the best interest of the state.

20 **SECTION 525.** 26.30 (2) of the statutes is amended to read:

21 26.30 (2) **POWERS.** The department is vested with authority and jurisdiction in
22 all matters relating to the prevention, detection and control of forest pests on the
23 forest lands of the state, and to do all things necessary in the exercise of such
24 authority and jurisdiction, ~~except that this shall not be construed to grant any~~
25 ~~powers or authority to the department for the silvicultural control of forest pests on~~

1 any land. ~~This section shall apply only to the detection and control of forest pests on~~
2 ~~forest lands and does not affect the authority of the department of agriculture, trade~~
3 ~~and consumer protection under chs. 93 and 94. The action of the department under~~
4 ~~sub. (4) shall be coordinated with the department of agriculture, trade and consumer~~
5 ~~protection in accordance with s. 20.901. The secretaries of natural resources and~~
6 ~~agriculture, trade and consumer protection shall execute annually a memorandum~~
7 ~~of agreement to enable the coordination of pest control work of their departments.~~

8 **SECTION 526.** 26.30 (4) of the statutes is amended to read:

9 26.30 (4) SURVEYS, INVESTIGATIONS AND CONTROL. The department shall make
10 surveys and investigations to determine the presence, condition and extent of
11 infestations and it shall also carry on control measures when necessary. For such
12 purposes the department or its ~~wardens~~ state forest rangers may enter public and
13 private lands at reasonable times without incurring a liability to anyone.

14 **SECTION 527.** 26.30 (5) of the statutes is amended to read:

15 26.30 (5) COOPERATIVE AGREEMENTS. To carry out the purposes of this section
16 the department may enter into arrangements or agreements with the University of
17 Wisconsin System, the department of ~~agriculture, trade and consumer protection~~
18 natural resources, other departments of this and other states, the U.S. department
19 of agriculture and other federal agencies and with counties, towns, corporations and
20 individuals.

21 **SECTION 528.** 26.36 of the statutes is amended to read:

22 **26.36 Forest energy resources.** Biennially, in consultation with the
23 department of ~~agriculture, trade and consumer protection~~ natural resources and any
24 other appropriate agency, the department shall prepare a report regarding the
25 extent of forest lands in this state and the potential of such lands to provide fuel for

1 use in electric generating facilities, industrial facilities and home heating systems.
2 The report shall evaluate progress made in meeting the afforestation goal under s.
3 1.12 (3) (c). The department shall submit the report before April 1 of each
4 even-numbered year to the legislature under s. 13.172 (3).

5 **SECTION 529.** 26.37 (1) (intro.) of the statutes is amended to read:

6 26.37 (1) (intro.) The department of ~~natural resources~~ agriculture, trade and
7 consumer protection and the department of commerce shall ~~jointly develop a comply~~
8 with any plan to establish developed by the department of natural resources and the
9 department of commerce to establish a lake states wood utilization consortium to
10 provide research, development and demonstration grants to enhance the forest
11 products industry in Wisconsin and other states. ~~The if the plan shall do~~ does all of
12 the following:

13 **SECTION 530.** 26.37 (1) (a) of the statutes is amended to read:

14 26.37 (1) (a) ~~Define~~ Defines the powers, duties and responsibilities of the
15 consortium.

16 **SECTION 531.** 26.37 (1) (b) of the statutes is amended to read:

17 26.37 (1) (b) ~~Establish~~ Establishes an implementation committee for the
18 consortium. Members of the committee may include one or more representatives
19 from the department of natural resources, the department of agriculture, trade and
20 consumer protection, the department of commerce and the forest products industry.

21 **SECTION 532.** 26.37 (1) (c) of the statutes is amended to read:

22 26.37 (1) (c) ~~Specify~~ Specifies eligibility requirements for the grants and
23 criteria for awarding the grants, including how the grants are to be distributed to
24 each state participating in the consortium.

25 **SECTION 533.** 26.37 (1) (d) of the statutes is amended to read:

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

3 **SECTION 534.** 26.37 (1) (e) of the statutes is amended to read:

4 26.37 (1) (e) ~~Require~~ Requires the implementation committee to identify an
5 organization that can administer and award the grants and oversee the grant
6 program.

7 **SECTION 535.** 26.37 (1) (f) of the statutes is amended to read:

8 26.37 (1) (f) ~~Require~~ Requires the consortium to actively pursue funding from
9 the states of Michigan and Minnesota of \$200,000 annually from each state for 3
10 years.

11 **SECTION 536.** 26.37 (1) (g) of the statutes is amended to read:

12 26.37 (1) (g) ~~Require~~ Requires the consortium to actively pursue federal and
13 other funding sources.

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112-13

14 **SECTION 537.** 26.39 (2) of the statutes is amended to read:

15 26.39 (2) FORESTRY EDUCATION CURRICULUM; SCHOOLS. Using the moneys
16 appropriated under s. ~~20.370 (1) (eu)~~ 20.115 (5) (rp), the department, in cooperation
17 with the Center for Environmental Education in the College of Natural Resources
18 at the University of Wisconsin-Stevens Point, shall develop a forestry education
19 curriculum for grades kindergarten to 12.

20 **SECTION 538.** 26.39 (3) of the statutes is amended to read:

21 26.39 (3) FORESTRY EDUCATION FOR THE PUBLIC. Using the moneys appropriated
22 under s. ~~20.370 (1) (ev)~~ 20.115 (5) (rs), the department shall develop a program to
23 educate the public on the value of sustainable forestry. The program shall include
24 support for educational efforts conducted by school districts at school forests or

1 conducted by other entities that provide education on the topic of sustainable
2 forestry.

3 **SECTION 539.** 26.39 (7) (a) of the statutes, as affected by 2009 Wisconsin Act 28,
4 is amended to read:

5 26.39 (7) (a) From the appropriation under s. ~~20.370 (5) (ax)~~ 20.115 (5) (sq), the
6 department shall establish a scholarship grant program to assist individuals who
7 are seeking certification by the Wisconsin Professional Loggers Association as
8 master loggers or who are seeking logger safety training certified by the Wisconsin
9 Professional Loggers Association. A scholarship grant under the program may not
10 exceed 50 percent of the total cost of receiving the certification or training. The
11 department shall promulgate rules that establish criteria for the program.

12 **SECTION 540.** 27.01 (7) (a) 3. of the statutes is amended to read:

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

20 **SECTION 541.** 27.01 (7) (gu) of the statutes is amended to read:

21 27.01 (7) (gu) *Transaction payments.* The department shall establish a system
22 under which ~~the department pays~~ each agent appointed under sub. (7m) (a) ~~a~~
23 ~~payment of 1. is paid~~ 50 cents for each time that the agent processes a transaction
24 through the statewide automated system contracted for under sub. (7m) (d). This
25 payment is in addition to any issuing fee retained by the agent. ~~The department shall~~

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113-11

1 ~~make these~~ These payments shall be made by allowing the agent to retain an amount
2 equal to the payments from the amounts that are collected by the agent and that
3 would otherwise be remitted to the department.

4 **SECTION 542.** 27.01 (7) (h) of the statutes is renumbered 27.01 (7) (h) 1.

5 **SECTION 543.** 27.01 (7) (h) 2. of the statutes is created to read:

6 27.01 (7) (h) 2. The department of natural resources and the department of
7 agriculture, trade and consumer protection shall enter into an agreement to
8 determine how the moneys credited to the conservation fund under subd. 1. will be
9 allocated for use between the departments, how the payments made under par. (gu)
10 will be allocated for payment between the departments, and how the fees collected
11 for conservation patron licenses will be allocated between the departments. The
12 secretary of administration shall resolve any disputes between the departments
13 concerning the agreement entered into under this subdivision.

14 **SECTION 544.** 27.01 (7m) (a) of the statutes, as affected by 2009 Wisconsin Act
15 70, is renumbered 27.01 (7m) (a) 1.

16 **SECTION 545.** 27.01 (7m) (a) 2. of the statutes is created to read:

17 27.01 (7m) (a) 2. The department of agriculture, trade and consumer
18 protection, as an agent of the department, shall issue vehicle admission receipts and
19 collect the vehicle admission fees under sub. (7). The vehicle admission fees collected
20 by the department of agriculture, trade and consumer protection shall be deposited
21 in the conservation fund.

22 **SECTION 546.** 27.01 (7m) (b) of the statutes is renumbered 27.01 (7m) (b) 1. and
23 amended to read:

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

4 **SECTION 547.** 27.01 (7m) (b) 2. of the statutes is created to read:

5 27.01 (7m) (b) 2. The department of agriculture, trade and consumer protection
6 shall collect the applicable issuing fee specified in sub. (7) (gr) for the vehicle
7 admission receipts that it issues and shall deposit the issuing fees into the
8 conservation fund.

9 **SECTION 548.** 27.01 (10) (b) of the statutes is amended to read:

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

16 **SECTION 549.** 27.01 (10) (d) 1. of the statutes is amended to read:

17 27.01 (10) (d) 1. The camping fee for each night at a campsite in a campground
18 which is classified as a Type "A" campground ~~by the department~~ under par. (b) is \$10
19 for a resident camping party.

20 **SECTION 550.** 27.01 (10) (d) 2. of the statutes is amended to read:

21 27.01 (10) (d) 2. 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 \$12
23 for a nonresident camping party.

24 **SECTION 551.** 27.01 (10) (d) 3. of the statutes is amended to read:

1 27.01 (10) (d) 3. The camping fee for each night at a campsite in a state
2 campground which is classified as a Type "B" campground ~~by the department~~ under
3 par. (b) is \$9 for a resident camping party.

4 **SECTION 552.** 27.01 (10) (d) 4. of the statutes is amended to read:

5 27.01 (10) (d) 4. 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 \$11 for a nonresident camping party.

8 **SECTION 553.** 27.01 (10) (d) 5. of the statutes is amended to read:

9 27.01 (10) (d) 5. The camping fee for each night at a campsite in a campground
10 which is classified as a Type "C" campground ~~by the department~~ under par. (b) is \$8
11 for a resident camping party.

12 **SECTION 554.** 27.01 (10) (d) 6. of the statutes is amended to read:

13 27.01 (10) (d) 6. 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 \$10
15 for a nonresident camping party.

16 **SECTION 555.** 27.01 (10) (e) of the statutes is amended to read:

17 27.01 (10) (e) *Determination of residency.* The department of natural resources
18 and the department of agriculture, trade and consumer protection shall base ~~its~~
19 ~~determination~~ their determinations of whether a camping party is a resident or
20 nonresident camping party upon the residency of the person who applies for a
21 reservation under sub. (11) at the time the application for reservation is made or, if
22 no reservation is made, the residency of the person who registers for the campsite at
23 the time of registration.

24 **SECTION 556.** 27.01 (10) (f) of the statutes is amended to read:

1 27.01 (10) (f) *Waiver of fees; special fees.* The department of natural resources
2 or the department of agriculture, trade and consumer protection may waive camping
3 fees, charge additional camping fees or charge special fees instead of camping fees
4 for certain classes of persons or groups, certain areas, certain types of camping or
5 times of the year and for admission to special events.

6 **SECTION 557.** 27.01 (10) (g) (intro.) of the statutes is amended to read:

7 27.01 (10) (g) *Additional camping fees.* (intro.) Besides the additional camping
8 fees authorized under par. (f), the department of natural resources or the department
9 of agriculture, trade and consumer protection may charge:

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

11 27.01 (10) (h) *Increased camping fees.* In addition to its authority under par.
12 (f), the department of natural resources and the department of agriculture, trade and
13 consumer protection shall determine which state campgrounds under their
14 respective supervision and management are located in areas where local market
15 conditions justify ~~the establishment of charging~~ higher camping fees ~~to be charged~~
16 ~~by the department. For these state campgrounds, the department. The departments~~
17 shall promulgate rules for state campgrounds under their respective supervision and
18 management to establish higher camping fees to be based on the applicable local
19 market conditions.

20 **SECTION 559.** 27.01 (11) (a) of the statutes is amended to read:

21 27.01 (11) (a) *Authorization.* The department of natural resources and the
22 department of agriculture, trade and consumer protection may ~~establish and jointly~~
23 operate a campground reservation system for state campgrounds in state parks,
24 state forests and other lands under ~~the~~ either department's supervision and ~~control.~~

1 ~~The department management and~~ may participate with owners of private
2 campgrounds in a cooperative reservation system.

3 **SECTION 560.** 27.01 (11) (b) (intro.) of the statutes is amended to read:

4 27.01 (11) (b) *Rules.* (intro.) The department of natural resources and the
5 department of agriculture, trade and consumer protection shall promulgate rules for
6 the operation of the campground reservation system. The rules shall include all of
7 the following:

8 **SECTION 561.** 27.01 (11) (cm) of the statutes is amended to read:

9 27.01 (11) (cm) *Contracts.* The department of natural resources and the
10 department of agriculture, trade and consumer protection may jointly enter into a
11 contract with another party to operate the campground reservation system that the
12 ~~department establishes~~ departments establish under par. (a).

13 **SECTION 562.** 27.01 (11) (cr) (intro.) of the statutes is amended to read:

14 27.01 (11) (cr) *Contracts; distribution of fees.* (intro.) A contract entered into
15 under this paragraph shall require that the department entering into the contract
16 retain \$1 of each reservation fee collected. Under the contract the other party shall
17 be required to do either of the following:

18 **SECTION 563.** 27.01 (11) (cr) 1. of the statutes is amended to read:

19 27.01 (11) (cr) 1. Remit the entire amount of each reservation fee it collects to
20 the department. ~~The~~ with which it entered into the contract. That department shall
21 credit to the appropriation under s. 20.370 ~~(1)~~ (2) (er) for payment to the party all but
22 \$1 of each fee remitted.

23 **SECTION 564.** 27.01 (11) (cr) 2. of the statutes is amended to read:

24 27.01 (11) (cr) 2. Remit \$1 of each reservation fee it collects to the department
25 with which it entered into the contract.