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1 **SECTION 1138.** 323.60 (4) (b) of the statutes, as affected by 2009 Wisconsin Act
2 42, is amended to read:

3 323.60 (4) (b) Have the same powers and duties at the time of a release of a
4 hazardous substance as are given to it under s. 292.11, including the investigation
5 of releases of hazardous substances, the repair of any environmental damage which
6 results from the release and the recovery of costs from responsible parties. The
7 department of ~~natural resources~~ environmental quality may also, at the time of a
8 release of a hazardous substance, identify and recommend to the division and the
9 committee measures to lessen or mitigate anticipated environmental damage
10 resulting from the release.

11 **SECTION 1139.** 323.60 (5) (b) of the statutes, as affected by 2009 Wisconsin Act
12 42, is amended to read:

13 323.60 (5) (b) All facilities in this state covered under 42 USC 11004 shall
14 comply with the notification requirements of 42 USC 11004. Notification of the
15 department of ~~natural resources~~ environmental quality of the discharge of a
16 hazardous substance under s. 292.11 (2) shall constitute the notification of the
17 division required under 42 USC 11004 if the notification contains the information
18 specified in 42 USC 11004 (b) (2) or (c).

19 **SECTION 1140.** 323.60 (5) (d) (intro.) of the statutes, as affected by 2009
20 Wisconsin Act 42, is amended to read:

21 323.60 (5) (d) (intro.) The following facilities shall comply with the toxic
22 chemical release form requirements under 42 USC 11023 and shall submit copies of
23 all toxic chemical release forms to the department of ~~natural resources~~
24 environmental quality:

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1 **SECTION 1141.** 323.71 (2) of the statutes, as affected by 2009 Wisconsin Act 42,
2 is amended to read:

3 323.71 (2) If action required under sub. (1) is not being adequately taken or the
4 identity of the person responsible for an emergency involving a release or potential
5 release of a hazardous substance is unknown and the emergency involving a release
6 or potential release threatens public health or safety or damage to property, a local
7 agency may take any emergency action that is consistent with the contingency plan
8 for the undertaking of emergency actions in response to the release or potential
9 release of hazardous substances established by the department of ~~natural resources~~
10 environmental quality under s. 292.11 (5) and that it considers appropriate under
11 the circumstances.

12 **SECTION 1142.** 340.01 (3) (b) of the statutes is amended to read:

13 340.01 (3) (b) Conservation wardens' vehicles, state forest rangers' vehicles,
14 environmental wardens' vehicles, foresters' trucks, or vehicles used by commission
15 wardens, whether publicly or privately owned.

16 **SECTION 1143.** 341.65 (2) (b) of the statutes is amended to read:

17 341.65 (2) (b) Any municipal or university police officer, sheriff's deputy, county
18 traffic patrolman, state traffic officer, state forest ranger, conservation warden, or
19 parking enforcer who discovers any unregistered motor vehicle located upon any
20 highway may cause the motor vehicle to be immobilized with an immobilization
21 device or removed to a suitable place of impoundment. Upon immobilization or
22 removal of the motor vehicle, the officer, state forest ranger, conservation warden,
23 or parking enforcer shall notify the sheriff or chief of police of the location of the
24 immobilized or impounded motor vehicle and the reason for the immobilization or
25 impoundment. Upon causing the removal of the motor vehicle by a towing service,

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1 the officer, state forest ranger, conservation warden, or parking enforcer shall,
2 within 24 hours of ordering the removal, notify the towing service of the name and
3 last-known address of the registered owner and all lienholders of record of the
4 vehicle, unless the officer or parking enforcer is employed by a municipality or county
5 that has entered into a towing services agreement which requires the municipality
6 or county to provide notice to such owner and lienholders of the towing.

7 **SECTION 1144.** 342.40 (3) (a) of the statutes is amended to read:

8 342.40 (3) (a) Any municipal or university police officer, police officer appointed
9 under s. 16.84 (2), sheriff's deputy, county traffic patrolman, state traffic officer, state
10 forest ranger, or conservation warden who discovers any motor vehicle, trailer,
11 semitrailer, or mobile home on any public highway or private or public property
12 which has been abandoned shall cause the vehicle to be removed to a suitable place
13 of impoundment. Upon removal of the vehicle the officer, state forest ranger, or
14 conservation warden shall notify the sheriff or chief of police of the abandonment and
15 of the location of the impounded vehicle. Upon causing the removal of the motor
16 vehicle by a towing service, the officer, state forest ranger, or conservation warden
17 shall, within 24 hours of ordering the removal, notify the towing service of the name
18 and last-known address of the registered owner and all lienholders of record of the
19 vehicle, unless the officer is employed by a municipality or county that has entered
20 into a towing services agreement which requires the municipality or county to
21 provide notice to such owner and lienholders of the towing.

22 **SECTION 1145.** 345.11 (1j) of the statutes, as created by 2009 Wisconsin Act 55,
23 is amended to read:

24 345.11 (1j) The uniform traffic citation or the citation form under s. 23.54 may
25 be used for violations of s. ~~30.07~~ 30.795. When the uniform traffic citation is used,

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1 the report of conviction shall be forwarded to the department of natural resources.
2 When the citation form under s. 23.54 is used, the procedure in ss. 23.50 to 23.85
3 applies.

4 **SECTION 1146.** 345.20 (2) (g) of the statutes is amended to read:

5 345.20 (2) (g) Sections ~~23.50 to 23.85~~ 278.50 to 278.90 apply to actions in circuit
6 court to recover forfeitures for violations of s. 287.81. No points may be assessed
7 against the driving record of a person convicted of a violation of s. 287.81. The report
8 of conviction and abstract of court record copy of the citation form shall be forwarded
9 to the department.

10 **SECTION 1147.** 347.06 (1) of the statutes is amended to read:

11 347.06 (1) Except as provided in subs. (2) ~~and~~, (4), and (5), no person may
12 operate a vehicle upon a highway during hours of darkness unless all headlamps, tail
13 lamps and clearance lamps with which such vehicle is required to be equipped are
14 lighted. Parking lamps as defined in s. 347.27 shall not be used for this purpose.

15 **SECTION 1148.** 347.06 (5) of the statutes is created to read:

16 347.06 (5) A state forest ranger appointed under s. 28.92 may operate a vehicle
17 owned or leased by the department of agriculture, trade and consumer protection
18 upon a highway during hours of darkness without lighted headlamps, tail lamps, or
19 clearance lamps in the performance of his or her duties.

20 **SECTION 1149.** 350.01 (9g) of the statutes is amended to read:

21 350.01 (9g) "Law enforcement officer" has the meaning specified under s.
22 165.85 (2) (c) and includes a person appointed as a conservation warden by the
23 department under s. 23.10 (1) or a state forest ranger appointed under s. 28.92.

24 **SECTION 1150.** 350.12 (3h) (g) of the statutes is amended to read:

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1 350.12 (3h) (g) *Receipt of fees.* All fees remitted to or collected by the
2 department under par. (ar) shall be credited to the appropriation account under s.
3 20.370 (9) ~~(hu)~~ (1) (jw).

4 **SECTION 1151.** 350.12 (4) (a) (intro.) of the statutes is amended to read:

5 350.12 (4) (a) *Enforcement, administration and related costs.* (intro.) The
6 moneys appropriated from s. 20.370 (3) (1) (ak) ~~and~~, (aq), (tu), and (tw) and (5) (es)
7 ~~and (9) (mu) and (mw)~~ may be used for the following:

8 **SECTION 1152.** 350.12 (4) (a) 3m. of the statutes is amended to read:

9 350.12 (4) (a) 3m. The cost of state law enforcement efforts as appropriated
10 under s. 20.370 (3) (1) (ak) and (aq); and

11 **SECTION 1153.** 350.12 (4) (am) of the statutes is amended to read:

12 350.12 (4) (am) *Enforcement aids to department.* Of the amounts appropriated
13 under s. 20.370 (3) (1) (ak) and (aq), the department shall allocate \$26,000 in each
14 fiscal year to be used exclusively for the purchase of snowmobiles or trailers to carry
15 snowmobiles, or both, to be used in state law enforcement efforts.

16 **SECTION 1154.** 350.12 (4) (b) (intro.) of the statutes is amended to read:

17 350.12 (4) (b) *Trail aids and related costs.* (intro.) The moneys appropriated
18 under s. 20.370 (1) (mq) and (5) (cb), (cr), (cs), and (cw) and s. 20.115 (5) (sm) shall
19 be used for development and maintenance, the cooperative snowmobile sign
20 program, major reconstruction or rehabilitation to improve bridges on existing
21 approved trails, trail rehabilitation, signing of snowmobile routes, and state
22 snowmobile trails and areas and distributed as follows:

23 **SECTION 1155.** 350.12 (4) (bg) 1. of the statutes is amended to read:

24 350.12 (4) (bg) 1. Of the moneys appropriated under s. 20.370 (5) (cs), the
25 department of natural resources shall make available in fiscal year 2001-02 and

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1 each fiscal year thereafter an amount equal to the amount calculated under s. 25.29
2 (1) (d) 2. to make payments to itself, to the department of agriculture, trade and
3 consumer protection, or to a county under par. (bm) for trail maintenance costs
4 incurred in the previous fiscal year that exceed the maximum specified under par.
5 (b) 1. before expending any of the amount for the other purposes specified in par. (b).

6 **SECTION 1156.** 350.12 (4) (bm) (intro.) of the statutes is amended to read:

7 350.12 (4) (bm) *Supplemental trail aids; eligibility.* (intro.) A county or the
8 department of agriculture, trade and consumer protection shall be eligible for
9 payments under par. (bg) for a given fiscal year if it applies for the aid and if all of
10 the following apply:

11 **SECTION 1157.** 350.12 (4) (bm) 1. of the statutes is amended to read:

12 350.12 (4) (bm) 1. The actual cost incurred by the department of agriculture,
13 trade and consumer protection or the county in maintaining its trails that are
14 qualified under par. (b) 1. or 4. in the previous fiscal year exceeds the maximum of
15 \$250 per mile per year under par. (b) 1.

16 **SECTION 1158.** 350.12 (4) (bm) 2. of the statutes is amended to read:

17 350.12 (4) (bm) 2. Of the actual cost incurred by the department of natural
18 resources, the department of agriculture, trade and consumer protection, or the
19 county in maintaining its trails that are qualified under par. (b) 1. or 4. for the fiscal
20 year applicable under subd. 1., the actual cost incurred in grooming the trails exceeds
21 a maximum of \$150 per mile per year.

22 **SECTION 1159.** 350.12 (4) (br) of the statutes is amended to read:

23 350.12 (4) (br) *Supplemental trail aids; insufficient funding.* If the aid under
24 par. (bm) that is payable to counties and, to the department under par. (bm) of
25 natural resources, and to the department of agriculture, trade and consumer

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1 protection exceeds the moneys available under par. (bg), the department may prorate
2 the payments or may request the joint committee on finance to take action under s.
3 13.101. The requirement of a finding of emergency under s. 13.101 (3) (a) 1. does not
4 apply to such a request.

5 **SECTION 1160.** 350.12 (4) (c) of the statutes is amended to read:

6 350.12 (4) (c) 1. Any moneys appropriated under s. 20.370 (1) ~~(aq)~~, (mq), ~~(3) (aq)~~
7 ~~or (9) (mw)~~ or (tw) that lapse shall revert to the snowmobile account in the
8 conservation fund.

9 2. If any moneys appropriated under s. 20.370 ~~(9) (mu)~~ (1) (tu) lapse, a portion
10 of those moneys shall revert to the snowmobile account in the conservation fund. The
11 department shall calculate that portion by multiplying the total amount lapsing
12 from the appropriation by the same percentage the department used for the fiscal
13 year to determine the amount to be expended under the appropriation for
14 snowmobile registration.

15 **SECTION 1161.** 350.14 (1) of the statutes is amended to read:

16 350.14 (1) The snowmobile recreational council shall carry out studies and
17 make recommendations to the legislature, governor, department of natural
18 resources, the department of agriculture, trade and consumer protection, and
19 department of transportation on all matters related to this chapter or otherwise
20 affecting snowmobiles and snowmobiling.

21 **SECTION 1162.** 350.145 (3) (a) 1. of the statutes is amended to read:

22 350.145 (3) (a) 1. Before June 30 of each even-numbered year, the department
23 shall consult with the department of agriculture, trade and consumer protection and
24 the snowmobile recreational council on the proposed changes for the succeeding
25 biennium in the appropriations and laws that affect snowmobiles and snowmobiling.

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1 **SECTION 1163.** 350.15 (3) (a) of the statutes is amended to read:

2 350.15 (3) (a) If a snowmobile accident results in the death of any person, or
3 in an injury that requires the treatment of a person by a physician, the operator of
4 each snowmobile involved in the accident shall give notice of the accident to a
5 ~~conservation warden or local~~ law enforcement officer as soon as possible and, within
6 10 days after the accident, shall file a written report of the accident with the
7 department on the form prescribed by it.

8 **SECTION 1164.** 350.17 (1) of the statutes is amended to read:

9 350.17 (1) Any law enforcement officer of the state traffic patrol under s. 110.07
10 ~~(1), inspector under s. 110.07 (3), warden of the department under s. 23.10, county~~
11 ~~sheriff or municipal peace officer~~ may enforce the provisions of this chapter.

12 **SECTION 1165.** 560.11 (1) (a) of the statutes is amended to read:

13 560.11 (1) (a) Advise the department of ~~natural resources~~ environmental
14 quality concerning the effectiveness of the small business stationary source technical
15 and environmental compliance assistance program under s. 285.79, difficulties
16 encountered by small business stationary sources, as defined in s. 285.79 (1), in
17 complying with s. 299.15 and ch. 285 and the degree and severity of enforcement of
18 s. 299.15 and ch. 285 against small business stationary sources.

19 **SECTION 1166.** 560.11 (2) of the statutes is amended to read:

20 560.11 (2) The employees of the department of commerce who staff the small
21 business ombudsman clearinghouse under s. 560.03 (9) and the employees of the
22 department of ~~natural resources~~ environmental quality who staff the small business
23 stationary source technical and environmental compliance assistance program
24 under s. 285.79 shall provide the small business environmental council with the
25 assistance necessary to comply with sub. (1).

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1 **SECTION 1167.** 560.13 (2) (a) 1m. of the statutes is amended to read:

2 560.13 (2) (a) 1m. The recipient does not use the grant proceeds to pay lien
3 claims of the department of ~~natural resources~~ environmental quality or the federal
4 environmental protection agency based on investigation or remediation activities of
5 the department of ~~natural resources~~ environmental quality or the federal
6 environmental protection agency or to pay delinquent real estate taxes or interest
7 or penalties that relate to those taxes.

8 **SECTION 1168.** 560.13 (5) of the statutes is amended to read:

9 560.13 (5) Before the department awards a grant under this section, the
10 department shall consider the recommendations of the department of
11 administration and the department of ~~natural resources~~ environmental quality.

12 **SECTION 1169.** 560.19 (3) of the statutes is amended to read:

13 560.19 (3) In coordination with the solid and hazardous waste education center
14 under s. 36.25 (30) and the department of ~~natural resources~~ environmental quality,
15 the department shall conduct an education, environmental management and
16 technical assistance program to promote pollution prevention among businesses in
17 the state.

18 **SECTION 1170.** 778.104 (title) of the statutes is amended to read:

19 **778.104 (title) Department of natural resources and department of**
20 **environmental quality forfeitures; how recovered.**

21 **SECTION 1171.** 778.104 of the statutes is renumbered 778.104 (1) and amended
22 to read:

23 778.104 (1) If there is a conflict with this chapter, the procedure in ss. 23.50 to
24 23.85 shall be followed in actions to recover forfeitures for the violation of those
25 ~~natural resources~~ laws enumerated in s. 23.50.

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1 **SECTION 1172.** 778.104 (2) of the statutes is created to read:

2 778.104 (2) If there is a conflict with this chapter, the procedure in ss. 278.50
3 to 278.90 shall be followed in actions to recover forfeitures for the violation of those
4 laws enumerated in s. 278.51 (1).

5 **SECTION 1173.** 778.30 (1) (intro.) of the statutes is amended to read:

6 778.30 (1) (intro.) In addition to the procedures under s. 23.795, 278.795, or
7 345.47 or under this chapter for the collection of forfeitures, costs, assessments,
8 surcharges or restitution payments if a defendant fails to pay the forfeiture, costs,
9 assessment, surcharge or restitution payment within the period specified by the
10 circuit court, the court may do any of the following:

11 **SECTION 1174.** 800.02 (2) (a) (intro.) of the statutes is amended to read:

12 800.02 (2) (a) (intro.) The citation shall be signed by a peace officer or endorsed
13 by a municipal attorney or, if applicable, signed by a conservation warden or a state
14 forest ranger. In addition, the governing body of a municipality authorized to adopt
15 the use of citations may designate by ordinance or resolution other municipal
16 officials who may issue citations with respect to ordinances which are directly
17 related to the official responsibilities of the officials. Officials granted the authority
18 to issue citations may delegate, with the approval of the governing body, the
19 authority to employees. Authority delegated to an official or employee may be
20 revoked only in the same manner by which it is conferred. The citation shall contain
21 substantially the following information:

22 **SECTION 1175.** 814.77 (5) of the statutes is repealed.

23 **SECTION 1176.** 814.785 of the statutes is created to read:

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1 **814.785 Surcharges in ch. 278 forfeiture actions.** In addition to any
2 forfeiture imposed in an action under s. 278.51, a defendant shall pay the following
3 surcharges if applicable:

4 (1) The court support services surcharge under s. 814.85.

5 (2) The crime laboratories and drug law enforcement surcharge under s.
6 165.755.

7 (3) The environmental surcharge under s. 299.93.

8 (4) The jail surcharge under s. 302.46 (1).

9 (5) The justice information system surcharge under s. 814.86 (1).

10 (6) The penalty surcharge under s. 757.05.

11 (7) The special prosecution clerks surcharge under s. 814.86 (1m).

12 **SECTION 1177.** 823.075 (1) (a) of the statutes is amended to read:

13 823.075 (1) (a) "Department" means the department of ~~natural resources~~
14 agriculture, trade and consumer protection.

15 **SECTION 1178.** 823.08 (3) (c) 1. of the statutes is amended to read:

16 823.08 (3) (c) 1. Subject to subd. 2., if a court requests the department of
17 agriculture, trade and consumer protection or the department of ~~natural resources~~
18 environmental quality for suggestions under par. (b) 2. a., the department of
19 agriculture, trade and consumer protection or the department of ~~natural resources~~
20 environmental quality shall advise the court concerning the relevant provisions of
21 the performance standards, prohibitions, conservation practices and technical
22 standards under s. 281.16 (3).

23 **SECTION 1179.** 823.085 (2) (intro.) of the statutes is amended to read:

24 823.085 (2) (intro.) In any action finding a solid waste facility or the operation
25 of a solid waste facility to be a public or private nuisance, if the solid waste facility

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1 was licensed under s. 289.31 (1) and was operated in substantial compliance with the
2 license, the plan of operation for the solid waste facility approved by the department
3 of ~~natural resources~~ environmental quality and the rules promulgated under s.
4 289.05 (1) that apply to the facility, then all of the following apply:

5 **SECTION 1180.** 823.085 (2) (b) of the statutes is amended to read:

6 823.085 (2) (b) The department of ~~natural resources~~ environmental quality
7 shall comply with a request by the court to provide suggestions for practices to reduce
8 the offensive aspects of the nuisance.

9 **SECTION 1181.** 891.04 of the statutes is amended to read:

10 **891.04 Certificate as to public lands.** The certificate of the executive
11 secretary appointed under s. 24.55 under the official seal, that any specified piece or
12 tract of land belongs to or is mortgaged to the state, or that the state has any interest,
13 legal or equitable, in that land shall be presumptive evidence of the facts so stated.
14 The certificate of the secretary of ~~natural resources~~ agriculture, trade and consumer
15 protection under the official seal of the department that authority has been given to
16 any person, naming the person, to seize timber or other materials specified in ch. 26
17 shall be presumptive evidence of the fact so stated.

18 **SECTION 1182.** 893.73 (2) (a) of the statutes is amended to read:

19 893.73 (2) (a) An action under s. 60.73 contesting an act of a town board or the
20 department of ~~natural resources~~ environmental quality in the establishment of a
21 town sanitary district.

22 **SECTION 1183.** 895.52 (2) (a) 2. of the statutes is amended to read:

23 895.52 (2) (a) 2. A duty to inspect the property, except as provided under s. ss.
24 23.115 (2) and 28.047 (3).

25 **SECTION 1184.** 895.52 (3) (b) of the statutes is amended to read:

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1 895.52 (3) (b) A death or injury caused by a malicious act or by a malicious
2 failure to warn against an unsafe condition of which an officer, employee or agent
3 knew, which occurs on property designated by the department of natural resources
4 under s. 23.115, designated by the department of agriculture, trade and consumer
5 protection under s. 28.047, or designated by another state agency for a recreational
6 activity.

7 **SECTION 1185.** 895.53 (1) (am) of the statutes is created to read:

8 895.53 (1) (am) "State forest ranger" means a person appointed as a state forest
9 ranger by the department of agriculture, trade and consumer protection under s.
10 28.92.

11 **SECTION 1186.** 895.53 (2) of the statutes is amended to read:

12 895.53 (2) Any person withdrawing blood at the request of a traffic officer, law
13 enforcement officer, state forest ranger, or conservation warden for the purpose of
14 determining the presence or quantity of alcohol, controlled substances, controlled
15 substance analogs or any combination of alcohol, controlled substances and
16 controlled substance analogs is immune from any civil or criminal liability for the
17 act, except for civil liability for negligence in the performance of the act.

18 **SECTION 1187.** 895.55 (2) (b) of the statutes is amended to read:

19 895.55 (2) (b) The assistance, advice or care was consistent with the national
20 contingency plan or the state contingency plan or was otherwise directed by the
21 federal on-scene coordinator or the secretary of ~~natural resources~~ environmental
22 quality.

23 **SECTION 1188.** 895.56 (2) (c) of the statutes is amended to read:

24 895.56 (2) (c) The acts or omissions involving petroleum-contaminated soil on
25 the property were required by reasonably precise specifications in the contract

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1 entered into under s. 84.06 (2), and the acts or omissions conformed to those
2 specifications, or were otherwise directed by the department of transportation or by
3 the department of ~~natural resources~~ environmental quality.

4 **SECTION 1189.** 895.56 (3) (c) of the statutes is amended to read:

5 895.56 (3) (c) The person fails to warn the department of transportation or the
6 department of ~~natural resources~~ environmental quality about the presence of
7 petroleum-contaminated soil encountered at the site, if the
8 petroleum-contaminated soil was reasonably known to the person but not to the
9 department of transportation or to the department of ~~natural resources~~
10 environmental quality.

11 **SECTION 1190.** 895.58 (1) (a) of the statutes is amended to read:

12 895.58 (1) (a) "Department" means the department of ~~natural resources~~
13 environmental quality.

14 **SECTION 1191.** 938.237 (1) of the statutes is amended to read:

15 938.237 (1) CITATION FORM. The citation forms under s. 23.54, 66.0113, 278.54
16 778.25, 778.26 or 800.02 may be used to commence an action for a violation of civil
17 laws and ordinances in the court.

18 **SECTION 1192.** 938.237 (2) of the statutes is amended to read:

19 938.237 (2) PROCEDURES. The procedures for issuance and filing of a citation,
20 and for forfeitures, stipulations, and deposits in ss. 23.50 to 23.67, 23.75 (3) and (4),
21 66.0113, 278.50 to 278.67, 278.75 (3) and (4), 778.25, 778.26, and 800.01 to 800.04
22 except s. 800.04 (2) (b), when the citation is issued by a law enforcement officer, shall
23 be used as appropriate, except that this chapter shall govern taking and holding a
24 juvenile in custody, s. 938.37 shall govern costs, fees, and surcharges imposed under
25 ch. 814, and a *capias* shall be substituted for an arrest warrant. Sections 66.0113 (3)

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1 (c) and (d), 66.0114 (1), and 778.10 as they relate to collection of forfeitures do not
2 apply.

3 **SECTION 1193.** 951.01 (4) of the statutes is amended to read:

4 951.01 (4) "Law enforcement officer" has the meaning assigned under s. 967.02
5 (5) but does not include a conservation warden appointed under s. 23.10, an
6 environmental warden appointed under s. 278.10, or a state forest ranger.

7 **SECTION 1194.** 990.01 (39) of the statutes is created to read:

8 990.01 (39) SOUTHERN STATE FOREST. "Southern state forest" means a state
9 forest that is located within the region specified in s. 25.29 (7) (a).

10 **SECTION 1195. Nonstatutory provisions.**

11 (1) TRANSFERS TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY.

12 (a) *Assets and liabilities.* On the effective date of this paragraph, the following
13 assets and liabilities of the department of natural resources shall become the assets
14 and liabilities of the department of environmental quality:

15 1. The assets and liabilities that are primarily related to the functions of the
16 division of air and waste.

17 2. The assets and liabilities that are primarily related to the functions of the
18 bureau of drinking water and groundwater and to those functions of the bureau of
19 watershed management that are assigned to the department of environmental
20 quality by this act.

21 3. The assets and liabilities that are primarily related to those functions of the
22 divisions of enforcement and science, administration and technology, and customer
23 assistance and employee services that are assigned to the department of
24 environmental quality by this act.

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1 4. Any other assets and liabilities related to the administrative functions of the
2 department of natural resources that the secretary of natural resources determines
3 should be transferred.

4 (b) *Employee transfers.* The following classified positions in the department of
5 natural resources and the incumbents in the positions are transferred to the
6 department of environmental quality:

7 1. The classified positions and the incumbents in the positions in the division
8 of air and waste.

9 2. The classified positions and the incumbents in the positions in the bureau
10 of drinking water and groundwater and the classified positions and the incumbents
11 in the positions in the bureau of watershed management that are primarily related
12 to those functions of the bureau of watershed management that are assigned to the
13 department of environmental quality by this act.

14 3. The classified positions and the incumbents in the positions that are
15 primarily related to those functions of the divisions of enforcement and science,
16 administration and technology, and customer and employee services that are
17 assigned to the department of environmental quality by this act.

18 4. Any other classified positions and the incumbents in the positions related
19 to the administrative functions of the department of natural resources that the
20 secretary of natural resources determines should be transferred.

21 (c) *Employee status.* Employees transferred under paragraph (b) shall have the
22 same rights and status under subchapter V of chapter 111 and chapter 230 of the
23 statutes in the department of environmental quality that they enjoyed in the
24 department of natural resources immediately before the transfer. Notwithstanding

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1 section 230.28 (4) of the statutes, no employee so transferred who has attained
2 permanent status in class is required to serve a probationary period.

3 (d) *Position changes.* The authorized full-time equivalent positions for the
4 department of natural resources funded by an appropriation immediately before the
5 effective date of this paragraph are reduced by the number of full-time equivalent
6 positions funded by that appropriation that are transferred to the department of
7 environmental quality under par. (b), and the authorized full-time equivalent
8 positions for the department of environmental quality funded by the equivalent
9 appropriation to that department are increased by the same number.

10 (e) *Tangible personal property.* On the effective date of this paragraph, all of
11 the following tangible personal property, including records, of the department of
12 natural resources shall be transferred to the department of environmental quality:

13 1. The tangible personal property, including records, primarily related to the
14 functions of the division of air and waste.

15 2. The tangible personal property, including records, primarily related to the
16 functions of the bureau of drinking water and groundwater and to those functions
17 of the bureau of watershed management that are assigned to the department of
18 environmental quality by this act.

19 3. The tangible personal property, including records, primarily related to those
20 functions of the divisions of enforcement and science and customer and employee
21 services that are assigned to the department of environmental quality by this act.

22 4. Any other tangible personal property related to the administrative functions
23 of the department of natural resources that the secretary of natural resources
24 determines should be transferred.

BILL

1 (f) *Contracts transferred.* The following contracts entered into by the
2 department of natural resources in effect on the effective date of this paragraph
3 remain in effect and are transferred to the department of environmental quality:

4 1. Contracts that are primarily related to the functions of the division of air and
5 waste.

6 2. Contracts that are primarily related to the functions of the bureau of
7 drinking water and groundwater and to those functions of the bureau of watershed
8 management that are assigned to the department of environmental quality by this
9 act.

10 3. Contracts that are primarily related to those functions of the divisions of
11 enforcement and science and customer and employee services that are assigned to
12 the department of environmental quality by this act.

13 4. Any other contracts related to the administrative functions of the
14 department of natural resources that the secretary of natural resources determines
15 should be transferred.

16 (g) *Contracts carried out.* The department of environmental quality shall carry
17 out the obligations in a contract under paragraph (f) except to the extent that the
18 contract is modified or rescinded by the department of environmental quality in a
19 manner allowed under the contract.

20 (h) *Rules and orders.*

21 1. The following rules promulgated and orders issued by the department of
22 natural resources that are in effect on the effective date of this subdivision shall be
23 considered rules and orders of the department of environmental quality and shall
24 remain in effect until their specified effective dates or until modified, repealed, or
25 rescinded by the department of environmental quality:

BILL

1 a. The rules and orders that are primarily related to the functions of the
2 division of air and waste.

3 b. The rules and orders that are primarily related to the functions of the bureau
4 of drinking water and groundwater and to those functions of the bureau of watershed
5 management that are assigned to the department of environmental quality by this
6 act.

7 c. The rules and orders that are primarily related to those functions of the
8 divisions of enforcement and science and customer and employee services that are
9 assigned to the department of environmental quality by this act.

10 2. In the rules and orders under subdivision 1., references to the secretary or
11 department of natural resources or to an officer or employee of the department of
12 natural resources transferred under this act to the department of environmental
13 quality shall be treated as references to the secretary or department of
14 environmental quality or to an officer or employee of the department of
15 environmental quality.

16 (i) *Pending matters.* The following matters pending with the department of
17 natural resources on the effective date of this paragraph are transferred to the
18 department of environmental quality, and all materials submitted to or actions taken
19 by the department of natural resources with respect to the following pending matters
20 are considered as having been submitted to or taken by the department of
21 environmental quality:

22 1. Pending matters that are primarily related to the functions of the division
23 of air and waste.

24 2. Pending matters that are primarily related to the functions of the bureau of
25 drinking water and groundwater and to those functions of the bureau of watershed

BILL

1 management that are assigned to the department of environmental quality by this
2 act.

3 3. Pending matters that are primarily related to those functions of the divisions
4 of enforcement and science and customer and employee services that are assigned
5 to the department of environmental quality by this act.

6 4. Any other pending matters relating to the administration of the department
7 that the secretary of natural resources determines should be transferred.

8 (j) *Dispute resolution.* The secretary of environmental quality or the secretary
9 of natural resources may, after the effective date of this paragraph, and before July
10 1, 2012, request the joint committee on finance to modify the transfers provided
11 under paragraphs (a), (b), (d), (e), (f), and (i). The committee may make those
12 transfers as requested or as modified by the committee.

13 (2) TRANSFER OF THE DIVISION OF FORESTRY TO THE DEPARTMENT OF AGRICULTURE,
14 TRADE AND CONSUMER PROTECTION.

15 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
16 liabilities of the department of natural resources that are primarily related to the
17 functions of the division of forestry, as determined by the secretary of administration,
18 shall become the assets and liabilities of the department of agriculture, trade and
19 consumer protection. If either department is dissatisfied with the secretary's
20 determination, that department may bring the matter to the cochairpersons of the
21 joint committee on finance for consideration by the committee, and the committee
22 shall affirm or modify the decision.

23 (b) *Employee transfers.*

24 1. All incumbent employees holding positions in the department of natural
25 resources relating primarily to the functions of the division of forestry, as determined

and to the functions of the division of land that
concern southern state forests

BILL

1 by the secretary of administration, are transferred on the effective date of this
2 subdivision to the department of agriculture, trade and consumer protection. If
3 either department is dissatisfied with the secretary's determination, that
4 department may bring the matter to the cochairpersons of the joint committee on
5 finance for consideration by the committee, and the committee shall affirm or modify
6 the decision.

7 2. The secretary of administration shall determine which incumbent
8 employees holding positions in the department of natural resources that relate
9 primarily to general administration and program support will be transferred to the
10 department of agriculture, trade and consumer protection. If either department is
11 dissatisfied with the secretary's determination, that department may bring the
12 matter to the cochairpersons of the joint committee on finance for consideration by
13 the committee, and the committee shall affirm or modify the decision.

14 (c) *Employee status.* Employees transferred under paragraph (b) shall have the
15 same rights and status under subchapter V of chapter 111 and chapter 230 of the
16 statutes in the department of agriculture, trade and consumer protection that he or
17 she enjoyed in the department of natural resources immediately before the transfer.
18 Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who
19 has attained permanent status in class is required to serve a probationary period.

20 (d) *Tangible personal property.* On the effective date of this paragraph, all
21 tangible personal property, including records, of the department of natural resources
22 that is primarily related to the functions of the division of forestry as determined by
23 the secretary of administration, shall be transferred to the department of
24 agriculture, trade and consumer protection. If either department is dissatisfied with
25 the secretary's determination, that department may bring the matter to the

and to the functions of the division of land
that concern southern state forests

BILL

1 cochairpersons of the joint committee on finance for consideration by the committee,
2 and the committee shall affirm or modify the decision.

3 (e) *Contracts.* All contracts entered into by the department of natural resources
4 in effect on the effective date of this paragraph that are primarily related to the
5 functions of the division of forestry as determined by the secretary of administration,
6 remain in effect and are transferred to the department of agriculture, trade and
7 consumer protection. If either department is dissatisfied with the secretary's
8 determination, that department may bring the matter to the cochairpersons of the
9 joint committee on finance for consideration by the committee, and the committee
10 shall affirm or modify the decision. The department of agriculture, trade and
11 consumer protection shall carry out any such contractual obligations unless modified
12 or rescinded by the department of agriculture, trade and consumer protection to the
13 extent allowed under the contract.

14 (f) *Rules and orders.* All rules promulgated by the department of natural
15 resources that are primarily related to the functions of the division of forestry as
16 determined by the secretary of administration, and that are in effect on the effective
17 date of this paragraph remain in effect until their specified expiration dates or until
18 amended or repealed by the department of agriculture, trade and consumer
19 protection. All orders issued by the department of natural resources that are
20 primarily related to the functions of the division of forestry as determined by the
21 secretary of administration, and that are in effect on the effective date of this
22 paragraph remain in effect until their specified expiration dates or until modified or
23 rescinded by the department of agriculture, trade and consumer protection. If either
24 department is dissatisfied with the secretary's determination, that department may
25 bring the matter to the cochairpersons of the joint committee on finance for

and to the functions of the division of land that
concern southern state forests

BILL

1 consideration by the committee, and the committee shall affirm or modify the
2 decision.

3 (g) *Pending matters.* Any matter pending with the department of natural
4 resources on the effective date of this paragraph that is primarily related to the
5 functions of the division of forestry as determined by the secretary of administration,
6 is transferred to the department of agriculture, trade and consumer protection and
7 all materials submitted to or actions taken by the department of natural resources
8 with respect to the pending matter are considered as having been submitted to or
9 taken by the department of agriculture, trade and consumer protection. If either
10 department is dissatisfied with the secretary's determination, that department may
11 bring the matter to the cochairpersons of the joint committee on finance for
12 consideration by the committee, and the committee shall affirm or modify the
13 decision.

14 (h) *Position changes.* The authorized full-time equivalent positions for the
15 department of natural resources funded by an appropriation immediately before the
16 effective date of this paragraph are reduced by the number of full-time equivalent
17 positions funded by that appropriation that are transferred to the department of
18 agriculture, trade and consumer protection under paragraph (b), and the authorized
19 full-time equivalent positions for the department of agriculture, trade and consumer
20 protection funded by the equivalent appropriation to that department are increased
21 by the same number.

SECTION 1196. Effective date.

22 (1) This act takes effect on July 1, 2011.

24 (END)

D-Note
and to the functions of the division of land that
concern southern state forests

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-4382/2dn

RNK: *jk*

Date

DNR's exclusive

This redraft revises the previous version of the draft so that that the responsibilities of the Department of Natural Resources (DNR) as they relate to southern state forests are transferred to the Department of Agriculture, Trade and Consumer Protection (DATCP) in the same manner that the responsibilities for other forests are transferred to DATCP. Also, this draft retains ~~DNR~~ authority over the stewardship program and retains DNR responsibility over determining public access on land in state forests and on land subject to the managed forest land program.

Please feel free to contact me if you have any questions with regard to this draft.

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of natural resources

~~NO~~ ANLMG

~~R~~ DNR retains the responsibility of determining public access on land in state forests and on land subject to the managed forest land program. ✓

1 **Insert 78-2**

2 **SECTION 1.** 23.0916 (3) (a) of the statutes is amended to read:

3 23.0916 (3) (a) Except as provided in par. (b) and sub. (4) and ss. 29.089, 29.091,
4 29.301 (1) (b), and 29.621 (4), the department shall permit public access for
5 nature-based outdoor activities by others on land that is ~~acquired by the department~~
6 in fee simple or that is an easement acquired by the department on former managed
7 forest land and that was acquired by the department ^{pursuant to} ~~under~~ its authority under s.
8 23.09 (2) (d) 1. or 5, 2007, stats., or s. 23.09 (2) (d) or that was acquired by the
9 department ~~of a for by the state~~ pursuant to its authority under s. ^{28.012 or} 28.02 (2) ~~or~~ plain

History: 2007 a. 20; 2009 a. 28.

10 **Insert 188-15**

*of agriculture, trade and
consumer affairs protection*

History: 1971 c. 40 s. 93; 1971 c. 125 s. 522 (1); 1971 c. 215, 277, 326; 1973 c. 251, 298, 333; 1975 c. 39 ss. 249, 249a, 250m, 734; 1975 c. 91, 200, 224, 365; 1977 c. 29, 402, 406; 1979 c. 34 ss. 699m to 701g, 2102 (39) (a); 1979 c. 89; 1981 c. 20 ss. 598 to 599s, 2202 (38) (c); 1981 c. 295; 1981 c. 390 s. 252; 1983 a. 27, 243; 1985 a. 29, 65, 322; 1985 a. 332 ss. 34, 251 (1); 1987 a. 27, 98, 295, 403; 1989 a. 31, 336, 359; 1991 a. 39, 269, 309; 1993 a. 16, 343, 436, 490; 1995 a. 27, 218, 257, 349, 417; 1997 a. 27, 35, 248, 313; 1999 a. 9, 32, 83; 2001 a. 38, 56, 104, 109; 2003 a. 33, 89; ~~2005 a. 25, 166, 286; 2007 a. 20.~~

11 **SECTION 2.** 77.83 (1m) of the statutes is amended to read:

12 77.83 (1m) MODIFICATION OF DESIGNATION. For a managed forest land order that
13 takes effect on or after April 28, 2004, the owner of the managed forest land may
14 modify the designation of a closed or open area 2 times during the term of the order.
15 For a managed forest land order that takes effect before April 28, 2004, the owner
16 of the managed forest land may modify the designation of a closed or open area 2
17 times during the period beginning with April 28, 2004, and ending with the
18 expiration date of the order, regardless of whether the owner has previously modified

1 the designation as authorized by rules promulgated by the department of natural
2 resources.

3 History: 1985 a. 29; 1989 a. 79; 1993 a. 131; 2003 a. 228; 2005 a. 299; 2007 a. 20.

SECTION 3. 77.83 (2) (am) 3. of the statutes is amended to read:

4 77.83 (2) (am) 3. Subdivisions 1. and 2. do not apply to any lease or other
5 agreement if the consideration involved solely consists of reasonable membership
6 fees charged by a nonprofit organization and the lease or agreement is approved by
7 the department of natural resources.

8 History: 1985 a. 29; 1989 a. 79; 1993 a. 131; 2003 a. 228; 2005 a. 299; 2007 a. 20.

SECTION 4. 77.83 (2) (c) of the statutes is amended to read:

9 77.83 (2) (c) An owner may prohibit the use of motor vehicles, as defined under
10 s. 340.01 (35), or snowmobiles, as defined under s. 340.01 (58a), or both on any open
11 managed forest land. At the request of an owner, the department of natural
12 resources may provide assistance in enforcing the prohibition.

13 History: 1985 a. 29; 1989 a. 79; 1993 a. 131; 2003 a. 228; 2005 a. 299; 2007 a. 20.

SECTION 5. 77.83 (3) of the statutes is amended to read:

14 77.83 (3) SIGNS. An owner may post signs specifying the designation of or
15 restrictions applicable to any area of managed forest land. The department of
16 natural resources may, by rule, specify design standards for these signs.

17 History: 1985 a. 29; 1989 a. 79; 1993 a. 131; 2003 a. 228; 2005 a. 299; 2007 a. 20.

SECTION 6. 77.88 (2) (e) of the statutes is amended to read:

18 77.88 (2) (e) The transferred land shall remain managed forest land if the
19 transferee, within 30 days after the transfer, certifies to the department of
20 agriculture, trade and consumer protection an intent to comply with the existing
21 management plan for the land and with any amendments agreed to by the
22 department and the transferee, and provides proof that each person holding any
23 encumbrance on the land agrees to the designation. The transferee may designate

1 an area of the transferred land closed to public access as provided under s. 77.83
2 subject to approval by the department of natural resources. The department of of
3 agriculture, trade and consumer protection shall issue an order continuing the
4 designation of the land as managed forest land under the new ownership.

History: 1985 a. 29; 1991 a. 39; 1993 a. 16, 131; 1995 a. 27; 1997 a. 150 s. 672; 2003 a. 228; 2005 a. 64, 299.

5 **SECTION 7. 77.91 (2) (b)** of the statutes is amended to read:

6 77.91 (2) (b) The department of natural resources shall prepare, update
7 annually and, by March 31 of each year, offer for sale to the public information
8 describing the location of managed forest land designated as open under s. 77.83.

History: 1985 a. 29; 1987 a. 186; 1991 a. 39; 1993 a. 16; 1995 a. 27, 201, 225; 2003 a. 33.

2009-2010 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-4382/2insRK
RNK:.....

INSERT 17-22

1 SECTION 1. 15.07 (2) (n) of the statutes is amended to read:
2 15.07 (2) (n) The member appointed under s. ~~15.345 (6)~~ 15.13 (5) (a) shall serve
3 as chairperson of the managed forest land board.

History: 1971 c. 100 s. 23; 1971 c. 125, 261, 270, 323; 1973 c. 90, 156, 299, 334; 1975 c. 39, 41, 422; 1977 c. 29 ss. 24, 26, 1650m (3); 1977 c. 203, 277, 418, 427; 1979 c. 34, 110, 221, 346; 1981 c. 20, 62, 94, 96, 156, 314, 346, 374, 391; 1983 a. 27, 282, 403; 1985 a. 20, 29, 316; 1987 a. 27, 119, 142, 354, 399, 403; 1989 a. 31, 102, 114, 219, 299, 340; 1991 a. 25, 39, 116, 221, 269, 316; 1993 a. 16, 75, 102, 184, 349, 399, 490; 1995 a. 27, 216, 247; 1997 a. 27 ss. 43 to 48m, 9456 (3m); 1999 a. 9, 44, 181, 197; 2001 a. 16; 2003 a. 33 ss. 79 to 85, 2811; 2003 a. 48 ss. 10, 11; 2003 a. 171; 2003 a. 206 s. 23; 2005 a. 25 ss. 41g to 45m, 2493; 2005 a. 76, 228, 253; 2007 a. 1, 20, 97, 109; 2009 a. 28.

INSERT 20-15

and 15.132 (1),
as renumbered, is

4 Fix component SECTION 2. 15.343 of the statutes is renumbered 15.132 and amended to read:
5 plain 15.132 (Same; specified divisions) (1) DIVISION OF FORESTRY. There is created
6 in the department of natural resources agriculture, trade and consumer protection
7 a division of forestry.

History: 1999 a. 9.

~~INSERT~~

8 SECTION 3. 15.345 (6) of the statutes is renumbered 15.13 (5) and 15.13 (5)
9 (intro.), as renumbered, is amended to read:
10 15.13 (5) MANAGED FOREST LAND BOARD. (intro.) There is created in the
11 department of natural resources agriculture, trade and consumer protection a
12 managed forest land board consisting of the chief state forester or his or her designee
13 and the following members appointed for 3-year terms:

15.135

History: 1977 c. 274, 418, 447; 1983 a. 27, 410; 1985 a. 29; 1989 a. 31; 1995 a. 27, s. 166m; 1997 a. 27; 2001 a. 16; 2005 a. 25; 2007 a. 20.

INSERT 46-22

as created by
2009 Wisconsin
Act 28,

14 SECTION 4. 20.370 (5) (az) of the statutes is renumbered 20.115 (5) (sr) (sw)

~~INSERT~~

15 SECTION 5. 20.370 (5) (bz) of the statutes is renumbered 20.115 (5) (wp).

~~INSERT~~

Insert 73-7

1 SECTION 6. 23.09^X(2) (g) of the statutes is amended to read:

2 23.09 (2) (g) *Forest protection*. Establish and maintain an efficient fire fighting
3 system for the protection of ~~forests~~ lands under the jurisdiction of the department.

History: 1971 c. 40 s. 93; 1971 c. 125 s. 522 (1); 1971 c. 215, 277, 326; 1973 c. 251, 298, 333; 1975 c. 39 ss. 249, 249a, 250m, 734; 1975 c. 91, 200, 224, 365; 1977 c. 29, 402, 406; 1979 c. 34 ss. 699m to 701g, 2102 (39) (a); 1979 c. 89; 1981 c. 20 ss. 598 to 599s, 2202 (38) (c); 1981 c. 295; 1981 c. 390 s. 252; 1983 a. 27, 243; 1985 a. 29, 65, 322; 1985 a. 332 ss. 34, 251 (1); 1987 a. 27, 98, 295, 403; 1989 a. 31, 336, 359; 1991 a. 39, 269, 309; 1993 a. 16, 343, 436, 490; 1995 a. 27, 218, 257, 349, 417; 1997 a. 27, 35, 248, 313; 1999 a. 9, 32, 83; 2001 a. 38, 56, 104, 109; 2003 a. 33, 89; 2005 a. 25, 166, 286; 2007 a. 20.

4

INSERT

120-10

as created by 2009 Wisconsin Act 54,

5 SECTION 7. 27.01 (17) of the statutes is amended to read:

6 27.01 (17) LIMITED GOLF CART USE. The department shall permit the use of golf
7 carts by persons age 16 and over in Governor Tommy G. Thompson Centennial State
8 Park and the ~~Peshigo River State Forest~~. The department shall promulgate a rule
9 that specifies when and where golf carts may be used in the state park and the state
10 forest. The rule shall allow golf carts to be used for at least the same hours and in
11 at least the same places as golf carts were used in the state park and the state forest
12 before ~~they were~~ it was acquired by the state.

History: 1971 c. 125, 215, 326; 1973 c. 90 s. 538; 1973 c. 245; 1975 c. 365 s. 62; 1977 c. 29, 71, 424; 1979 c. 34, 175; 1981 c. 20, 343; 1983 a. 19; 1983 a. 27 ss. 644 to 674, 2202 (38); 1983 a. 325; 1985 a. 29, 125; 1987 a. 27, 277, 295, 399; 1989 a. 31, 56, 213, 359; 1991 a. 39, 269; 1993 a. 16, 213; 1995 a. 27, 312, 391; 1997 a. 27, 248; 1999 a. 9, 83; 2001 a. 16; 2005 a. 25, 94; 2007 a. 20, 165; 2009 a. 28, 54, 70.

~~History~~

13 SECTION 8. 27.016 (1) (a)^X of the statutes is amended to read:

14 27.016 (1) (a) "Endowment fund" means an endowment, trust or other
15 segregated fund for the benefit of a specific state park, ~~southern state forest~~ or state
16 recreation area.

History: 1995 a. 27; 1997 a. 313.

17 SECTION 9. 27.016 (1) (b)^X of the statutes is amended to read:

18 27.016 (1) (b) "Friends group" means a nonstock, nonprofit corporation
19 described under section 501 (c) (3) or (4) of the Internal Revenue Code and exempt

1 from taxation under section 501 (a) of the Internal Revenue Code that is organized
2 to raise funds for state parks, ~~state forests~~ or state recreation areas.

History: 1995 a. 27; 1997 a. 313.

INSERT 120-11

3 SECTION 10. 27.016 (2) (a) [✓] of the statutes is amended to read:

4 27.016 (2) (a) The department shall establish a grant program under which
5 friends groups that qualify under par. (b) may receive matching grants for the
6 operation and maintenance of state parks, ~~southern state forests~~ or state recreation
7 areas.

History: 1995 a. 27; 1997 a. 313.

8 SECTION 11. 27.016 (2) (b) [✓] of the statutes is amended to read:

9 27.016 (2) (b) To qualify for a grant under this section, a friends group shall
10 have established an endowment fund for the benefit of a state park, ~~a southern state~~
11 ~~forest~~ or a state recreation area and shall have entered into a written agreement with
12 the department as required by the department by rule.

History: 1995 a. 27; 1997 a. 313.

13 SECTION 12. 27.016 (3) [✓] of the statutes is amended to read:

14 27.016 (3) The department shall promulgate rules to establish criteria to be
15 used in determining which friends groups and which activities related to the
16 maintenance or operation of state parks, ~~southern state forests~~ or state recreation
17 areas are eligible for these grants.

History: 1995 a. 27; 1997 a. 313.

18 SECTION 13. 27.016 (4) [✓] of the statutes is amended to read:

19 27.016 (4) The department may not expend more than \$30,000 as grants under
20 this section for a given friends group, state park, ~~southern state forest~~ or state
21 recreation area in a fiscal year.

History: 1995 a. 27; 1997 a. 313.

1 **SECTION 14.** 27.016 (5) of the statutes is amended to read:

2 27.016 (5) The amount of a grant under this section shall equal 50% of the
3 amount of matching funds that are provided by the friends group for the grant. A
4 friends group may only use the interest generated by the endowment fund for
5 purposes of providing the matching funds. The matching funds and the grant may
6 be used only for the operation and maintenance of the state park, ~~southern state~~
7 ~~forest~~ or state recreation area that the endowment fund was established to benefit.

History: 1995 a. 27; 1997 a. 313.

INSERT 124-14

8 **SECTION 15.** 28.022 of the statutes is created to read:

9 **28.022 Limited golf cart use.** The department shall permit the use of golf
10 carts by persons age 16 and over in Governor Tommy G. Thompson Centennial State
11 Park and the Peshtigo River State Forest. The department shall promulgate a rule
12 that specifies when and where golf carts may be used in the state park and the state
13 forest. The rule shall allow golf carts to be used for at least the same hours and in
14 at least the same places as golf carts were used in the state park and the state forest
15 before they were it was acquired by the state.

plain

INSERT 137-10

16 **SECTION 16.** 29.097 of the statutes is created to read:

17 **29.097 Hunting, trapping, and ^{fishing} in certain forests.** No person may hunt,
18 trap, or fish in forests owned by the state and under the jurisdiction of the
19 department of agriculture, trade and consumer protection unless the department of
20 natural resources authorizes hunting, trapping, or fishing in those forests.

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-4382/2dn
RNK:kjf:rs

March 17, 2010

This redraft revises the previous version of the draft so that that the responsibilities of the Department of Natural Resources (DNR) as they relate to southern state forests are transferred to the Department of Agriculture, Trade and Consumer Protection (DATCP) in the same manner that the responsibilities for other forests are transferred to DATCP. Also, this draft retains DNR's exclusive authority over the stewardship program and retains DNR responsibility over determining public access on land in state forests and on land subject to the managed forest land program.

Please feel free to contact me if you have any questions with regard to this draft.

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Basford, Sarah

From: Nelson, Elise
Sent: Thursday, March 18, 2010 8:47 AM
To: LRB.Legal
Subject: Draft Review: LRB 09-4382/2 Topic: Divide functions of the department of natural resources

Please Jacket LRB 09-4382/2 for the ASSEMBLY.