

2015 DRAFTING REQUEST

Bill

Received: 10/16/2014 Received By: mgallagh
Wanted: As time permits Same as LRB:
For: Administration-Budget 6-2213 By/Representing: Ley
May Contact: Drafter: zwyatt
Subject: Econ. Development - tourism Addl. Drafters:
Nat. Res. - miscellaneous Extra Copies:

Submit via email: YES
Requester's email:
Carbon copy (CC) to: michael.gallagher@legis.wisconsin.gov
robin.kite@legis.wisconsin.gov
zachary.wyatt@legis.wisconsin.gov
sbostatlanguage@webapps.wi.gov

Pre Topic:

DOA:.....Ley, BB0159 -

Topic:

Transfer the Kickapoo Reserve Management Board to DNR

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/P1	zwyatt 1/24/2015	jdyer 1/26/2015	rschluet 1/26/2015	_____	srose 11/21/2014		
/P2				_____	lparisi 1/26/2015		

FE Sent For:

<END>

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/P1	zwyatt 11/21/2014	evinz 11/21/2014	rschluet 11/21/2014	_____	srose 11/21/2014		

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P2 1/26 jld
11/21/15
<END>

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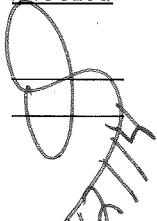
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Transfer the Kickapoo Reserve Management Board to DNR ✓

Instructions:

See attached

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/P1	zwyatt 11/21/2014	evinz /pl epv 11/21/14	/pl epv 11/21/14				

FE Sent For:

<END>

From: Emily.Ley@wisconsin.gov [mailto:Emily.Ley@wisconsin.gov]
Sent: Thursday, October 16, 2014 12:05 PM
To: Hanaman, Cathlene
Cc: Frederick, Caitlin - DOA; Ley, Emily A - DOA; Connor, Christopher B - DOA
Subject: Statutory Language Drafting Request - BB0159

Biennial Budget: 2015-17

Topic: Transfer the Kickapoo Reserve Management Board to DNR

Tracking Code: BB0159

SBO Team: AEJ

SBO Analyst: Ley, Emily - DOA
Phone: 608-266-2213
E-mail: Emily.Ley@wisconsin.gov

Agency Acronym: DNR

Agency Number: 370

Priority: Low

Intent:

Transfer the Kickapoo Reserve Management Board (funding and position authority) from the Department of Tourism to the Department of Natural resources.

Attachments: True

Please send completed drafts to SBOSatlanguage@webapps.wi.gov

Add #6

Department of Natural Resources
2015-17 Biennial Budget
Additional Items for Consideration

TOPIC:	Kickapoo Reserve Management Board									
DESCRIPTION:	<ul style="list-style-type: none"> • Since 1996, the Board has been attached to the Department of Tourism [s. 15.445 (2)] • The Board manages the Reserve on behalf of the Ho-Chunk Nation and the State of Wisconsin to: <ul style="list-style-type: none"> • preserve and enhance its environmental, scenic and cultural features • provide facilities for the use and enjoyment of visitors to the reserve • promote the reserve as a destination for vacationing and recreation. • FY 2015 Funding <table border="1" data-bbox="609 772 1302 913"> <tr> <td>Conservation SEG (Forestry Account)</td> <td>694,600</td> </tr> <tr> <td>Program Revenue</td> <td>156,900</td> </tr> <tr> <td>Tribal Gaming Revenue</td> <td>66,400</td> </tr> <tr> <td>Total</td> <td>\$917,900</td> </tr> </table> • A portion of the Forestry Account revenues are for annual aids in lieu of property taxes made to the local taxing jurisdictions. These aids are intended to compensate local municipalities and school districts for state acreage located in their jurisdictions, as these lands are exempt from property taxation. • Sources of program revenue include use and camping fees, event and permit fees, agricultural lease revenue, timber harvest revenue and other miscellaneous revenues. • Tribal gaming revenues are used for law enforcement services. • 3.0 SEG and 1.0 program revenue positions are authorized in Tourism for the administration and maintenance of the Kickapoo Valley Reserve • The Department of Tourism is responsible for <ul style="list-style-type: none"> ○ Providing personnel, payroll, budget, fiscal and accounting services to the Board. ○ Approving changes to the boundaries of the Reserve that may occur as a result of the Board's purchase of additional lands, purchases of development rights, or land transfers. 		Conservation SEG (Forestry Account)	694,600	Program Revenue	156,900	Tribal Gaming Revenue	66,400	Total	\$917,900
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Program Revenue	156,900									
Tribal Gaming Revenue	66,400									
Total	\$917,900									
COST:	2015-16	2016-17								
Dollars:										
FTE:										
SUGGESTED FUNDING SOURCE:										

Wyatt, Zachary

From: Ley, Emily A - DOA <Emily.Ley@wisconsin.gov>
Sent: Monday, October 20, 2014 1:44 PM
To: Wyatt, Zachary
Subject: RE: Statutory Language Drafting Request - BB0159

Hi Zack,
I believe the intent is to transfer the FTE to DNR with the board administration, but I am still waiting for DNR to confirm. I'll let you know as soon as I hear.

Emily

From: Wyatt, Zachary [mailto:Zachary.Wyatt@legis.wisconsin.gov]
Sent: Monday, October 20, 2014 1:41 PM
To: Ley, Emily A - DOA
Subject: FW: Statutory Language Drafting Request - BB0159

Hi Emily,

Regarding the request to transfer the Kickapoo Reserve Management Board from Tourism to DNR, are the 4.0 authorized positions currently filled (i.e. are there incumbent employees)? If so, is the intention to transfer those employees to DNR?

Thanks,
Zachary D. Wyatt
Legislative Attorney
Wisconsin Legislative Reference Bureau
zachary.wyatt@legis.wisconsin.gov
608.267.3362

From: Kite, Robin
Sent: Thursday, October 16, 2014 1:22 PM
To: Gallagher, Michael; Wyatt, Zachary
Cc: Hanaman, Cathlene
Subject: FW: Statutory Language Drafting Request - BB0159

Mike and Zack,

This one is a tourism draft since the board is being transferred from the department of tourism.

Robin

From: Hanaman, Cathlene
Sent: Thursday, October 16, 2014 12:27 PM
To: Kite, Robin; Shea, Elisabeth
Subject: FW: Statutory Language Drafting Request - BB0159



DNOTE

leev

DOA:.....Ley, BB0159 - Transfer the Kickapoo Reserve Management Board to DNR

FOR 2015-2017 BUDGET - NOT READY FOR INTRODUCTION

SAJ
xref ✓

don't get

1 AN ACT ...; relating to: the budget.

Kickapoo
= valley

Analysis by the Legislative Reference Bureau

R TOURISM M B

Under current law, the Kickapoo reserve management board (KRMB) manages the reserve on behalf of the Ho-Chunk Nation and the State of Wisconsin. Currently, the KRMB is attached to the Department of Tourism for administrative purposes. This bill attaches the KRMB to DNR for administrative purposes.

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

2 SECTION 1. 15.07 (1) (b) 20. of the statutes is amended to read:

3 15.07 (1) (b) 20. The 3 members of the Kickapoo reserve management board
4 appointed under s. 15.445 (2) 15.345 (7) (b) 3.

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. 16, 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; 2011 a. 10, 32; 2013 a. 203.

5 SECTION 2. 15.445 (2) of the statutes is renumbered 15.345 (7) and 15.345 (7)

6 (a), as renumbered, is amended to read:

1 15.345 (7) (a) *Creation*. There is created a Kickapoo reserve management
2 board which is attached to the department of ~~tourism~~ natural resources under s.
3 15.03.

4 **History:** 1995 a. 27 ss. 104, 114, 166m, 192, 193, 218e, 9116 (5); 1995 a. 216, 225; 1997 a. 36, 194; 1999 a. 197; 2003 a. 27; 2005 a. 396; 2009 a. 69; 2011 a. 32.

4 **SECTION 9144. Nonstatutory provisions; Tourism.**

5 (1) TRANSFER OF KICKAPOO RESERVE MANAGEMENT BOARD TO DEPARTMENT OF
6 NATURAL RESOURCES. (no 9)

7 (a) *Assets and liabilities*. On the effective date of this paragraph, the assets and
8 liabilities of the department of tourism primarily related to the functions of the
9 Kickapoo reserve management board, as determined by the secretary of
10 administration, become the assets and liabilities of the department of natural
11 resources. (A.R.B.)

12 (b) *Employee transfers*. All incumbent employees holding positions in the
13 department of tourism performing duties primarily related to the functions of the
14 Kickapoo reserve management board, as determined by the secretary of
15 administration, are transferred on the effective date of this paragraph to the
16 department of natural resources. (A.R.B.)

17 (c) *Employee status*. Employees transferred under paragraph (b) have all the
18 rights and the same status under subchapter V of chapter 111 and chapter 230 of the
19 statutes in the department of natural resources as they enjoyed in the department
20 of tourism immediately before the transfer. Notwithstanding section 230.28 (4) of
21 the statutes, no employee so transferred who has attained permanent status in class
22 is required to serve a probationary period.

23 (d) *Tangible personal property*. On the effective date of this paragraph, all
24 tangible personal property, including records, of the department of tourism that is

1 primarily related to the functions of the Kickapoo reserve management board, as
2 determined by the secretary of administration, is transferred to the department of
3 natural resources.

4 (e) *Contracts*. All contracts entered into by the department of tourism in effect
5 on the effective date of this paragraph that are primarily related to the functions of
6 the Kickapoo reserve management board, as determined by the secretary of
7 administration, remain in effect and are transferred to the department of natural
8 resources. The department of natural resources shall carry out any obligations
9 under such a contract until the contract is modified or rescinded by the department
10 of natural resources to the extent allowed under the contract.

11 (END)

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0445/P1dn
ZDW:eev:rs

November 21, 2014

ATTN: Emily Ley

Please review this draft carefully to ensure it is consistent with your intent.

This draft includes a nonstatutory provision that transfers incumbent employees performing duties related to the Kickapoo Reserve Management Board from the Department of Tourism to DNR. There is a second nonstatutory provision establishing that transferred employees retain the rights and status they currently enjoy under subchapter V of chapter 111 and chapter 230 of the statutes. Please advise if this is inconsistent with your intent.

Zachary Wyatt
Legislative Attorney
(608) 267-3362
zachary.wyatt@legis.wisconsin.gov

Wyatt, Zachary

From: Ley, Emily A - DOA <Emily.Ley@wisconsin.gov>
Sent: Saturday, January 24, 2015 1:24 PM
To: Wyatt, Zachary
Subject: FW: LRB 0445 Transfer Kickapoo Reserve Management Board to DNR

Hi again, Zach,

We also need to move everything under chapter 41, subchapter III (s. 41.40-41.41) out of Tourism and into DNR. Can you take another look to make sure we've caught everything?

Thank you,

Emily

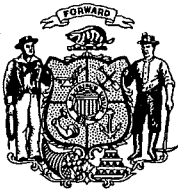
From: Ley, Emily A - DOA
Sent: Saturday, January 24, 2015 1:06 PM
To: Wyatt, Zachary - LEGIS
Subject: LRB 0445 Transfer Kickapoo Reserve Management Board to DNR

Hi Zach,

I've reviewed your draft of 0445/P1. Everything looks fine, except we need to transfer the appropriations from Tourism to DNR. Please transfer everything under s. 20.380(2) into 20.370(8). You use the same alpha titles under 20.380(2) and please (please, please, please) send me the alphas as soon as you have them (before you finish the draft).

Thank you!

Emily Ley
Executive Policy & Budget Analyst
Department of Administration
Division of Executive Budget and Finance
(608)-266-2213
emily.ley@wisconsin.gov



INSERT

due today

RWR L tjd

DOA:.....Ley, BB0159 – Transfer the Kickapoo Reserve Management Board to DNR

FOR 2015-2017 BUDGET – NOT READY FOR INTRODUCTION

x don't gen
1 AN ACT ...; relating to: the budget. ✓

Analysis by the Legislative Reference Bureau

TOURISM

Under current law, the Kickapoo Reserve Management Board (KRMB) manages the Kickapoo Valley reserve on behalf of the Ho-Chunk Nation and the State of Wisconsin. Currently, the KRMB is attached to the Department of Tourism for administrative purposes. This bill attaches the KRMB to DNR for administrative purposes.

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3 15.07 (1) (b) 20. The 3 members of the Kickapoo reserve management board
4 appointed under s. ~~15.445 (2)~~ 15.345 (7) (b) 3.

5 SECTION 2. 15.445 (2) of the statutes is renumbered 15.345 (7) and 15.345 (7)

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2 board which is attached to the department of tourism natural resources under s.
3 15.03.

4 **SECTION 9144. Nonstatutory provisions; Tourism.**

5 (1) TRANSFER OF KICKAPOO RESERVE MANAGEMENT BOARD TO DEPARTMENT OF
6 NATURAL RESOURCES. (a) *Assets and liabilities*. On the effective date of this
7 paragraph, the assets and liabilities of the department of tourism primarily related
8 to the functions of the Kickapoo reserve management board, as determined by the
9 secretary of administration, become the assets and liabilities of the department of
10 natural resources.

11 (b) *Employee transfers*. All incumbent employees holding positions in the
12 department of tourism performing duties primarily related to the functions of the
13 Kickapoo reserve management board, as determined by the secretary of
14 administration, are transferred on the effective date of this paragraph to the
15 department of natural resources.

16 (c) *Employee status*. Employees transferred under paragraph (b) have all the
17 rights and the same status under subchapter V of chapter 111 and chapter 230 of the
18 statutes in the department of natural resources as they enjoyed in the department
19 of tourism immediately before the transfer. Notwithstanding section 230.28 (4) of
20 the statutes, no employee so transferred who has attained permanent status in class
21 is required to serve a probationary period.

22 (d) *Tangible personal property*. On the effective date of this paragraph, all
23 tangible personal property, including records, of the department of tourism that is
24 primarily related to the functions of the Kickapoo reserve management board, as

1 determined by the secretary of administration, is transferred to the department of
2 natural resources.

3 (e) *Contracts.* All contracts entered into by the department of tourism in effect
4 on the effective date of this paragraph that are primarily related to the functions of
5 the Kickapoo reserve management board, as determined by the secretary of
6 administration, remain in effect and are transferred to the department of natural
7 resources. The department of natural resources shall carry out any obligations
8 under such a contract until the contract is modified or rescinded by the department
9 of natural resources to the extent allowed under the contract.

10

(END)

2015-2016 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0445/P1ins
ZDW:eev:rs

1 INS 2-4

2 SECTION 1. 16.848 (2) (gr) of the statutes is amended to read:

3 16.848 (2) (gr) Subsection (1) does not apply to land that is sold or traded by
4 the Kickapoo reserve management board under s. 41.41 23.0927 (7).

5 History: 2005 a. 25; 2007 a. 20 ss. 113, 114, 9121 (6) (a); 2007 a. 100; 2009 a. 180; 2011 a. 32; 2013 a. 20; 2013 a. 173 s. 33.

6 SECTION 2. 20.380 (2) (title) of the statutes is repealed.

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

7 (6) SECTION 3. 20.380 (2) (ip) of the statutes is renumbered 20.370 (8) (ip) and
8 amended to read: (1) (dg)

9 20.370 (8) (ip) Kickapoo reserve management board; program services. All
10 From the general fund, all moneys received by the Kickapoo reserve management
11 board from admissions, fees, leases, concessions, memberships, sales, and other
12 similar receipts authorized under s. 41.41 23.0927 to be used for the general program
operations of the board under s. 41.41 23.0927.

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

History: 1995 a. 27 ss. 515b to 515m, 752 to 772, 1070, 1071, 1075, 1076, 1081n, 1084; 1995 a. 216, 225; 1997 a. 27; 1999 a. 9, 84; 2001 a. 16, 109; 2003 a. 33; 2005 a. 25, 260; 2007 a. 97; 2009 a. 28; 2011 a. 32 ss. 503 to 512, 515 to 517, 603.

13 (13) SECTION 4. 20.380 (2) (ir) of the statutes is renumbered 20.370 (8) (ir) and
14 amended to read: (1) (dh)

15 20.370 (8) (ir) Kickapoo reserve management board; gifts and grants. All
16 From the general fund, all moneys received by the Kickapoo reserve management board
17 from gifts, grants, or bequests, to carry out the purpose for which received.

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

History: 1995 a. 27 ss. 515b to 515m, 752 to 772, 1070, 1071, 1075, 1076, 1081n, 1084; 1995 a. 216, 225; 1997 a. 27; 1999 a. 9, 84; 2001 a. 16, 109; 2003 a. 33; 2005 a. 25, 260; 2007 a. 97; 2009 a. 28; 2011 a. 32 ss. 503 to 512, 515 to 517, 603.

18 (18) SECTION 5. 20.380 (2) (kc) of the statutes is renumbered 20.370 (8) (kc) and
19 amended to read: (1) (dc)



① 20.370 ²(8) (kc) ³*Kickapoo valley reserve; law enforcement services.* ~~The~~ From the
 2 general fund, the amounts in the schedule to provide law enforcement services in the
 3 Kickapoo valley reserve under s. 41.41 23.0927 (2). All moneys transferred from the
 4 appropriation account under s. 20.505 (8) (hm) 6c. shall be credited to this
 5 appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered
 6 balance on June 30 of each year shall revert to the appropriation account under s.
 7 20.505 (8) (hm).

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

History: 1995 a. 27 ss. 515b to 515m, 752 to 772, 1070, 1071, 1075, 1076, 1081n, 1084; 1995 a. 216, 225; 1997 a. 27; 1999 a. 9, 84; 2001 a. 16, 109; 2003 a. 33; 2005 a. 25, 260; 2007 a. 97; 2009 a. 28; 2011 a. 32 ss. 503 to 512, 515 to 517, 603g.

⑧ SECTION 6. 20.380 (2) (ms) of the statutes is renumbered 20.370 ²(8) (ms) and ³(1) (dm) amended to read:

⑩ 20.370 ²(8) (ms) *Kickapoo reserve management board; federal aid.* ~~All~~ From the
 11 general fund, all moneys received by the Kickapoo reserve management board from
 12 the federal government, as authorized by the governor under s. 16.54, to be used for
 13 the purposes for which made and received.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

History: 1995 a. 27 ss. 515b to 515m, 752 to 772, 1070, 1071, 1075, 1076, 1081n, 1084; 1995 a. 216, 225; 1997 a. 27; 1999 a. 9, 84; 2001 a. 16, 109; 2003 a. 33; 2005 a. 25, 260; 2007 a. 97; 2009 a. 28; 2011 a. 32 ss. 503 to 512, 515 to 517, 603g.

⑭ SECTION 7. 20.380 (2) (q) of the statutes is renumbered 20.370 ²(8) (rq) and ³(1) (dq) amended to read:

⑮ 20.370 ²(8) (rq) *Kickapoo reserve management board; general program*
 17 *operations.* ~~From the conservation fund, the~~ The amounts in the schedule for the
 18 general program operations of the Kickapoo reserve management board under s.
 19 41.41 23.0927.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

History: 1995 a. 27 ss. 515b to 515m, 752 to 772, 1070, 1071, 1075, 1076, 1081n, 1084; 1995 a. 216, 225; 1997 a. 27; 1999 a. 9, 84; 2001 a. 16, 109; 2003 a. 33; 2005 a. 25, 260; 2007 a. 97; 2009 a. 28; 2011 a. 32 ss. 503 to 512, 515 to 517, 603g.



1 SECTION 8. 20.380 (2) (r) of the statutes is renumbered 20.370 (8) (rr) and (1)(dr)

2 amended to read: (1)(dr)

3 20.370 (8) (rr) Kickapoo valley reserve; aids in lieu of taxes. From the

4 conservation fund, a sum sufficient to pay aids to taxing jurisdictions for the

5 Kickapoo valley reserve under s. 41.41 23.0927 (10).

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

History: 1995 a. 27 ss. 515b to 515m, 752 to 772, 1070, 1071, 1075, 1076, 1081n, 1084; 1995 a. 216, 225; 1997 a. 27; 1999 a. 9, 84; 2001 a. 16, 109; 2003 a. 33; 2005 a. 25, 260; 2007 a. 97; 2009 a. 28; 2011 a. 32 ss. 503 to 512, 515 to 517, 603g.

6 SECTION 9. 20.505 (8) (hm) 6c. of the statutes is amended to read: (20.370(1)(dr))

7 20.505 (8) (hm) 6c. The amount transferred to s. 20.380 (2) 20.370 (8) (ke) shall

8 be the amount in the schedule under s. 20.380 (2) 20.370 (8) (ke)

History: 1971 c. 108, 125, 215; 1971 c. 270 s. 104; 1973 c. 90 and supp., 157, 305; 1975 c. 39 ss. 179 to 184f, 735 (5); 1975 Ex. Order No. 24; 1975 c. 224, 397; 1977 c. 29; 1977 c. 196 ss. 70, 131; 1977 c. 377 s. 30; 1977 c. 418 s. 929 (1), (55); 1979 c. 32 s. 92 (5); 1979 c. 34, 175, 221; 1979 c. 355 s. 241; 1979 c. 361; 1981 c. 20 ss. 400b to 421, 2202 (57) (b); 1981 c. 44 s. 3; 1981 c. 62, 121; 1981 c. 202 s. 23; 1981 c. 314, 374, 391; 1983 a. 27 ss. 439 to 456, 2202 (1); 1983 a. 36, 187, 282, 371, 393; 1985 a. 29, 31, 57, 120, 296, 297, 332; 1987 a. 27 ss. 296n, 296q, 297b, 297d, 299a to 299r, 300a, 301a, 418 to 432; 1987 a. 142, 147, 342, 399; 1989 a. 31, 56, 107, 122, 336, 339, 345, 366; 1991 a. 39 s. 469, 593q to 614; 1991 a. 105, 269, 315; 1993 a. 16 ss. 470g, 470m, 470r, 488 to 506m; 1993 a. 33, 75, 193, 349, 358, 374, 414, 437, 477, 491; 1995 a. 27, 56, 201, 216, 225, 227, 370, 403; 1997 a. 3; 1997 a. 27 ss. 199, 227 to 229m, 233, 666g to 692, 9456 (3m); 1997 a. 237, 283; 1999 a. 5; 1999 a. 9 ss. 508 to 587d, 9401 (2zt), (2zu); 1999 a. 24, 52, 105, 113, 148, 185; 2001 a. 16 ss. 684d, 685d, 800 to 905; 2001 a. 104 ss. 21, 141; 2001 a. 109; 2003 a. 33 ss. 364d, 365d, 369d, 370d, 374d, 376d, 378d, 380d to 384d, 567 to 615f, 639, 640, 642d to 644, 2811 to 2813; 2003 a. 48 ss. 10, 11; 2003 a. 84; 2003 a. 139 ss. 9 to 12; 2003 a. 206 s. 23; 2003 a. 326; 2005 a. 25 ss. 389 to 429m, 2493, 2494, 2495, 9401, 9409; 2005 a. 60, 124, 141, 142, 253, 344, 414, 433; 2007 a. 20 ss. 323, 326, 516e to 542g, 9121 (6) (a); 2007 a. 226; 2009 a. 11, 28, 302, 318; 2011 a. 29, 32 ss. 406, 421m, 435m to 446m, 716m to 747c, 755, 759 to 766; 2011 a. 166, 260; 2013 a. 20 ss. 215, 216, 379m, 413s to 461; 2013 a. 41, 115, 165, 166, 173.

9 SECTION 10. 23.095 (2m) of the statutes is amended to read:

10 23.095 (2m) PROHIBITION ON LAND IN KICKAPOO VALLEY RESERVE. No person may

11 damage or attempt to damage any natural resource or archaeological feature located

12 in the Kickapoo valley reserve under s. 41.41 23.0927 (2).

History: 1975 c. 365; 1995 a. 391; 1997 a. 35, 194.

13 SECTION 11. 23.50 (1) of the statutes is amended to read:

14 23.50 (1) The procedure in ss. 23.50 to 23.85 applies to all actions in circuit

15 court to recover forfeitures, plus costs, fees, and surcharges imposed under ch. 814,

16 for violations of ss. 77.09, 90.21, 134.60, 167.10 (3), 167.31 (2), 281.48 (2) to (5),

17 283.33, 285.57 (2), 285.59 (2), (3) (c) and (4), 287.07, 287.08, 287.81, and 299.64 (2),

18 subch. VI of ch. 77, this chapter, and chs. 26 to 31, ch. 169, and ch. 350, and any

19 administrative rules promulgated thereunder, violations specified under s. 280.98

20 (2) or 285.86, violations of s. 281.36 if the department chooses to proceed under s.



1 281.36 (14) (f), violations of ch. 951 if the animal involved is a captive wild animal,
 2 violations of rules of the Kickapoo reserve management board under s. ~~41.41~~ 23.0927
 3 (7) (k), violations to which s. 299.85 (7) (a) 2. or 4. applies, or violations of local
 4 ordinances enacted by any local authority in accordance with s. 23.33 (11) (am) or
 5 30.77.

History: 1975 c. 365; 1977 c. 29, 305; 1977 c. 449 ss. 44, 497; 1979 c. 32 s. 92 (17); 1979 c. 34 ss. 703b, 2102 (39) (f); 1981 c. 390; 1985 a. 36; 1987 a. 27; 1987 a. 200 s. 4; 1989 a. 79, 284, 335, 359; 1991 a. 39, 97; 1993 a. 16, 243, 344, 349, 491; 1995 a. 27, 216, 227, 290; 1997 a. 35; 1999 a. 9; 2001 a. 56; 2003 a. 139, 276; 2005 a. 360; 2013 a. 69.

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

7 23.53 (1) The citation created under this section shall, in all actions to recover
 8 forfeitures, plus costs, fees, and surcharges imposed under ch. 814, for violations of
 9 those statutes enumerated in s. 23.50 (1), any administrative rules promulgated
 10 thereunder, and any rule of the Kickapoo reserve management board under s. ~~41.41~~
 11 23.0927 (7) (k) be used by any law enforcement officer with authority to enforce those
 12 laws, except that the uniform traffic citation created under s. 345.11 may be used by
 13 a traffic officer employed under s. 110.07 in enforcing s. 167.31 or by an officer of a
 14 law enforcement agency of a municipality or county or a traffic officer employed
 15 under s. 110.07 in enforcing s. 287.81. In accordance with s. 345.11 (1m), the citation
 16 shall not be used for violations of ch. 350 relating to highway use. The citation may
 17 be used for violations of local ordinances enacted by any local authority in accordance
 18 with s. 23.33 (11) (am) or 30.77.

History: 1975 c. 365; 1977 c. 29; 1979 c. 34; 1985 a. 36; ~~1987 a. 27~~; 1987 a. 200 s. 4; 1989 a. 335; 1991 a. 39; 1993 a. 349; 1995 a. 27, 216, 227; 1997 a. 35; 2003 a. 139.

19 **SECTION 13.** 23.56 (1) of the statutes is amended to read:

20 23.56 (1) A person may be arrested for a violation of those statutes enumerated
 21 in s. 23.50 (1), any administrative rules promulgated thereunder, any rule of the
 22 Kickapoo reserve management board under s. ~~41.41~~ 23.0927 (7) (k), or any local
 23 ordinances enacted by any local authority in accordance with s. 23.33 (11) (am) or



1 30.77, after a warrant that substantially complies with s. 968.04 has been issued.
2 Except as provided in sub. (2), the person arrested shall be brought without
3 unreasonable delay before a court having jurisdiction to try the action.

4 History: 1975 c. 365; 1977 c. 29; 1979 c. 34; 1985 a. 36; 1987 a. 27; 1987^X a. 200 s. 4; 1991 a. 39; 1993 a. 349; 1995 a. 27, 216; 2003 a. 139.

SECTION 14. 23.57 (1) (intro.) of the statutes is amended to read:

5 23.57 (1) (intro.) A person may be arrested without a warrant when the
6 arresting officer has probable cause to believe that the person is committing or has
7 committed a violation of those statutes enumerated in s. 23.50 (1), any
8 administrative rules promulgated thereunder, any rule of the Kickapoo reserve
9 management board under s. ~~41.41~~ 23.0927[✓] (7) (k), or any local ordinances enacted
10 by any local authority in accordance with s. 23.33 (11) (am) or 30.77; and:

11 History: 1975 c. 365; 1987 a. 200 s. 4; 1993 a. 349; 1995 a. 27, 216.

SECTION 15. 23.58 of the statutes is amended to read:

12 **23.58 Temporary questioning without arrest.** After having identified
13 himself or herself as an enforcing officer, an enforcing officer may stop a person in
14 a public place for a reasonable period of time when the officer reasonably suspects
15 that such person is committing, is about to commit or has committed a violation of
16 those statutes enumerated in s. 23.50 (1), any administrative rules promulgated
17 thereunder, any rule of the Kickapoo reserve management board under s. ~~41.41~~
18 23.0927[✓] (7) (k), or any local ordinances enacted by any local authority in accordance
19 with s. 23.33 (11) (am) or 30.77. Such a stop may be made only where the enforcing
20 officer has proper authority to make an arrest for such a violation. The officer may
21 demand the name and address of the person and an explanation of the person's
22 conduct. Such detention and temporary questioning shall be conducted in the
23 vicinity where the person was stopped.

24 History: 1975 c. 365; 1987 a. 200 s. 4; 1993 a. 349; 1995 a. 27, 216.

SECTION 16. 23.62 (1) (intro.) of the statutes is amended to read:



1 23.62 (1) (intro.) Whenever an enforcing officer has probable cause to believe
 2 that a person subject to his or her authority is committing or has committed a
 3 violation of those statutes enumerated in s. 23.50 (1), any administrative rules
 4 promulgated thereunder, any rule of the Kickapoo reserve management board under
 5 s. ~~41.41~~ 23.0927 (7) (k), or any local ordinances enacted by any local authority in
 6 accordance with s. 23.33 (11) (am) or 30.77, the officer may proceed in the following
 7 manner:

8 History: 1975 c. 365; 1979 c. 175; 1987 a. 200 s. 4; 1993 a. ~~166~~ 349; 1995 a. 27, 216; 2005 a. 282.

SECTION 17. 29.921 (5) of the statutes is amended to read:

9 **29.921 (5) ADDITIONAL ARREST POWERS.** In addition to the arrest powers under
 10 sub. (1), a warden who has completed a program of law enforcement training
 11 approved by the law enforcement standards board, has been certified as qualified to
 12 be a law enforcement officer under s. 165.85 (4) (a) 1. and has complied with any
 13 applicable requirements under s. 165.85 (4) (a) 7. while on duty and in uniform or on
 14 duty and upon display of proper credentials may assist another law enforcement
 15 agency as defined under s. 165.85 (2) (bv) including making an arrest at the request
 16 of the agency, may arrest a person pursuant to an arrest warrant concerning the
 17 commission of a felony or may arrest a person who has committed a crime in the
 18 presence of the warden. If the warden makes an arrest without the presence of
 19 another law enforcement agency, the warden shall cause the person arrested to be
 20 delivered to the chief of police or sheriff in the jurisdiction where the arrest is made,
 21 along with the documents and reports pertaining to the arrest. The warden shall be
 22 available as a witness for the state. A warden may not conduct investigations for
 23 violations of state law except as authorized in ss. 23.11 (4), 29.924 (1) and ~~41.41~~
 24 23.0927 (12). A warden acting under the authority of this subsection is considered



1 an employee of the department and is subject to its direction, benefits and legal
2 protection. The authority granted in this section does not apply to county
3 conservation wardens or special conservation wardens.

History: 1997 a. 248 ss. 98 to 102, 708 to 710; 2001 a. 109; 2013 a. 214.

4 **SECTION 18.** 41.40 of the statutes is renumbered 23.0925, and 23.0925 (1), as
5 renumbered, is amended to read:

6 **23.0925** (1) The department may acquire land from the federal government
7 adjacent to the Kickapoo River, and may determine the boundaries of the Kickapoo
8 valley reserve under s. ~~41.41~~ **23.0927** (2).

History: 1993 a. 349; 1995 a. 27 s. 235; Stats. 1995 s. 41.40; 1999 a. 64.

9 **SECTION 19.** 41.41 of the statutes is renumbered 23.0927, and 23.0927 (1) (a),
10 as renumbered, is amended to read:

11 **23.0927** (1) (a) "Board" Notwithstanding s. 24.01 (2), "board" means the Kickapoo reserve
12 management board.

History: 1993 a. 349; 1995 a. 27 ss. 279, 9116 (5); Stats. 1995 s. 41.41; 1995 a. 201, 216, 225; 1997 a. 194; 1999 a. 9; 2001 a. 103; 2007 a. 20; 2011 a. 32; 2013 a. 20, 80.

13 **SECTION 20.** 227.01 (13) (zq) of the statutes is amended to read:
14 227.01 (13) (zq) Designates the Kickapoo valley reserve under s. ~~41.41~~ **23.0927**
15 (2).

History: 1985 a. 182; 1987 a. 27, 119, 395, 399, 403; 1989 a. 31, 56, 335, 341; 1991 a. 39, 254, 269, 309, 315; 1993 a. 16, 123, 237, 349, 364, 419, 442, 481, 491; 1995 a. 27, 215, 227, 289, 363; 1997 a. 27, 35, 231, 237; 1999 a. 9, 70; 1999 a. 150 s. 672; 1999 a. 167; 2001 a. 38, 109; 2003 a. 33 ss. 2364, 2813; 2005 a. 217, 418; 2007 a. 20; 2009 a. 2, 28, 219, 391; 2011 a. 14, 32, 118, 167; 2013 a. 20, 22, 52, 101; 2013 a. 116 s. 31; 2013 a. 125, 134, 136; 2013 a. 151 s. 28; 2013 a. 210, 277, 278, 295, 320, 332, 361, 363, 377.

16 **SECTION 21.** 293.49 (1) (a) of the statutes is amended to read:
17 293.49 (1) (a) Except as provided in sub. (2) and s. 293.50 and except with
18 respect to property specified in s. ~~41.41~~ **23.0927** (11), within 90 days of the completion
19 of the public hearing record, the department shall issue the mining permit if it finds:

History: 1995 a. 227 s. 771, 773, 777, 778, 779, 994; 1997 a. 171.

20 **SECTION 22.** 295.58 (1) (a) of the statutes is amended to read:



1 295.58 (1) (a) Except as provided in sub. (2) and except with respect to property
2 specified in s. ~~41.41~~ 23.0927 (11), the department shall issue a mining permit if it
3 finds all of the following:

History: 2013 a. 1.



State of Wisconsin
2015 - 2016 LEGISLATURE

LRB-0445/P2
ZDW:eev&jld:rs

DOA:.....Ley, BB0159 – Transfer the Kickapoo Reserve Management Board
to DNR

FOR 2015-2017 BUDGET – NOT READY FOR INTRODUCTION

1 **AN ACT ...; relating to:** the budget.

Analysis by the Legislative Reference Bureau

TOURISM

Under current law, the Kickapoo Reserve Management Board (KRMB) manages the Kickapoo Valley reserve on behalf of the Ho-Chunk Nation and the State of Wisconsin. Currently, the KRMB is attached to the Department of Tourism for administrative purposes. This bill attaches the KRMB to DNR for administrative purposes.

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

2 **SECTION 1.** 15.07 (1) (b) 20. of the statutes is amended to read:

3 15.07 (1) (b) 20. The 3 members of the Kickapoo reserve management board
4 appointed under s. ~~15.445 (2)~~ 15.345 (7) (b) 3.

5 **SECTION 2.** 15.445 (2) of the statutes is renumbered 15.345 (7), and 15.345 (7)

6 (a), as renumbered, is amended to read:

SECTION 2

1 15.345 (7) (a) *Creation*. There is created a Kickapoo reserve management
2 board which is attached to the department of ~~tourism~~ natural resources under s.
3 15.03.

4 **SECTION 3.** 16.848 (2) (gr) of the statutes is amended to read:

5 16.848 (2) (gr) Subsection (1) does not apply to land that is sold or traded by
6 the Kickapoo reserve management board under s. ~~41.41~~ 23.0927 (7).

7 **SECTION 4.** 20.380 (2) (title) of the statutes is repealed.

 ****NOTE: This SECTION involves a change in an appropriation that must be
reflected in the revised schedule in s. 20.005, stats.

8 **SECTION 5.** 20.380 (2) (ip) of the statutes is renumbered 20.370 (1) (dg) and
9 amended to read:

10 20.370 (1) (dg) *Kickapoo reserve management board; program services*. ~~All~~
11 From the general fund, all moneys received by the Kickapoo reserve management
12 board from admissions, fees, leases, concessions, memberships, sales, and other
13 similar receipts authorized under s. ~~41.41~~ 23.0927 to be used for the general program
14 operations of the board under s. ~~41.41~~ 23.0927.

 ****NOTE: This SECTION involves a change in an appropriation that must be
reflected in the revised schedule in s. 20.005, stats.

15 **SECTION 6.** 20.380 (2) (ir) of the statutes is renumbered 20.370 (1) (dh) and
16 amended to read:

17 20.370 (1) (dh) *Kickapoo reserve management board; gifts and grants*. ~~All~~ From
18 the general fund, all moneys received by the Kickapoo reserve management board
19 from gifts, grants, or bequests, to carry out the purpose for which received.

 ****NOTE: This SECTION involves a change in an appropriation that must be
reflected in the revised schedule in s. 20.005, stats.

20 **SECTION 7.** 20.380 (2) (kc) of the statutes is renumbered 20.370 (1) (dc) and
21 amended to read:

1 20.370 (1) (dc) *Kickapoo valley reserve; law enforcement services.* ~~The~~ From the
2 general fund, the amounts in the schedule to provide law enforcement services in the
3 Kickapoo valley reserve under s. ~~41.41 23.0927~~ (2). All moneys transferred from the
4 appropriation account under s. 20.505 (8) (hm) 6c. shall be credited to this
5 appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered
6 balance on June 30 of each year shall revert to the appropriation account under s.
7 20.505 (8) (hm).

 ****NOTE: This SECTION involves a change in an appropriation that must be
reflected in the revised schedule in s. 20.005, stats.

8 **SECTION 8.** 20.380 (2) (ms) of the statutes is renumbered 20.370 (1) (dm) and
9 amended to read:

10 20.370 (1) (dm) *Kickapoo reserve management board; federal aid.* ~~All~~ From the
11 general fund, all moneys received by the Kickapoo reserve management board from
12 the federal government, as authorized by the governor under s. 16.54, to be used for
13 the purposes for which made and received.

 ****NOTE: This SECTION involves a change in an appropriation that must be
reflected in the revised schedule in s. 20.005, stats.

14 **SECTION 9.** 20.380 (2) (q) of the statutes is renumbered 20.370 (1) (dq) and
15 amended to read:

16 20.370 (1) (dq) *Kickapoo reserve management board; general program*
17 *operations.* ~~From the conservation fund, the~~ The amounts in the schedule for the
18 general program operations of the Kickapoo reserve management board under s.
19 ~~41.41 23.0927.~~

 ****NOTE: This SECTION involves a change in an appropriation that must be
reflected in the revised schedule in s. 20.005, stats.

20 **SECTION 10.** 20.380 (2) (r) of the statutes is renumbered 20.370 (1) (dr) and
21 amended to read:

1 20.370 (1) (dr) *Kickapoo valley reserve; aids in lieu of taxes.* ~~From the~~
2 ~~conservation fund, a~~ A sum sufficient to pay aids to taxing jurisdictions for the
3 Kickapoo valley reserve under s. 41.41 23.0927 (10).

 ****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

4 **SECTION 11.** 20.505 (8) (hm) 6c. of the statutes is amended to read:

5 20.505 (8) (hm) 6c. The amount transferred to s. ~~20.380 (2) (ke)~~ 20.370 (1) (dc)
6 shall be the amount in the schedule under s. ~~20.380 (2) (ke)~~.

7 **SECTION 12.** 23.095 (2m) of the statutes is amended to read:

8 **23.095 (2m) PROHIBITION ON LAND IN KICKAPOO VALLEY RESERVE.** No person may
9 damage or attempt to damage any natural resource or archaeological feature located
10 in the Kickapoo valley reserve under s. 41.41 23.0927 (2).

11 **SECTION 13.** 23.50 (1) of the statutes is amended to read:

12 23.50 (1) The procedure in ss. 23.50 to 23.85 applies to all actions in circuit
13 court to recover forfeitures, plus costs, fees, and surcharges imposed under ch. 814,
14 for violations of ss. 77.09, 90.21, 134.60, 167.10 (3), 167.31 (2), 281.48 (2) to (5),
15 283.33, 285.57 (2), 285.59 (2), (3) (c) and (4), 287.07, 287.08, 287.81, and 299.64 (2),
16 subch. VI of ch. 77, this chapter, and chs. 26 to 31, ch. 169, and ch. 350, and any
17 administrative rules promulgated thereunder, violations specified under s. 280.98
18 (2) or 285.86, violations of s. 281.36 if the department chooses to proceed under s.
19 281.36 (14) (f), violations of ch. 951 if the animal involved is a captive wild animal,
20 violations of rules of the Kickapoo reserve management board under s. 41.41 23.0927
21 (7) (k), violations to which s. 299.85 (7) (a) 2. or 4. applies, or violations of local
22 ordinances enacted by any local authority in accordance with s. 23.33 (11) (am) or
23 30.77.

1 **SECTION 14.** 23.53 (1) of the statutes is amended to read:

2 23.53 (1) The citation created under this section shall, in all actions to recover
3 forfeitures, plus costs, fees, and surcharges imposed under ch. 814, for violations of
4 those statutes enumerated in s. 23.50 (1), any administrative rules promulgated
5 thereunder, and any rule of the Kickapoo reserve management board under s. 41.41
6 23.0927 (7) (k) be used by any law enforcement officer with authority to enforce those
7 laws, except that the uniform traffic citation created under s. 345.11 may be used by
8 a traffic officer employed under s. 110.07 in enforcing s. 167.31 or by an officer of a
9 law enforcement agency of a municipality or county or a traffic officer employed
10 under s. 110.07 in enforcing s. 287.81. In accordance with s. 345.11 (1m), the citation
11 shall not be used for violations of ch. 350 relating to highway use. The citation may
12 be used for violations of local ordinances enacted by any local authority in accordance
13 with s. 23.33 (11) (am) or 30.77.

14 **SECTION 15.** 23.56 (1) of the statutes is amended to read:

15 23.56 (1) A person may be arrested for a violation of those statutes enumerated
16 in s. 23.50 (1), any administrative rules promulgated thereunder, any rule of the
17 Kickapoo reserve management board under s. ~~41.41~~ 23.0927 (7) (k), or any local
18 ordinances enacted by any local authority in accordance with s. 23.33 (11) (am) or
19 30.77, after a warrant that substantially complies with s. 968.04 has been issued.
20 Except as provided in sub. (2), the person arrested shall be brought without
21 unreasonable delay before a court having jurisdiction to try the action.

22 **SECTION 16.** 23.57 (1) (intro.) of the statutes is amended to read:

23 23.57 (1) (intro.) A person may be arrested without a warrant when the
24 arresting officer has probable cause to believe that the person is committing or has
25 committed a violation of those statutes enumerated in s. 23.50 (1), any

1 administrative rules promulgated thereunder, any rule of the Kickapoo reserve
2 management board under s. ~~41.41~~ 23.0927 (7) (k), or any local ordinances enacted
3 by any local authority in accordance with s. 23.33 (11) (am) or 30.77; and:

4 **SECTION 17.** 23.58 of the statutes is amended to read:

5 **23.58 Temporary questioning without arrest.** After having identified
6 himself or herself as an enforcing officer, an enforcing officer may stop a person in
7 a public place for a reasonable period of time when the officer reasonably suspects
8 that such person is committing, is about to commit or has committed a violation of
9 those statutes enumerated in s. 23.50 (1), any administrative rules promulgated
10 thereunder, any rule of the Kickapoo reserve management board under s. ~~41.41~~
11 23.0927 (7) (k), or any local ordinances enacted by any local authority in accordance
12 with s. 23.33 (11) (am) or 30.77. Such a stop may be made only where the enforcing
13 officer has proper authority to make an arrest for such a violation. The officer may
14 demand the name and address of the person and an explanation of the person's
15 conduct. Such detention and temporary questioning shall be conducted in the
16 vicinity where the person was stopped.

17 **SECTION 18.** 23.62 (1) (intro.) of the statutes is amended to read:

18 **23.62 (1) (intro.)** Whenever an enforcing officer has probable cause to believe
19 that a person subject to his or her authority is committing or has committed a
20 violation of those statutes enumerated in s. 23.50 (1), any administrative rules
21 promulgated thereunder, any rule of the Kickapoo reserve management board under
22 s. ~~41.41~~ 23.0927 (7) (k), or any local ordinances enacted by any local authority in
23 accordance with s. 23.33 (11) (am) or 30.77, the officer may proceed in the following
24 manner:

25 **SECTION 19.** 29.921 (5) of the statutes is amended to read:

1 29.921 (5) ADDITIONAL ARREST POWERS. In addition to the arrest powers under
2 sub. (1), a warden who has completed a program of law enforcement training
3 approved by the law enforcement standards board, has been certified as qualified to
4 be a law enforcement officer under s. 165.85 (4) (a) 1. and has complied with any
5 applicable requirements under s. 165.85 (4) (a) 7. while on duty and in uniform or on
6 duty and upon display of proper credentials may assist another law enforcement
7 agency as defined under s. 165.85 (2) (bv) including making an arrest at the request
8 of the agency, may arrest a person pursuant to an arrest warrant concerning the
9 commission of a felony or may arrest a person who has committed a crime in the
10 presence of the warden. If the warden makes an arrest without the presence of
11 another law enforcement agency, the warden shall cause the person arrested to be
12 delivered to the chief of police or sheriff in the jurisdiction where the arrest is made,
13 along with the documents and reports pertaining to the arrest. The warden shall be
14 available as a witness for the state. A warden may not conduct investigations for
15 violations of state law except as authorized in ss. 23.11 (4), 29.924 (1) and ~~41.41~~
16 23.0927 (12). A warden acting under the authority of this subsection is considered
17 an employee of the department and is subject to its direction, benefits and legal
18 protection. The authority granted in this section does not apply to county
19 conservation wardens or special conservation wardens.

20 **SECTION 20.** 41.40 of the statutes is renumbered 23.0925, and 23.0925 (1), as
21 renumbered, is amended to read:

22 23.0925 (1) The department may acquire land from the federal government
23 adjacent to the Kickapoo River, and may determine the boundaries of the Kickapoo
24 valley reserve under s. ~~41.41~~ 23.0927 (2).

1 **SECTION 21.** 41.41 of the statutes is renumbered 23.0927, and 23.0927 (1) (a),
2 as renumbered, is amended to read:

3 23.0927 (1) (a) “~~Board~~” Notwithstanding s. 24.01 (2), “board” means the
4 Kickapoo reserve management board.

5 **SECTION 22.** 227.01 (13) (zq) of the statutes is amended to read:

6 227.01 (13) (zq) Designates the Kickapoo valley reserve under s. ~~41.41~~ 23.0927
7 (2).

8 **SECTION 23.** 293.49 (1) (a) of the statutes is amended to read:

9 293.49 (1) (a) Except as provided in sub. (2) and s. 293.50 and except with
10 respect to property specified in s. ~~41.41~~ 23.0927 (11), within 90 days of the completion
11 of the public hearing record, the department shall issue the mining permit if it finds:

12 **SECTION 24.** 295.58 (1) (a) of the statutes is amended to read:

13 295.58 (1) (a) Except as provided in sub. (2) and except with respect to property
14 specified in s. ~~41.41~~ 23.0927 (11), the department shall issue a mining permit if it
15 finds all of the following:

16 **SECTION 9144. Nonstatutory provisions; Tourism.**

17 (1) TRANSFER OF KICKAPOO RESERVE MANAGEMENT BOARD TO DEPARTMENT OF
18 NATURAL RESOURCES.

19 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
20 liabilities of the department of tourism primarily related to the functions of the
21 Kickapoo reserve management board, as determined by the secretary of
22 administration, become the assets and liabilities of the department of natural
23 resources.

24 (b) *Employee transfers.* All incumbent employees holding positions in the
25 department of tourism performing duties primarily related to the functions of the

1 Kickapoo reserve management board, as determined by the secretary of
2 administration, are transferred on the effective date of this paragraph to the
3 department of natural resources.

4 (c) *Employee status.* Employees transferred under paragraph (b) have all the
5 rights and the same status under subchapter V of chapter 111 and chapter 230 of the
6 statutes in the department of natural resources as they enjoyed in the department
7 of tourism immediately before the transfer. Notwithstanding section 230.28 (4) of
8 the statutes, no employee so transferred who has attained permanent status in class
9 is required to serve a probationary period.

10 (d) *Tangible personal property.* On the effective date of this paragraph, all
11 tangible personal property, including records, of the department of tourism that is
12 primarily related to the functions of the Kickapoo reserve management board, as
13 determined by the secretary of administration, is transferred to the department of
14 natural resources.

15 (e) *Contracts.* All contracts entered into by the department of tourism in effect
16 on the effective date of this paragraph that are primarily related to the functions of
17 the Kickapoo reserve management board, as determined by the secretary of
18 administration, remain in effect and are transferred to the department of natural
19 resources. The department of natural resources shall carry out any obligations
20 under such a contract until the contract is modified or rescinded by the department
21 of natural resources to the extent allowed under the contract.

22 (END)