

2015 DRAFTING REQUEST

Bill

Received: 1/9/2015 Received By: eshea
Wanted: As time permits Same as LRB:
For: Administration-Budget 266-1103 By/Representing: Byrnes
May Contact: Drafter: eshea
Subject: Nat. Res. - miscellaneous Addl. Drafters:
Extra Copies:

Submit via email: YES
Requester's email:
Carbon copy (CC) to: elisabeth.shea@legis.wisconsin.gov
sbostatlanguage@webapps.wi.gov

Pre Topic:

DOA:.....Byrnes, BB0418 -

Topic:

Rulemaking and policymaking authority of Natural Resources Board and Agriculture, Trade and Consumer Protection Board

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>
/?	eshea 1/14/2015	csicilia 1/21/2015	jfrantze 1/22/2015	_____			
/P1	eshea 1/23/2015			_____	sbasford 1/22/2015		State
/P2		csicilia	jmurphy	_____	mbarman		State

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
		1/26/2015	1/26/2015	_____	1/26/2015		

FE Sent For:

<END>

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/?	eshea 1/14/2015	csicilia 1/21/2015	jfrantze 1/22/2015	_____			
/P1				_____	sbasford 1/22/2015		State

FE Sent For: *1/22/15* *1/26* *1/26*

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/?	eshea	/Pl cjs 1/21 15	76	PRs 1/22			

FE Sent For:

<END>

Kite, Robin

From: Hanaman, Cathlene
Sent: Friday, January 09, 2015 1:19 PM
To: Tradewell, Becky; Shea, Elisabeth; Pfothenauer, Mary; Kite, Robin
Subject: FW: Statutory Language Drafting Request - BB0418

From: Tyler.Byrnes@Wisconsin.gov [mailto:Tyler.Byrnes@Wisconsin.gov]
Sent: Friday, January 09, 2015 11:40 AM
To: Hanaman, Cathlene
Cc: Frederick, Caitlin - DOA; Byrnes, Tyler - DOA; Connor, Christopher B - DOA
Subject: Statutory Language Drafting Request - BB0418

Biennial Budget: 2015-17

DOA Tracking Code: BB0418

Topic: Natural Resources Board and Agriculture, Trade and Consumer Protection Board

SBO Team: AEJ

SBO Analyst: Byrnes, Tyler - DOA
Phone: (608) 266-1103
E-mail: Tyler.Byrnes@Wisconsin.gov

Agency Acronym: DATCP

Agency Number: 115

Priority: Medium

Intent:

Please prepare a draft that eliminates the rulemaking and policy making authority for the Natural Resources Board and The Agriculture, Trade and Consumer Protection Board.

The board's makeup, membership and other characteristics should remain unchanged. The boards are to continue in an advisory role.

Attachments: False

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

Shea, Elisabeth

From: Byrnes, Tyler - DOA <Tyler.Byrnes@wisconsin.gov>
Sent: Wednesday, January 14, 2015 2:45 PM
To: Shea, Elisabeth
Subject: RE: NR and ATCP Boards

Current members.

Thanks!

From: Shea, Elisabeth [mailto:Elisabeth.Shea@legis.wisconsin.gov]
Sent: Wednesday, January 14, 2015 2:45 PM
To: Byrnes, Tyler - DOA
Subject: RE: NR and ATCP Boards

Hi Tyler,

One more questions. Do you want the current members of the boards to stay on the councils? Or do you want new members of the councils appointed?

Lis

From: Byrnes, Tyler - DOA [mailto:Tyler.Byrnes@wisconsin.gov]
Sent: Friday, January 09, 2015 2:45 PM
To: Shea, Elisabeth
Subject: NR and ATCP Boards

I've confirmed that we are all right with the change of names to "councils".

Tyler



(OUT 1-22)
State of Wisconsin
2015 - 2016 LEGISLATURE



LRB-1191/01 P1
EHS:/:....
cjs RMNR

In 1/14/15

DOA:.....Tyler Byrnes, BB0418 – Rulemaking and policymaking authority of
Natural Resources Board and Agriculture, Trade and Consumer
Protection Board

FOR 2015-2017 BUDGET – NOT READY FOR INTRODUCTION

SAC ✓

do NOT gen

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

Analysis by the Legislative Reference Bureau

AGRICULTURE

Under current law, the Board of Agriculture, Trade and Consumer Protection is the policy-making entity for DATCP. The board approves DATCP's rules and appoints high-level staff. This bill transfers this authority from the board to the secretary of agriculture, trade and consumer protection. The bill also changes the Board of Agriculture, Trade and Consumer Protection to a council, which is an advisory body.

NATURAL RESOURCES

OTHER NATURAL RESOURCES

Under current law, the Natural Resources Board is the policy-making entity for DNR. The board approves DNR's rules, sells land, and appoints high-level staff. This bill transfers this authority from the board to the secretary of natural resources. The bill also changes the Natural Resources Board to a council, which is an advisory body.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

1 **SECTION 1.** 15.05 (1) (b) of the statutes is amended to read:

2 15.05 (1) (b) ~~Except as provided in pars. (c) and (d), if~~ If a department is under
3 the direction and supervision of a board, the board shall appoint a secretary to serve
4 at the pleasure of the board outside the classified service. In such departments, the
5 powers and duties of the board shall be regulatory, advisory and policy-making, and
6 not administrative. All of the administrative powers and duties of the department
7 are vested in the secretary, to be administered by him or her under the direction of
8 the board. The secretary, with the approval of the board, shall promulgate rules for
9 administering the department and performing the duties assigned to the
10 department.

X 11 History: 1973 c. 90; 1977 c. 4, 196; 1985 a. 18; 1985 a. 332 s. 251 (3); 1989 a. 31, 169; 1993 a. 399; 1995 a. 27; 2011 a. 36; 2013 a. 20.

X 11 **SECTION 2.** 15.05 (1) (c) of the statutes is repealed.

X 12 **SECTION 3.** 15.05 (1) (d) of the statutes is repealed.

X 13 **SECTION 4.** 15.13 of the statutes is amended to read:

14 **15.13 Department of agriculture, trade and consumer protection;**
15 **creation.** There is created a department of agriculture, trade and consumer
16 protection under the direction and supervision of the board secretary of agriculture,
17 trade and consumer protection. ~~The board shall consist of 7 members with an~~
18 ~~agricultural background and 2 members who are consumer representatives,~~
19 ~~appointed for staggered 6-year terms. Appointments to the board shall be made~~

1 ~~without regard to party affiliation, residence or interest in any special organized~~
2 ~~group.~~

3 History: 1977 c. 29; 1995 a. 27; 1997 a. 27.

SECTION 5. 15.137 (1m) of the statutes is created to read:

4 15.137 (1m) AGRICULTURE, TRADE AND CONSUMER PROTECTION COUNCIL. There is
5 created in the department of agriculture, trade and consumer protection an
6 agriculture, trade and consumer protection council consisting of 7 members with an
7 agricultural background and 2 members who are consumer representatives for
8 6-year terms. Appointments to the council shall be made without regard to party
9 affiliation, residence, or interest in any special organized group.

10 **SECTION 6.** 15.137 (2) (a) 23. of the statutes is amended to read:

11 15.137 (2) (a) 23. A representative of the board of agriculture, trade and
12 consumer protection council.

History: 1977 c. 29 s. 1650m (2), (4); 1977 c. 87, 216, 272, 418; 1979 c. 129; 1981 c. 57, 237; 1985 a. 184; 1987 a. 281; 1991 a. 269, 315; 1993 a. 417; 1997 a. 27; 2001 a. 16; 2007 a. 223; 2009 a. 293, 401; 2011 a. 32.

****NOTE: Should the ATCP council have a representative on the Agricultural Education and Workforce Development Council?

x 13 **SECTION 7.** 15.34 (1) of the statutes is renumbered 15.34 and amended to read:

14 15.34 **Department of natural resources; creation.** There is created a
15 department of natural resources under the direction and supervision of the secretary
16 of natural resources board.

History: 1973 c. 74; 1991 a. 316; 2001 a. 16; 2011 a. 149.

17 **SECTION 8.** 15.34 (2) (a) of the statutes is renumbered 15.347 (1) (intro.) and
18 amended to read:

19 15.347 (1) (intro.) ~~The natural resources board shall consist~~ There is created in
20 the department of natural resources a natural resources council consisting of 7
21 members meeting the following requirements appointed for ~~staggered~~ 6-year
22 terms.;

History: 1973 c. 74; 1991 a. 316; 2001 a. 16; 2011 a. 149.

1 **SECTION 9.** 15.34 (2) (b) of the statutes is renumbered 15.347 (1) (a) and
2 amended to read:

3 15.347 (1) (a) At least 3 members of the ~~natural resources board~~ shall be from
4 the territory north, and at least 3 members of the ~~board~~ shall be from the territory
5 south, of a line running east and west through the south limits of the city of Stevens
6 Point.

7 **History:** 1973 c. 74; 1991 a. 316; 2001 a. 16; 2011 a. 149.

8 **SECTION 10.** 15.34 (2) (bg) of the statutes is renumbered 15.347 (1) (b) and
9 amended to read:

10 15.347 (1) (b) At least one member of the ~~natural resources board~~ shall have
11 an agricultural background. The governor may request statewide agricultural
12 organizations to submit recommendations for nominees under this paragraph. The
13 requirements of this paragraph apply to individuals who are members of the natural
resources board council on May 1, 2017, and thereafter.

14 **History:** 1973 c. 74; 1991 a. 316; 2001 a. 16; 2011 a. 149.

15 **SECTION 11.** 15.34 (2) (br) 1. of the statutes is renumbered 15.347 (1) (c) 1. and
16 amended to read:

17 15.347 (1) (c) 1. At least 3 members of the ~~natural resources board~~ shall be
18 individuals who held an annual hunting, fishing, or trapping license, in this state or
19 another state, in at least 7 of the 10 years previous to the year in which the individual
20 is nominated, except as provided in subd. 2. The governor may request statewide
21 organizations that are primarily interested in supporting hunting, fishing, or
22 trapping to submit recommendations for nominees under this paragraph. The
23 requirements of this paragraph apply to individuals who are members of the natural
resources board council on May 1, 2017, and thereafter.

24 **History:** 1973 c. 74; 1991 a. 316; 2001 a. 16; 2011 a. 149.

SECTION 12. 15.34 (2) (br) 2. of the statutes is renumbered 15.347 (1) (c) 2.

X 1 **SECTION 13.** 15.34 (2) (c) of the statutes is renumbered 15.347 (1) (d) and
2 amended to read:

3 15.347 (1) (d) No person may be appointed to the natural resources ~~board~~
4 council, or remain a member of the ~~board~~ council, who receives, or has during the
5 previous 2 years received, a significant portion of his or her income directly or
6 indirectly from holders of or applicants for permits issued by the department of of
7 natural resources under ch. 283, except that this paragraph does not apply to permits
8 issued under s. 283.33.

History: 1973 c. 74; 1991 a. 316; 2001 a. 16; 2011 a. 149.

X 9 **SECTION 14.** 15.34 (2) (d) of the statutes is renumbered 15.347 (1) (e) and
10 amended to read:

11 15.347 (1) (e) The majority of members of the natural resources ~~board~~ council
12 may not derive a significant portion of their incomes from persons who are subject
13 to permits or enforcement orders under ch. 285. Each ~~board~~ council member shall
14 inform the governor of any significant change in the income that he or she derives
15 from persons who are subject to permits or enforcement orders under ch. 285.

History: 1973 c. 74; 1991 a. 316; 2001 a. 16; 2011 a. 149.

X 16 **SECTION 15.** 15.34 (2) (e) of the statutes is renumbered 15.347 (1) (f) and
17 amended to read:

18 15.347 (1) (f) The restrictions in pars. ~~(e) and (d)~~ and (e) do not apply with
19 respect to permits or licenses held or applied for by agencies, departments, or
20 subdivisions of this state.

History: 1973 c. 74; 1991 a. 316; 2001 a. 16; 2011 a. 149.

****NOTE: Because the Natural Resources Council is only advisory, do you want to
retain the conflict of interest provisions in Sections 13-15?

21 **SECTION 16.** 15.347 (1) (title) of the statutes is created to read:

22 15.347 (1) (title) NATURAL RESOURCES COUNCIL.

23 **SECTION 17.** 15.347 (4) (a) of the statutes is amended to read:

1 15.347 (4) (a) Two from the department of natural resources, appointed by the
2 board secretary of natural resources, one to serve as secretary.

History: 1971 c. 100 s. 23; 1971 c. 164, 211, 277, 307, 323; 1973 c. 12, 301, 318; 1975 c. 39, 198, 224, 412; 1977 c. 29 ss. 51, 52, 52d, 1650m (1), (4); 1977 c. 377; 1979 c. 34 ss. 39g, 39r, 2102 (39) (g), (58) (b); 1979 c. 221, 355; 1979 c. 361 s. 112; 1981 c. 346 s. 38; 1983 a. 410; 1985 a. 29 ss. 87h, 87m, 3200 (39); 1985 a. 65, 296, 332; 1987 a. 27, 186, 399; 1989 a. 11, 31, 335; 1991 a. 32, 39, 269, 302, 316; 1993 a. 16, 464; 1995 a. 27 ss. 169 to 175b, 9116 (5) and 9126 (19); 1995 a. 227; 1997 a. 27, 300; 2001 a. 109; 2005 a. 168; 2007 a. 20 s. 9121 (6) (a); 2009 a. 394; 2011 a. 32 ss. 117b, 125, 126; 2011 a. 104, 168; 2013 a. 16, 69.

3 **SECTION 18.** 15.347 (21) (a) 5. of the statutes is amended to read:

4 15.347 (21) (a) 5. Five members, appointed by the secretary of natural
5 resources ~~board~~ from nominations provided by sporting organizations that have as
6 their primary objective the promotion of hunting, fishing, or trapping. Of the 5
7 members, one shall represent the interests of deer hunters, one shall represent the
8 interests of bear hunters, one shall represent the interests of bird hunters, one shall
9 represent the interests of anglers, and one shall represent the interests of furbearing
10 animal hunters and trappers.

History: 1971 c. 100 s. 23; 1971 c. 164, 211, 277, 307, 323; 1973 c. 12, 301, 318; 1975 c. 39, 198, 224, 412; 1977 c. 29 ss. 51, 52, 52d, 1650m (1), (4); 1977 c. 377; 1979 c. 34 ss. 39g, 39r, 2102 (39) (g), (58) (b); 1979 c. 221, 355; 1979 c. 361 s. 112; 1981 c. 346 s. 38; 1983 a. 410; 1985 a. 29 ss. 87h, 87m, 3200 (39); 1985 a. 65, 296, 332; 1987 a. 27, 186, 399; 1989 a. 11, 31, 335; 1991 a. 32, 39, 269, 302, 316; 1993 a. 16, 464; 1995 a. 27 ss. 169 to 175b, 9116 (5) and 9126 (19); 1995 a. 227; 1997 a. 27, 300; 2001 a. 109; 2005 a. 168; 2007 a. 20 s. 9121 (6) (a); 2009 a. 394; 2011 a. 32 ss. 117b, 125, 126; 2011 a. 104, 168; 2013 a. 16, 69.

****NOTE: This relates to appointing members to the Sporting Heritage Council, of which the secretary (or his/her designee) is the chairperson. Should these 5 members be appointed by the secretary? If no appointing authority is mentioned, the governor would appoint.

11 **SECTION 19.** 15.348 of the statutes is amended to read:

12 **15.348 Conservation congress.** The conservation congress shall be an
13 independent organization of citizens of the state and shall serve in an advisory
14 capacity to the secretary of natural resources ~~board~~ on all matters under the
15 jurisdiction of the ~~board~~ secretary. Its records, budgets, studies, and surveys shall
16 be kept and established in conjunction with the department of natural resources. Its
17 reports shall be an independent advisory opinion of such congress.

History: 1971 c. 179.

18 **SECTION 20.** 16.02 (2) of the statutes is amended to read:

19 16.02 (2) The acid deposition research council shall, by July 1 of each
20 even-numbered year, submit a report of its work summarizing its recommendations

1 under sub. (1) (a) to (c) and the results of the research reviewed under sub. (1) (d) and
2 shall file the report with the governor, the secretary, the chairperson of the natural
3 resources board secretary of natural resources, and the chief clerk of each house of
4 the legislature for distribution to the appropriate standing committees under s.
5 13.172 (2).

History: 1985 a. 296; 1987 a. 403 s. 256.

6 **SECTION 21.** 23.09 (12) (c) of the statutes is amended to read:

7 23.09 (12) (c) State aid under this subsection to any county shall be distributed
8 by the department according to the procedures adopted in rules promulgated by the
9 natural resources board department. State aid granted to any county under this
10 subsection shall be matched by the county and the state's share may not exceed
11 one-half of the actual cost of the project. Personnel, equipment, and materials
12 furnished by the county may be included in computing the county share contribution.

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; 2009 a. 276; 2011 a. 148; 2013 a. 20; 2013 a. 165 ss. 114, 115.

13 **SECTION 22.** 23.091 (2) of the statutes is amended to read:

14 23.091 (2) MASTER PLAN. The department may designate a recreational area
15 only after a master plan for use and management of the area is prepared, public
16 hearings on the plan are held in the county where the largest portion of land in the
17 project is located, the procedures prescribed in s. 1.11 are complied with, and the plan
18 is approved by the natural resources board secretary.

History: 1977 c. 29; 1985 a. 332 s. 251 (1); 1987 a. 298.

19 **SECTION 23.** 23.0915 (2) (d) (intro.) of the statutes is amended to read:

20 23.0915 (2) (d) (intro.) In a given fiscal year, in addition to expending the
21 amount designated for a purpose under sub. (1) (a) or (c) to (k), or the amount equal
22 to the expenditure limit for that purpose, as adjusted under pars. (a) and (b),
23 whichever amount is applicable, the department may also expend for that purpose

1 up to 50% of the designated amount for that purpose for the given fiscal year for a
2 project or activity if the ~~natural resources board~~ secretary determines all of the
3 following:

History: 1989 a. 31; 1991 a. 39, 269, 309; 1993 a. 16, 213, 343; 1995 a. 27; 1997 a. 27; 1999 a. 9; 2011 a. 32.

4 **SECTION 24.** 23.0916 (2) (b) (intro.) of the statutes is amended to read:

5 23.0916 (2) (b) *Authority to prohibit access; earlier acquisitions; trails.* (intro.)

6 Except as provided in par. (c), the person receiving a stewardship grant subject to par.
7 (a) or (am) may prohibit public access for one or more nature-based outdoor activities
8 only if the ~~natural resources board~~ secretary determines that it is necessary to do so
9 in order to do any of the following:

History: 2007 a. 20; 2009 a. 28; 2011 a. 32, 168.

10 **SECTION 25.** 23.0916 (2) (c) (intro.) of the statutes is amended to read:

11 23.0916 (2) (c) *Authority to prohibit access; later acquisitions.* (intro.) For
12 acquisitions of land or easements that are not for state trails or the ice age trail the
13 person receiving a stewardship grant subject to par. (am) may prohibit public access
14 for one or more nature-based outdoor activities only if the ~~natural resources board~~
15 secretary determines that it is necessary to do so in order to do any of the following:

History: 2007 a. 20; 2009 a. 28; 2011 a. 32, 168.

16 **SECTION 26.** 23.0916 (3) (b) of the statutes is amended to read:

17 23.0916 (3) (b) *Authority to prohibit access; earlier acquisitions; trails.* The
18 department may prohibit public access on land or an easement subject to par. (a) for
19 one or more nature-based outdoor activities if the ~~natural resources board~~ secretary
20 determines that it is necessary to do so to protect public safety, protect a unique
21 animal or plant community, or accommodate usership patterns, as defined by rule
22 by the department. This paragraph applies to all acquisitions of land in fee simple
23 and easements on former managed forest land that occur on former managed forest

1 land before July 1, 2011, and to the acquisition of easements on former managed
2 forest land for state trails and the ice age trail that occur on or after July 1, 2011.

3 **History:** 2007 a. 20; 2009 a. 28; 2011 a. 32, 168.

SECTION 27. 23.0916 (3) (c) of the statutes is amended to read:

4 23.0916 (3) (c) *Authority to prohibit access; later acquisitions.* The department
5 may prohibit public access on land or an easement subject to par. (a) for one or more
6 nature-based outdoor activities only if the ~~natural resources board~~ secretary
7 determines that it is necessary to do so to protect public safety or to protect a unique
8 animal or plant community. This paragraph applies to acquisitions of land in fee
9 simple and easements on former managed forest land for purposes other than for
10 state trails and the ice age trail that occur on or after July 1, 2011.

11 **History:** 2007 a. 20; 2009 a. 28; 2011 a. 32, 168.

SECTION 28. 23.0916 (3m) of the statutes is repealed.

12 **SECTION 29.** 23.0916 (5) (intro.) of the statutes is amended to read:

13 23.0916 (5) **RULES.** (intro.) The ~~natural resources board~~ department, by rule,
14 shall develop all of the following:

15 **History:** 2007 a. 20; 2009 a. 28; 2011 a. 32, 168.

SECTION 30. 23.0917 (5) (d) (intro.) of the statutes is amended to read:

16 23.0917 (5) (d) (intro.) For a given fiscal year, in addition to obligating the
17 amount of the annual bonding authority for a subprogram under sub. (3) or (4), or
18 the amount equal to the annual bonding authority for that subprogram, as adjusted
19 under pars. (a) and (b), whichever amount is applicable, the department may also
20 obligate for that subprogram up to 100% of the annual bonding authority for that
21 subprogram for that given fiscal year for a project or activity if the ~~natural resources~~
22 ~~board~~ secretary determines that all of the following conditions apply:

23 **History:** 1999 a. 9, 185; 2001 a. 16, 30, 109; 2003 a. 33; 2007 a. 20; 2009 a. 28; 2011 a. 32, 250; 2013 a. 20, 166.

SECTION 31. 23.0918 (2) of the statutes is amended to read:

SECTION 31

1 23.0918 (2) Unless the ~~natural resources board~~ secretary determines
2 otherwise in a specific case, only the income from the gifts, grants, or bequests in the
3 fund is available for expenditure. The ~~natural resources board~~ secretary may
4 authorize expenditures only for preserving, developing, managing, or maintaining
5 land under the jurisdiction of the department that is used for any of the purposes
6 specified in s. 23.09 (2) (d). In this subsection, unless otherwise provided in a gift,
7 grant, or bequest, principal and income are determined as provided under subch. XI
8 of ch. 701.

History: 1999 a. 9; 2005 a. 10; 2013 a. 92.

9 **SECTION 32.** 23.0953 (4) of the statutes is amended to read:

10 23.0953 (4) A county may not convert the land, or any rights in the land,
11 acquired with grant moneys awarded under sub. (2) (a) 2. to a use that is inconsistent
12 with the type of nature-based outdoor recreation or conservation activity for which
13 the grant was awarded unless the ~~natural resources board~~ secretary approves the
14 conversion.

History: 2007 a. 20.

15 **SECTION 33.** 23.096 (2m) (intro.) of the statutes is amended to read:

16 23.096 (2m) (intro.) Notwithstanding sub. (2) (b), in each fiscal year beginning
17 with fiscal year 2010–11 and ending with fiscal year 2019–20, the department may
18 award grants under this section that equal up to 75 percent of the acquisition costs
19 of the property if the ~~natural resources board~~ secretary determines that all of the
20 following apply:

History: 1989 a. 31; 1991 a. 309; 1993 a. 343; 1997 a. 27; 1999 a. 9; 2007 a. 20.

21 **SECTION 34.** 23.117 (4) of the statutes is amended to read:

22 23.117 (4) Any council that is created by the ~~natural resources board~~ secretary
23 under s. 15.04 (1) (c) to advise the department on the opening of trails in state parks
24 and in the Kettle Moraine state forest for use by bicycles or electric personal assistive

1 mobility devices shall have its recommendations regarding such use reviewed and
2 approved by the natural resources board secretary before they are implemented.

X
3 **History:** 1991 a. 269; 2001 a. 90.

SECTION 35. 23.12 of the statutes is repealed.

4 **SECTION 36.** 23.125 (title) of the statutes is amended to read:

5 **23.125 (title) Natural resources board council member conflicts of**
6 **interest.**

7 **History:** 2001 a. 16.

SECTION 37. 23.125 (1) of the statutes is amended to read:

8 **23.125 (1)** If a member of the natural resources board council is the holder of
9 a permit or license issued by the department under chs. 280 to 299, that member may
10 not engage in a discussion at a board council meeting or participate in a board council
11 decision on any matter that substantially relates to the permit or license.

12 **History:** 2001 a. 16.

SECTION 38. 23.125 (2) of the statutes is amended to read:

13 **23.125 (2)** If a member of the natural resources board council receives, or has
14 during the previous 2 years received, a significant portion of his or her income
15 directly or indirectly from a holder of or applicant for a permit or license issued by
16 the department under chs. 280 to 299, that member may not engage in a discussion
17 at a board council meeting or participate in a board council decision on any matter
18 that substantially relates to the permit or license, except that this restriction does
19 not apply with respect to a permit or license held or applied for by an agency,
20 department, or subdivision of this state.

History: 2001 a. 16.

****NOTE: Should these conflicts of interest provisions for members of the Natural Resources Council remain?

INSERT 11-21
→

21 **SECTION 39.** 23.15 (1) of the statutes is amended to read:

SECTION 39

1 23.15 (1) ~~The natural resources board~~ secretary may sell, at public or private
2 sale, lands, and structures owned by the state under the jurisdiction of the
3 department of natural resources, except central or district office facilities, when the
4 ~~natural resources board~~ secretary determines that the lands are no longer necessary
5 for the state's use for conservation purposes and, if real property, the real property
6 is not the subject of a petition under s. 16.310 (2).

7 **History:** 1983 a. 27; 1983 a. 423 s. 3; Stats. 1983 s. 23.15; 1989 a. 31; 1991 a. 39, 316; 1993 a. 184; 2003 a. 33; 2005 a. 25; 2007 a. 20; 2011 a. 32; 2013 a. 20.

7 **SECTION 40.** 23.15 (2) of the statutes is amended to read:

8 23.15 (2) ~~Said natural resources board~~ The secretary shall present to the
9 governor a full and complete report of the lands to be sold, the reason for the sale,
10 the price for which said the lands should be sold ~~together with, and~~ an application
11 for the sale of the same lands. The governor shall ~~thereupon~~ make such any
12 investigation as the governor deems necessary respecting said the lands to be sold
13 and approve or disapprove such the application. If the governor shall ~~approve~~
14 approves the same application, [↑] ~~the governor shall issue a permit shall be issued by~~
15 ~~the governor~~ for such the sale on the terms set forth in the application.

16 **History:** 1983 a. 27; 1983 a. 423 s. 3; Stats. 1983 s. 23.15; 1989 a. 31; 1991 a. 39, 316; 1993 a. 184; 2003 a. 33; 2005 a. 25; 2007 a. 20; 2011 a. 32; 2013 a. 20.

16 **SECTION 41.** 23.15 (2m) (a) (intro.) of the statutes is amended to read:

17 23.15 (2m) (a) (intro.) Notwithstanding sub. (1), the ~~natural resources board~~
18 secretary shall sell, at fair market value, land in the lower Wisconsin state riverway,
19 as defined in s. 30.40 (15), that is not exempt under s. 30.48 (2) and that is acquired
20 by the department after August 9, 1989, if all of the following conditions are met:

21 **History:** 1983 a. 27; 1983 a. 423 s. 3; Stats. 1983 s. 23.15; 1989 a. 31; 1991 a. 39, 316; 1993 a. 184; 2003 a. 33; 2005 a. 25; 2007 a. 20; 2011 a. 32; 2013 a. 20.

21 **SECTION 42.** 23.15 (2m) (b) of the statutes is amended to read:

1 23.15 (2m) (b) Notwithstanding sub. (1), the ~~natural resources board~~ secretary
2 is not required to make a finding that land to be sold under par. (a) is no longer
3 necessary for the state's use for conservation purposes.

4 **History:** 1983 a. 27; 1983 a. 423 s. 3; Stats. 1983 s. 23.15; 1989 a. 31; 1991 a. 39, 316; 1993 a. 184; 2003 a. 33; 2005 a. 25; 2007 a. 20; 2011 a. 32; 2013 a. 20.

4 **SECTION 43.** 23.15 (3) of the statutes is amended to read:

5 23.15 (3) Upon completion of such the sale, ~~the chairperson and secretary of~~
6 ~~the natural resources board, or the secretary of natural resources, if the secretary is~~
7 ~~duly authorized by the natural resources board,~~ shall execute such instruments as
8 are necessary to transfer title and the ~~natural resources board or its~~ secretary or his
9 or her duly authorized agents shall deliver the ~~same~~ executed instruments to the
10 purchaser upon payment of the amount set forth in the application.

11 **History:** 1983 a. 27; 1983 a. 423 s. 3; Stats. 1983 s. 23.15; 1989 a. 31; 1991 a. 39, 316; 1993 a. 184; 2003 a. 33; 2005 a. 25; 2007 a. 20; 2011 a. 32; 2013 a. 20.

11 **SECTION 44.** 23.15 (4) of the statutes is amended to read:

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

18 **History:** 1983 a. 27; 1983 a. 423 s. 3; Stats. 1983 s. 23.15; 1989 a. 31; 1991 a. 39, 316; 1993 a. 184; 2003 a. 33; 2005 a. 25; 2007 a. 20; 2011 a. 32; 2013 a. 20.

18 **SECTION 45.** 23.30 (3) (intro.) of the statutes is amended to read:

19 23.30 (3) ~~NATURAL RESOURCES BOARD~~ DEPARTMENT (intro.) ~~The natural~~
20 ~~resources board~~ department is the body through which all governmental agencies
21 and nongovernmental agencies may coordinate their policies, plans, and activities
22 with regard to Wisconsin outdoor recreation resources. To this end it shall:

23 **History:** 1971 c. 125; 1985 a. 29; 1987 a. 98; 1989 a. 31; 1993 a. 213.

23 **SECTION 46.** 23.31 (1) (a) of the statutes is amended to read:

INSERT 13-23
7

1 23.31 (1) (a) To provide and develop recreation resources facilities within this
2 state, the ~~natural resources board~~ secretary, subject to the limits provided in s.
3 20.866 (2) (tp), (ts), and (tt), may direct that state debt be contracted for providing
4 recreation resources facilities or making additions to existing recreation resources
5 facilities.

6 **History:** 1971 c. 125; 1971 c. 211 s. 126; 1973 c. 90; 1977 c. 418; 1979 c. 34, 221; 1981 c. 20; 1985 a. 29.

6 **SECTION 47.** 23.31 (1) (b) of the statutes is amended to read:

7 23.31 (1) (b) With their its biennial budget request to the department of
8 administration, the ~~natural resources board~~ department shall include its request
9 and plan for recreational acquisition and development funding under s. 23.30. This
10 plan shall be approved by the governor and shall contain the policies regarding the
11 priority types of land to be acquired and the nature and categories of the
12 developments to be undertaken. ~~Changes in~~ The department may not change the
13 priority types of land to be acquired and in or the nature and categories of
14 developments may not be made to be undertaken without approval of the governor.
15 Any deviation ~~which~~ that the governor approves shall be reviewed by the joint
16 committee on finance.

17 **History:** 1971 c. 125; 1971 c. 211 s. 126; 1973 c. 90; 1977 c. 418; 1979 c. 34, 221; 1981 c. 20; 1985 a. 29.

17 **SECTION 48.** 29.036 (1) (intro.) of the statutes is amended to read:

18 29.036 (1) (intro.) The sporting heritage council shall study, and provide advice
19 and make recommendations to the governor, the ~~natural resources board~~ secretary,
20 and the legislature about, issues relating to hunting, trapping, fishing, and other
21 types of outdoor recreation activities including all of the following:

22 **History:** 2011 a. 168.

22 **SECTION 49.** 29.036 (2) of the statutes is amended to read:

23 29.036 (2) The sporting heritage council shall prepare a biennial report on the
24 status of the recruitment and retention of hunters, trappers, and anglers in this

1 state. The sporting heritage council shall submit its initial report under this
2 subsection no later than July 1, 2014, and shall submit subsequent reports no later
3 than July 1 of each even-numbered year thereafter, to the governor, to the
4 chairperson of the natural resources board secretary, and to the chief clerk of each
5 house of the legislature, for distribution to the appropriate standing committees
6 under s. 13.172 (3).

History: 2011 a. 168.

7 **SECTION 50.** 29.089 (1m) (b) 2. of the statutes is amended to read:

8 29.089 (1m) (b) 2. The ~~natural resources board~~ secretary determines that
9 prohibiting hunting, fishing, or trapping is necessary to protect public safety or to
10 protect a unique animal or plant community. ~~A determination to prohibit hunting,~~
11 ~~fishing, or trapping in a state park or a portion of a state park under this subdivision~~
12 ~~requires 4 or more members of the natural resources board to concur in that~~
13 ~~determination.~~

History: 1989 a. 214; 1997 a. 237; 1997 a. 248 s. 599; Stats. 1997 s. 29.089; 2001 a. 109; 2005 a. 286; 2011 a. 35, 168.

14 **SECTION 51.** 29.944 of the statutes is amended to read:

15 **29.944 Exemption from liability.** ~~Members of the natural resources board,~~
16 ~~and each~~ Each warden, in the performance of official duties, ~~are~~ is exempt from
17 liability to any person for acts done or permitted or property destroyed by authority
18 of law. No taxable costs or attorney fees shall be allowed to either party in an action
19 against ~~a member of the natural resources board or a warden.~~

History: 1997 a. 248 s. 111.

20 **SECTION 52.** 30.41 (1) of the statutes is amended to read:

21 30.41 (1) There is created a Lower Wisconsin State Riverway consisting of land
22 as designated by the ~~natural resources board~~ secretary.

History: 1989 a. 31.

23 **SECTION 53.** 30.92 (6) (b) of the statutes is amended to read:

1 30.92 (6) (b) The department shall assign staff to the commission for
2 management of the program under this section. All staff activities, including but not
3 limited to budgeting, program coordination, and related administrative
4 management functions, shall be consistent with the policies of the department and
5 the natural resources board.

History: 1977 c. 274; 1979 c. 34 s. 2102 (39) (a); 1979 c. 154, 221; 1981 c. 20; 1983 a. 27 ss. 870, 2202 (38); 1985 a. 29, 332; 1989 a. 31, 160; 1991 a. 39, 269; 1995 a. 8, 27, 349; 1997 a. 27 ss. 1144g, 1144r, 1144s, 1145, 1146, 1146d, 1146g, 1146h, 5503g; 1997 a. 79, 248; 1999 a. 9; 1999 a. 150 s. 672; 2001 a. 16; 2003 a. 33; 2005 a. 25.

6 **SECTION 54.** 91.04 (intro.) of the statutes is amended to read:

7 **91.04 Department to report.** (intro.) At least once every 2 years, beginning
8 not later than December 31, 2011, the department shall submit a farmland
9 preservation report to the board secretary of agriculture, trade and consumer
10 protection and provide copies of the report to the department of revenue and the
11 department of administration. The department shall prepare the report in
12 cooperation with the department of revenue and shall include all of the following in
13 the report:

History: 2009 a. 28; 2011 a. 32.

14 **SECTION 55.** 93.02 of the statutes is amended to read:

15 **93.02 Staff.** The secretary shall appoint all staff necessary for the carrying out
16 of the duties of the department, all of whom shall be under the classified service
17 except the deputy secretary, the assistant deputy secretary, and, subject to s. 230.08
18 (4) (a), the administrators of divisions. ~~Each such deputy secretary, assistant deputy~~
19 ~~secretary, or administrator shall be appointed by the secretary with the approval of~~
20 ~~the board.~~

History: 1977 c. 418; 2013 a. 20.

21 **SECTION 56.** 100.207 (6) (em) 2. of the statutes is amended to read:

1 100.207 (6) (em) 2. The department shall submit the recommendations under
2 subd. 1., if any, to the legislature as part of the report required under s. 227.19 (2)
3 ~~and to the board of agriculture, trade and consumer protection.~~

4 History: 1993 a. 496; 1995 a. 27.

4 **SECTION 57.** 281.19 (6) of the statutes is amended to read:

5 281.19 (6) Orders issued by the department shall be signed by the person
6 designated by the ~~board~~ secretary.

7 History: 1995 a. 227 ss. 378, 379, 381, 386, 388, 390, 391, 397, 987; 1997 a. 27, 193; 1999 a. 32; 1999 a. 150 s. 672.

7 **SECTION 58.** 281.55 (6) (b) 1. of the statutes is amended to read:

8 281.55 (6) (b) 1. These payments shall not exceed 50% of the approved project
9 in conjunction with the state program of advancement in anticipation of federal
10 reimbursement under sub. (2). To provide for the financing of pollution prevention
11 and abatement facilities, the ~~natural resources board~~ secretary, with the approval
12 of the governor, subject to the limits of s. 20.866 (2) (tm) may direct that state debt
13 be contracted as set forth in subd. 2. and subject to the limits set therein. Said debts
14 shall be contracted for in the manner and form as the legislature hereafter
15 prescribes.

16 History: 1971 c. 95; 1975 c. 39 s. 734; 1977 c. 29; 1979 c. 34 ss. 974 to 976, 2102 (39) (a); 1987 a. 399; 1989 a. 31; 1991 a. 269; 1995 a. 227 s. 421; Stats. 1995 s. 281.55.

16 **SECTION 59.** 281.65 (3) (at) of the statutes is amended to read:

17 281.65 (3) (at) Review rules drafted under this section and make
18 recommendations regarding the rules before final approval of the rules by the
19 ~~natural resources board~~ secretary.

20 History: 1977 c. 418; 1979 c. 34, 221; 1979 c. 355 s. 241; 1981 c. 20; 1981 c. 346 s. 38; 1983 a. 27; 1983 a. 189 s. 329 (16); 1983 a. 416; 1985 a. 29; 1987 a. 27; 1989 a. 31, 336, 366; 1991 a. 39, 309; 1993 a. 16, 166, 213, 246, 491; 1995 a. 27, 201, 225; 1995 a. 227 s. 428; Stats. 1995 s. 281.65; 1995 a. 404 s. 204; 1997 a. 27, 209, 237; 1999 a. 9; 1999 a. 150 s. 672; 2001 a. 16, 109; 2003 a. 33; 2007 a. 20; 2009 a. 28; 2013 a. 1.

20 **SECTION 60.** 281.96 of the statutes is amended to read:

21 **281.96 Visitorial powers of department.** Every owner of an industrial
22 establishment shall furnish to the department all information required by it in the
23 discharge of its duties under subch. II, except s. 281.17 (6) and (7). Any ~~member of~~

1 ~~the natural resources board or any~~ employee of the department may enter any
2 industrial establishment for the purpose of collecting such information, and no
3 owner of an industrial establishment shall refuse to admit ~~such member or an~~
4 employee of the department. The department shall make such inspections at
5 frequent intervals. The secretary ~~and all members of the board shall have~~ has power
6 for all purposes falling within the department's jurisdiction to administer oaths,
7 issue subpoenas, and compel the attendance of witnesses, and the production of produce
8 necessary or essential data. PLAIN

History: 1995 a. 227 ss. 402, 403.

9 **SECTION 61.** 285.11 (6) (intro.) of the statutes is amended to read:

10 285.11 (6) (intro.) Prepare and develop one or more comprehensive plans for
11 the prevention, abatement, and control of air pollution in this state. The department
12 thereafter shall be responsible for the revision and implementation of the plans. The
13 rules or control strategies submitted to the federal environmental protection agency
14 under the federal clean air act for control of atmospheric ozone shall conform with
15 the federal clean air act unless, based on the recommendation of the ~~natural~~
16 ~~resources board~~ secretary or the head of the department, as defined in s. 15.01 (8),
17 of any other department, as defined in s. 15.01 (5), that promulgates a rule or
18 establishes a control strategy, the governor determines that measures beyond those
19 required by the federal clean air act meet any of the following criteria:

History: 1995 a. 227 ss. 455, 989; 1999 a. 9; 2003 a. 118; 2013 a. 20.

20 **SECTION 62.** 285.85 (1) of the statutes is amended to read:

21 285.85 (1) If the secretary finds that a generalized condition of air pollution
22 exists and that it creates an emergency requiring immediate action to protect human
23 health or safety, he or she shall order persons causing or contributing to the air
24 pollution to reduce or discontinue immediately the emission of air contaminants, and

1 such order shall fix a place and time, not later than 24 hours thereafter, for a hearing
2 to be held before the department. Not more than 24 hours after the commencement
3 of such hearing, and without adjournment thereof, the ~~natural resources board~~
4 department shall affirm, modify, or set aside the order of the secretary.

History: 1979 c. 34 ss. 983m, 2102 (39) (g); 1979 c. 176; Stats. 1979 s. 144.424; 1995 a. 227 s. 511; Stats. 1995 s. 285.85.

5 **SECTION 63.** 289.68 (7) of the statutes is amended to read:

6 289.68 (7) REPORT ON WASTE MANAGEMENT FUND. With its biennial budget
7 request to the department of administration under s. 16.42, the ~~natural resources~~
8 ~~board~~ department shall include a report on the fiscal status of the waste
9 management fund and an estimate of the receipts by and expenditures from the fund
10 in the current fiscal year and in the future.

History: 1995 a. 227 s. 590, 591.

11 **SECTION 64.** 350.01 (1r) of the statutes is repealed.

12 **SECTION 65.** 350.12 (4) (b) 1. of the statutes is amended to read:

13 350.12 (4) (b) 1. State aids and funds for maintenance costs shall be 100% of
14 the actual cost of maintaining the trail per year up to a \$250 per mile per year
15 maximum, except as provided in pars. (bg) to (br). Qualifying trails are trails
16 approved by the ~~board~~ secretary of natural resources as snowmobile trails. State aid
17 for development may equal 100% of development expenses. Aids for major
18 reconstruction or rehabilitation projects to improve bridges may equal 100% of
19 eligible costs. Aids for trail rehabilitation projects may equal 100% of eligible costs.
20 Development shall begin the same year the land is acquired. Moneys available for
21 development shall be distributed on a 100% grant basis, 75% at the time of approval
22 but no later than January 1 and 25% upon completion of the project. A county
23 application may include a request for development, rehabilitation, or maintenance

1 of trails, or any combination thereof. Trail routes, sizes, and specifications shall be
2 prescribed only by the board secretary of natural resources.

History: 1971 c. 211, 277; 1973 c. 298; 1975 c. 39 ss. 693g to 693m, 734; 1975 c. 224; 1977 c. 29, 402; 1979 c. 32; 1979 c. 34 ss. 1072, 2102 (39) (a); 1979 c. 221; 1981 c. 20, 294, 295; 1983 a. 27 ss. 1709, 1710, 2202 (38); 1983 a. 36, 405; 1985 a. 29 s. 3202 (39); 1985 a. 68, 322; 1985 a. 332 ss. 211, 253; 1987 a. 27, 129, 399; 1989 a. 31, 270, 336; 1991 a. 39, 269, 316; 1993 a. 16, 405, 436; 1995 a. 27, 225; 1997 a. 27, 237; 1999 a. 9; 2001 a. 16; 2003 a. 166, 321; 2005 a. 25, 481; 2007 a. 226; 2011 a. 32, 257; 2013 a. 20, 142, 233.

3 **SECTION 66.** 350.12 (4) (b) 4. of the statutes is amended to read:

4 350.12 (4) (b) 4. For the maintenance, rehabilitation, and development of
5 snowmobile trails and areas on state lands and for major rehabilitation of
6 snowmobile bridges, 100% of the actual cost for development and rehabilitation and
7 100% of the actual cost of maintaining the trails per year up to the per mile per year
8 maximum specified under subd. 1. Qualifying trails are those approved by the board
9 secretary of natural resources. Trail routes, sizes, and specifications shall be
10 prescribed only by the board secretary of natural resources.

History: 1971 c. 211, 277; 1973 c. 298; 1975 c. 39 ss. 693g to 693m, 734; 1975 c. 224; 1977 c. 29, 402; 1979 c. 32; 1979 c. 34 ss. 1072, 2102 (39) (a); 1979 c. 221; 1981 c. 20, 294, 295; 1983 a. 27 ss. 1709, 1710, 2202 (38); 1983 a. 36, 405; 1985 a. 29 s. 3202 (39); 1985 a. 68, 322; 1985 a. 332 ss. 211, 253; 1987 a. 27, 129, 399; 1989 a. 31, 270, 336; 1991 a. 39, 269, 316; 1993 a. 16, 405, 436; 1995 a. 27, 225; 1997 a. 27, 237; 1999 a. 9; 2001 a. 16; 2003 a. 166, 321; 2005 a. 25, 481; 2007 a. 226; 2011 a. 32, 257; 2013 a. 20, 142, 233.

11 **SECTION 67.** 350.145 (3) (b) of the statutes is amended to read:

12 350.145 (3) (b) The secretary of natural resources shall submit any written
13 comments that the secretary receives under par. (a) 2. ~~to the natural resources board~~
14 ~~and~~ to the secretary of administration with the department's submission of its
15 budget report under s. 16.42.

History: 1991 a. 39; 2013 a. 168.

16 **SECTION 68.** 350.145 (3) (b) of the statutes is amended to read:

17 350.145 (3) (b) The secretary of natural resources shall submit any written
18 comments that the secretary receives under par. (a) 2. ~~to the natural resources board~~
19 ~~and~~ to the secretary of administration with the department's submission of its
20 budget report under s. 16.42.

History: 1991 a. 39; 2013 a. 168.

21 **SECTION 9102. Nonstatutory provisions; Agriculture, Trade and**
22 **Consumer Protection.**

the day before

A

1 (1) AGRICULTURE, TRADE AND CONSUMER PROTECTION COUNCIL. The individuals
2 who are members of the board of agriculture, trade and consumer protection on the
3 effective date of this subsection are the initial members of the agriculture, trade and
4 consumer protection council. An initial member shall serve for a term on the council
5 ending on July 1 of the year in which his or her term on the board would have expired.

6 **SECTION 9132. Nonstatutory provisions; Natural Resources.**

7 (1) NATURAL RESOURCES COUNCIL. The individuals who are members of the
8 natural resources board on the effective date of this subsection are the initial
9 members of the agriculture, trade and consumer protection council. An initial
10 member shall serve for a term on the council ending on July 1 of the year in which
11 his or her term on the board would have expired.

12 (END)

natural resources

the day before

2015-2016 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1191/P1ins

INS 2-13

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1 SECTION 1. 15.07 (5) (d) of the statutes is amended to read: repealed.

2 15.07 (5) (d) Members of the board of agriculture, trade and consumer
3 protection council, not exceeding \$35 per day as fixed by the board with the approval
4 of the governor, but not to exceed \$1,000 per year.

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

INS 11-21

5 SECTION 2. 23.145 (1) of the statutes is amended to read: secretary

6 23.145 (1) The natural resources board council shall on or before June 30, 2017,
7 offer for sale at least 10,000 acres of land owned by the state, under the jurisdiction
8 of the department, and outside of project boundaries that were established by the
9 department on or before May 1, 2013.

History: 2013 a. 20.

INS 13-23

10 SECTION 3. 23.30 (3) (b) to (g) of the statutes are amended to read:

11 23.30 (3) (b) Coordinate the development of a comprehensive long-range plan
12 for the acquisition and development of areas necessary for a statewide system of
13 recreational facilities. The comprehensive plan shall be based upon the outdoor
14 recreation plans of the several state agencies and local governmental agencies, and
15 shall be coordinated and modified as the board department deems necessary to
16 comply with its policies and standards.

17 (c) Recommend to the legislature outdoor recreation program appropriations
18 and allocations which, in conjunction with other financial sources supporting
19 outdoor recreation resources, are necessary to carry out plans coordinated by the
20 board department.

91 ***** NOTE: This gave the board of agriculture, trade and consumer protection a \$35 per diem. Let me know if you want the council to receive a per diem

1 (d) Consider progress reports from state agencies to determine that all state
2 appropriations for outdoor recreation are being so expended that the policies and
3 plans formulated by the ~~board~~ department will be accomplished.

4 (f) Advise federal agencies concerned of the pattern in which all federal outdoor
5 recreation resources financial assistance and loan programs to state and local
6 governmental agencies and to nongovernmental associations and private
7 individuals will most completely implement the policies and plans of the ~~board~~
8 department.

9 (g) Negotiate agreements between agencies concerned when in the ~~board's~~
10 department's judgment there is an overlap of authority or responsibilities in the
11 completion of a project.

History: 1971 c. 125; 1985 a. 29; 1987 a. 98; 1989 a. 31; 1993 a. 213.

Shea, Elisabeth

From: Byrnes, Tyler - DOA <Tyler.Byrnes@wisconsin.gov>
Sent: Thursday, January 22, 2015 3:58 PM
To: Shea, Elisabeth
Subject: RE: LRB-1191 - NRB and ATCP Board

Keep the statutory authority to appoint.

Thanks.

From: Shea, Elisabeth [mailto:Elisabeth.Shea@legis.wisconsin.gov]
Sent: Thursday, January 22, 2015 3:17 PM
To: Byrnes, Tyler - DOA
Subject: RE: LRB-1191 - NRB and ATCP Board

Hi Tyler,

Re Section 7 – just to clarify, they have the statutory authority to appoint one, but you’re saying because they don’t currently have a representative, this should be removed? Just want to make sure I understand.

Lis

From: Byrnes, Tyler - DOA [mailto:Tyler.Byrnes@wisconsin.gov]
Sent: Thursday, January 22, 2015 2:02 PM
To: Shea, Elisabeth
Subject: LRB-1191 - NRB and ATCP Board

Lis –Responses to your notes:

Note on Section 4 – Keep the per-diem. Generally, we’re going for as few changes from the current structure.

Note on Section 7 – No – No representation, as long as they don’t have representation now. I checked on the structure of the WAEWDC and didn’t see ATCP board representation. Just the secretary.

Note on Section 16 – Keep conflict of interest provisions for now. Same with the question later in the draft about conflict of interest provisions in Ch.23 .

Note on section 19 – Sporting Heritage Council members should be appointed by the Secretary.

Everything else looks good.

Let me know if you have questions.

Thanks,

Tyler