

CHAPTER 349

AN ACT to create, revise and amend chapter 20 insofar as it relates to the 1961-63 fiscal year's finances and appropriations of the state conservation and reforestation funds, and to make divers other changes in the statutes and session laws relating to state finances and appropriations, constituting the conservation and reforestation funds program budget bill for the 1961-63 fiscal years, and making appropriations.

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

SECTION 1. 20.005 (1) and (2) of the statutes as they reflect the conservation and reforestation funds budget are created to read:

20.005 (1) SUMMARY OF CONSERVATION AND REFORESTATION FUNDS. The budget governing fiscal operations of the state of Wisconsin for the conservation fund and reforestation fund during the 2 fiscal years July 1, 1961 to June 30, 1962, and July 1, 1962 to June 30, 1963, is summarized as follows:

(a) TOTAL CONSERVATION AND REFORESTATION FUNDS

BUDGET SUMMARY

	1961-1962	1962-1963
Executive budget appropriations		
Conservation fund	\$12,836,821	\$12,973,984
Revolving budget appropriations		
Conservation fund	21,500	483,500
Reforestation fund	153,000	153,000
Total appropriations	<u>\$13,011,321</u>	<u>\$13,610,484</u>

(b) EXECUTIVE BUDGET SUMMARY—CONSERVATION FUND

Estimated opening balance, July 1	\$ 1,399,172	\$ 1,276,966
Estimated general-purpose revenues	<u>12,714,615</u>	<u>12,866,415</u>
Total available	\$14,113,787	\$14,143,381
Executive budget appropriations	<u>12,836,821</u>	<u>12,973,984</u>
Estimated closing balance June 30	<u>\$ 1,276,966</u>	<u>\$ 1,169,397</u>
Reserve for emergency forestry purposes, 70.58 (3)	300,000	300,000
Reserve for forestry programs	423,686	349,950
Reserve for fish and game programs	553,280	519,447

(c) REVOLVING BUDGET SUMMARY—CONSERVATION AND REFORESTATION FUNDS

	1961-1962	1962-1963
Estimated opening balance, July 1	(\$ 350,957.05)	(\$ 178,957.05)
Conservation fund	290,999.85	118,999.85
Reforestation fund	59,957.20	59,957.20
Estimated revolving revenues	(174,500.00)	(636,500.00)
Conservation fund	21,500.00	483,500.00
Reforestation fund	<u>153,000.00</u>	<u>153,000.00</u>
Total available	<u>\$ 525,457.05</u>	<u>\$ 815,457.05</u>

Estimated revolving expenditures		
Conservation fund	\$ 193,500.00	\$ 223,500.00
Reforestation fund	153,000.00	153,000.00
Estimated closing balances		
June 30	\$ 178,957.05	\$ 438,957.05
Conservation fund	118,999.85	378,999.85
Reforestation fund	59,957.20	59,957.20
(d) CLOSING BALANCES,		
ALL SOURCES	(\$1,455,923.46)	(\$1,608,354.46)
Conservation fund	1,395,966.26	1,548,397.26
Reforestation fund	59,957.20	59,957.20

(2) **DETAIL APPROPRIATIONS OF CONSERVATION AND REFORESTATION FUNDS.** There is appropriated to the agency named in par. (a) the amounts shown therein for the purposes indicated and from the funds designated.

(a) The following tabulation is a statutory arrangement of all appropriations from the conservation and reforestation funds. The assigned revenues shown are estimates of revenues on the basis of the tax rates and charges authorized.

Line	Agency and purpose	Statute	1961-1962	1962-1963
1.	Conservation commission (conservation fund).....	20.280	[12,858,321]	[13,457,484]
2.	Fish and game operations.....	(71)	(5,476,754)	(5,507,144)
3.	General.....		4,356,192	4,382,926
4.	Transfers to general fund.....		60,500	60,500
5.	Cost-of-living bonus.....	S	490,915	486,447
6.	Bounties on predatory animals.....	S	180,000	180,000
7.	School taxes on state hunting grounds.....	S	50,000	50,000
8.	Retirement and insurance.....	S	339,147	347,271
9.	Forestry operations.....	(72)	(5,056,099)	(5,165,034)
10.	General.....		3,591,857	3,691,164
11.	Cost-of-living bonus.....	S	587,538	584,833
12.	Aid for forest crop lands.....	S	496,150	499,350
13.	Retirement and insurance.....	S	380,554	389,687
14.	State park operations.....	(73)	(651,983)	(654,483)
15.	General.....		494,850	494,850
16.	Cost-of-living bonus.....	S	106,150	106,150
17.	Retirement and insurance.....	S	50,983	53,483
18.	Education and advertising.....	(74)	(485,963)	(467,765)
19.	General.....		455,409	436,817
20.	Cost-of-living bonus.....	S	17,671	17,671
21.	Retirement and insurance.....	S	12,883	13,277
22.	Administrative services.....	(75)	(1,166,022)	(1,179,558)
23.	General.....		933,574	944,252
24.	Cost-of-living bonus.....	S	150,528	150,528
25.	Retirement and insurance.....	S	81,920	84,778
26.	Revolving appropriation revenues, conserv. fd.....		(21,500)	(483,500)
27.	Gifts and donations.....	(79)	N.E.	N.E.
28.	Insurance loss.....	(91)	3,000	3,000
29.	Canceled drafts.....	(92)	500	500
30.	Boat registration.....	(93)	18,000	480,000
31.	Reforestation fund revenues.....	(94)	[153,000]	[153,000]
Total appropriations.....			13,011,321	13,610,484

SECTION 2. 20.280 (1) and (2) of the statutes are renumbered 20.551 (1c) and (1d) respectively and amended to read:

20.551 (1c) There is appropriated from the general fund to the conservation * * * fund annually, beginning July 1, 1961, * * * the conservation commission's share of the appropriation made by s. 20.550 (29).

(1d) There is appropriated from the general fund to the conservation * * * fund annually, beginning July 1, * * * 1961, a sum sufficient to pay forest crop aids at the rate of 10 cents per acre pursuant to ch. 77, excluding s. 77.14.

SECTION 3. 20.280 of the statutes, except sub. (3), is repealed and recreated to read:

20.280 CONSERVATION COMMISSION; CONSERVATION FUND. The conservation fund shall consist of all moneys accruing to the state for or in behalf of the state conservation commission pursuant to s. 25.29 and such transfers as are provided by law from other funds. An imprest fund of \$5,000 from the conservation fund may be established for the purpose of law enforcement and tree cone and seed purchases. The operation and maintenance of such fund and the character of expenditures therefrom shall be pursuant to rules prescribed to the conservation commission by the director of the bureau of finance, department of administration. There is appropriated from the conservation fund to the conservation commission:

(71) FISH AND GAME OPERATIONS. On July 1, 1961, \$5,476,754, and annually, beginning July 1, 1962, \$5,507,144 for the execution of its functions under s. 23.09, relating to fish and game operations, s. 29.595 (2) and (3), ss. 30.50 to 30.80 relating to the registration and licensing of boats, and s. 70.113. Of this amount there is transferred annually beginning July 1, 1961, to the general fund, the following amounts:

(a) \$9,500 for research and education to provide better methods of cropping and conserving wildlife.

(b) One-half the actual costs for the prior fiscal year, including bonuses, of the committee on water pollution under s. 20.870 (1), on a cash basis per the records of the department of administration as of June 30, as certified by the commissioner of administration.

(c) \$6,000 as the conservation fund's share of the operating costs of the water regulatory board.

(d) \$5,000 as the conservation fund's share of topographic mapping.

(72) FORESTRY OPERATIONS. On July 1, 1961, \$5,056,099, and annually, beginning July 1, 1962, \$5,165,034 for the execution of its functions under chs. 26 and 28 and s. 23.09 relating to forestry, county forest aid under s. 28.14, and forest crop aid and the administration thereof under ch. 77.

(73) STATE PARKS. On July 1, 1961, \$651,983, and annually, beginning July 1, 1962, \$654,483 for the execution of its functions under s. 23.09 (7)

(d) 2 and s. 27.01 relating to state parks. If at the end of any fiscal year the total expenditures under this subsection do not exceed \$451,983 in 1961-62 and \$454,483 in 1962-63 then the difference between \$451,983 in 1961-62 and \$454,483 in 1962-63 and the actual expenditures incurred shall be returned to the general fund as an offset to the moneys provided under s. 20.551 (1b).

(74) EDUCATION AND ADVERTISING. On July 1, 1961, \$485,963, and annually beginning July 1, 1962, \$467,765 for the execution of its functions under s. 23.09 (7) (L). Whenever the amount expended under this subsection in any fiscal year for recreational advertising is less than the general and highway fund transfer amounts appropriated, the lapsed balance resulting shall be refunded to the highway fund and general fund respectively, in the ratio in which said funds contribute to the conservation fund for the advertising program.

(75) ADMINISTRATIVE SERVICES. On July 1, 1961, \$1,166,022, and annually beginning July 1, 1962, \$1,179,558 for the execution of its administrative functions under ch. 23 and ss. 30.50 to 30.80 relating to the registration and licensing of boats.

(78) **SUM SUFFICIENT APPROPRIATIONS.** Such sums as may be necessary to pay

(a) the cost of living bonus as provided under ss. 20.550 (37) and 20.932;

(b) forest crop lands aid pursuant to ch. 77;

(c) county forests aid pursuant to s. 28.14;

(d) bounties on predatory wild animals as provided under s. 29.60;

(e) school taxes on state hunting grounds pursuant to s. 70.113; and

(f) the state conservation fund's share of employers' contributions to the Wisconsin retirement fund, public employes' social security fund, conservation wardens' pension fund, group life insurance, health and accident insurance, workmen's compensation, and unemployment insurance. Such sum sufficient outlays may first be charged to this subsection pursuant to s. 20.903 (1). The conservation commission shall determine and transfer the amounts so chargeable to the proper respective appropriations in s. 20.005 pursuant to s. 20.903 (2) and (3), but not later than the month following the end of the quarter in which the original payment was made.

(79) **GIFTS AND DONATIONS.** All moneys received from gifts, grants, bequests and devises shall be paid into the conservation fund and are appropriated under this section to be used in accordance with s. 25.29.

(81) **PROGRAM BALANCES AND REVENUES.** Unencumbered balances under subs. (71) to (73) at the close of any fiscal year shall revert to this subsection and be credited herein to the respective programs provided under subs. (71) to (73) but any such unencumbered balance under sub.

(73) shall be transferred herein to sub. (71), and, together with the anticipated respective program revenues in the succeeding year, shall constitute the source of moneys available for appropriation in such succeeding year. Unencumbered balances under subs. (74) and (75) at the close of any fiscal year shall revert to this subsection and be credited to the respective programs under subs. (71) and (72) in the ratio that revenues were allocated from such programs for subs. (74) and (75) purposes. All moneys received pursuant to the operation of a program under subs. (71) to (75) shall be credited to this subsection under the proper respective programs, but the expenditure authorization from such revenues shall be limited to the appropriations. Whenever the actual program revenues and available balances are insufficient to cover the appropriations made under this section the conservation commission shall immediately inform the department of administration of this fact and shall indicate the amounts which should be deducted from respective appropriations under this section to bring the appropriated amounts into agreement with the money available, and the department of administration shall forthwith adjust the central accounting records accordingly. Actual program revenues in excess of estimated revenues allocated may not be spent unless released in whole or in part by the board on government operations. Unallocated program balances under this subsection shall not lapse at the close of any fiscal year.

(91) **LOSS COVERED BY INSURANCE.** All moneys received as reimbursement for fire and wind loss to be used for repair or replacement of such damage pursuant to s. 210.03 (2).

(92) **CANCELED DRAFTS.** All moneys received pursuant to s. 20.550 (41) to be used for payment of demands under s. 20.956 (3).

(93) **BOAT REGISTRATION.** (a) All moneys received by the conservation commission under ss. 30.50 to 30.55, as a revolving appropriation for the execution of its functions under ss. 30.50 to 30.80. Of these receipts, on July 1, 1961, and annually thereafter, there shall be transferred \$100,000 to the appropriation under par. (b). Of the balance, there is allotted on July 1, 1961, and annually thereafter, a sum sufficient to enable the conservation commission to execute its functions under ss. 30.50 to 30.80 except s. 30.79.

(b) All moneys transferred under par. (a) as a revolving appropriation for the payment of state aids under s. 30.79. Of this appropriation there is allotted for the fiscal year beginning July 1, 1960, and annually thereafter, \$100,000. Any portion of such allotment which remains unexpanded at the end of the fiscal year shall be added to the allotment for the succeeding fiscal year.

(94) REFORESTATION FUND. All moneys received from state forest lands as defined in ch. 28 shall be paid into the reforestation fund and are appropriated to the conservation commission as provided in s. 25.30.

SECTION 4. 25.29 of the statutes is amended to read:

25.29 Except for fines and moneys payable to the reforestation fund, all moneys accruing to the state * * * for or in behalf of the state conservation commission, shall constitute the "Conservation Fund" and, *unless otherwise provided by law*, shall be paid, within one week after receipt into the state treasury and credited to said fund. License fees *and other state moneys* collected by each field employe of the conservation commission shall be remitted to the commission within one month after receipt together with a report of the number of licenses issued and *details covering the type and the amount of money remitted*. No money shall be expended or paid from the conservation fund except in pursuance of an appropriation by law * * *. Funds accruing to the conservation fund from license fees paid by hunters and from sport and recreation fishing license fees shall not be diverted for any other purpose than those provided by the conservation commission, *except that the commission shall spend for acquisition and leasing of public hunting and fishing grounds not less than an amount equal to the revenue received from that portion of the fee paid for each sportsmen's license which exceeds \$7.50*. A gift or bequest shall be used in accordance with the directions of the donor. *All of the proceeds of the tax which is levied under s. 70.58 (2), and all moneys paid into the state treasury as the counties' share of compensation of emergency fire wardens pursuant to s. 26.14 shall be used for acquiring, preserving and developing the forests of the state, including the acquisition of lands owned by counties by virtue of any tax deed and of other lands suitable for state forests, and for the development of lands so acquired and the conduct of forestry thereon, including the growing and planting of trees; for forest and marsh fire prevention and control; for compensation of emergency fire wardens; for maintenance, permanent property and forestry improvements; for other forestry purposes authorized by law and for the payment of aid for county forest reserves as authorized in s. 28.14. Eight per cent of the tax which is levied under s. 70.58 (2) or of the funds provided for in lieu of such levy shall be used to acquire and develop state forest lands within areas approved by the conservation commission and the governor and located within the region composed of Manitowoc, Calumet, Winnebago, Sheboygan, Fond du Lac, Ozaukee, Washington, Dodge, Milwaukee, Waukesha, Jefferson, Racine, Kenosha, Walworth, Rock and Outagamie counties. Four per cent of the tax levied under s. 70.58 (2), or of the funds provided in lieu of such levy shall be used for the purchase of state forest lands within areas approved by the conservation commission and the governor and located within the region specified above. All moneys received from the United States for fire prevention and control, forest planting and other forestry activities shall be devoted to the purposes for which these moneys are received. All moneys received from the United States for wild-life restoration projects and for other purposes, and as provided in s. 29.174 (13), shall be devoted to the purposes for which these moneys are received. One-fourth of the gross income received after July 1, 1953 from the sale of standing timber and one-fourth of the stumpage value of forest products sold after cutting from each state forest shall be apportioned annually to those counties which have areas within the boundaries*

of such state forests. The sum payable to such counties shall be prorated on the basis of state forest acreage in each county as given in the conservation commission land record as of June 30. As soon as feasible after August 1 of each year the conservation commission shall certify to the commissioner of administration the amount due each county under this section for the preceding fiscal year and the amount so certified shall be paid to the respective counties. The county treasurer shall retain half of such sum for the county and shall apportion and pay the remainder to the several town treasurers on the basis of state forest acreage owned in each town, as certified to him by the conservation commission.

SECTION 5. 29.595 (2) (c) of the statutes is amended to read:

29.595 (2) (c) All claims for deer and bear damage shall be filed with the commission and shall be paid on a pro rata basis at the end of each fiscal year from the funds provided in *an annual amount of \$40,000 for such purposes under s. 20.280 * * * (71).*

SECTION 6. 70.58 (3) of the statutes is created to read:

70.58 (3) \$300,000 of the moneys collected under this section shall be maintained as a reserve for forestry purposes to meet emergency needs. This allotment in whole or in part may be transferred and credited to the appropriation made by s. 20.280 (72) upon certification of the conservation commission to the commissioner of administration. Upon the collection and payment into the conservation fund of the tax levied by this section, the commissioner of administration shall transfer from the unallocated forestry balance under s. 20.280 (81) to the allotment made by this subsection an amount sufficient to restore the allotment to \$300,000.

SECTION 7. The revisor shall show the following changes in printing the statutes:

- (1) Wherever the reference to s. 20.280 (2) appears in ss. 20.330 (20) (a), 77.05 (2) and 77.10 (2) (b) substitute the reference "20.280 (72)".
- (2) Wherever the reference to s. 20.280 (70) appears in s. 20.930 (1) (a) (line 15) substitute the reference "20.280 (75)".
- (3) Wherever the reference to s. 20.280 (75) appears in s. 29.595 (2) (c) and (3) substitute the reference "20.280 (71)".
- (4) Wherever the reference to s. 20.280 (76) appears in s. 20.551 (1b) substitute the reference "20.280 (73)".
- (5) Wherever the reference to s. 20.280 (80) to (85) appears in ss. 28.12 (4) and 77.06 (5) substitute the reference "20.280 (72)".

SECTION 8. This act shall take effect on July 1, 1961.

Approved August 4, 1961.