

Senate Bill 484

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CHAPTER 276

AN ACT to amend and revise chapter 20 and to make divers other changes in the statutes, relating to state finances and appropriations, constituting the conservation fund budget bill of the 1965 legislature and making appropriations.

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

SECTION 1. 20.005 (1) of the statutes, as it relates to the conservation fund, is created to read:

20.005 STATE BUDGET. (1) SUMMARY OF THE CONSERVATION FUND. The budget governing fiscal operations for the state of Wisconsin for the conservation fund, from July 1, 1965, to June 30, 1967, is summarized as follows:

(a) *State conservation fund budget summary.*

	1965-66	1966-67
Estimated Opening Balances.....	\$ 4,079,200	\$ 3,283,900
Estimated Revenues.....	20,331,400	20,054,600
Total Available.....	<u>\$24,410,600</u>	<u>\$23,338,500</u>
Estimated Expenditures		
Appropriated Segregated Revenues.....	\$16,344,600	\$16,283,400
ORAP Expenditures.....	3,894,600	3,894,600
General Purpose Revenues.....	887,500	891,700
Subtotal, Expenditures.....	<u>\$21,126,700</u>	<u>\$21,069,700</u>
Estimated Closing Balances.....	3,283,900	2,268,800
Total Accountability.....	<u>\$24,410,600</u>	<u>\$23,338,500</u>

SECTION 2. 20.005 (2) of the statutes, as it relates to the conservation fund, is created to read:

20.005 (2) PROGRAM APPROPRIATIONS. There are appropriated to each agency named in par. (a) the amounts shown therein for the programs and other purposes indicated. All appropriations are authorized from the conservation fund unless otherwise indicated. The letter abbreviations shown designating the type of appropriation apply to both years in the schedule unless otherwise indicated.

(a) The following tabulation is an alphabetical arrangement by state agency of conservation fund appropriations made by this act (1965), or

of anticipated expenditures of conservation fund program revenue appropriations made by this act (1965).

Agency and program	Statute	Type	1965-66	1966-67
Conservation commission	20.280		[16,344,600]	[16,283,400]
Segregated revenue			16,344,600	16,283,400
Conservation fund			16,144,600	16,083,400
Highway fund			200,000	200,000
Fish and game operations	(1)		[9,060,800]	[8,930,600]
Segregated fund revenue			(9,060,800)	(8,930,600)
General program opns.	(u)	A	7,616,100	7,543,500
Fringe benefits	(uc)	S	825,100	840,800
Bear and deer damage	(uf)	A	40,000	40,000
Carp control research	(ug)	C	90,000	
Water pollution	(u)	S	50,000	50,000
Water regulatory board	(um)	A	6,000	6,000
Topographic mapping	(up)	A	5,000	5,000
Preservation of scientific areas	(ut)	A	36,200	31,800
Taxes and assessments	(v)	S	10,000	10,000
Aids in lieu of taxes	(vc)	S	76,500	78,500
County conservation aids	(vm)	A	180,000	180,000
Gifts and donations	(w)	C	20,000	20,000
Boat regis. and enforce.	(x)	C	207,100	131,800
Boat registration aids	(xm)	C	100,000	100,000
Forestry operations	(2)		[6,181,200]	[6,231,500]
Segregated fund revenue			(6,181,200)	(6,231,500)
General program opns.	(u)	A	4,910,700	4,951,800
Fringe benefits	(uc)	S	742,600	750,400
Taxes and assessments	(v)	S	10,000	10,000
Aids in lieu of taxes	(vc)	S	116,500	117,100
County forest aids	(vm)	S	222,400	223,200
Gifts and donations	(w)	C	20,000	20,000
Reforestation fund	(z)	C	159,000	159,000
State parks and recreation areas	(3)		[665,300]	[680,600]
Segregated fund revenue			(665,300)	(680,600)
General program opns.	(u)	A	496,600	510,500
Fringe benefits	(uc)	S	148,700	150,100
Taxes and assessments	(v)	S	10,000	10,000
Gifts and donations	(w)	C	10,000	10,000
Education and advertising	(4)		[458,100]	[461,500]
Segregated fund revenues			(458,100)	(461,500)
General program opns.	(u)	A	245,400	243,500
Fringe benefits	(uc)	S	12,700	13,000
Gifts and donations	(w)	C	—	—
Advertising Wisconsin; highway fund	(z)	A	200,000	200,000
General appropriations and provisions	(9)		[29,200]	[29,200]
Segregated fund revenue			(29,200)	(29,200)
Car pool operations	(wc)	C	9,200	9,200
Canceled drafts	(xf)	C	10,000	10,000
Insurance loss	(xm)	C	10,000	10,000

SECTION 3. 20.280 (intro. par.) and (4) of the statutes are repealed and recreated to read:

20.280 CONSERVATION COMMISSION. There is appropriated from the conservation fund, or from other funds if indicated herein, to the conservation commission for the following programs:

(4) EDUCATION AND ADVERTISING. (u) *General program operations*. The amounts in the schedule for general program operations under s. 23.09 (7) (L), relating to education and information.

(z) *Advertising Wisconsin; highway fund*. From the state highway fund, the amounts in the schedule for education and advertising under s. 23.09 (7) (L).

SECTION 4. 20.280 (1), (2), (3) and (9) of the statutes are created to read:

20.280 (1) FISH AND GAME OPERATIONS. (u) *General program operations*. The amounts in the schedule for fish and game operations under s. 23.09.

(uf) *Bear and deer damage.* Not to exceed the amounts in the schedule for payment of bear and deer damage claims under s. 29.595 (2) and (3).

(ug) *Carp control research.* The amount in the schedule as a non-lapsible appropriation for carp control research pursuant to s. 23.093.

(uj) *Water pollution.* As a transfer to the general fund, a sum sufficient equal to one-half of the actual costs for the fiscal year of the committee on water pollution under s. 20.870 (1) (a) on a cash basis according to the records of the department of administration as of June 30.

(um) *Water regulatory board.* As a transfer to the general fund, the amounts in the schedule for the conservation fund's share of the operating costs of the water regulatory board.

(up) *Topographic mapping.* As a transfer to the general fund, the amounts in the schedule for the conservation fund's share of topographic mapping.

(ut) *Preservation of scientific areas.* The amounts in the schedule to be used by the state board for the preservation of scientific areas for the employment of staff and other expenses in the execution of its functions under s. 23.27.

(vm) *County conservation aids.* Not to exceed the amounts in the schedule for county fish and game projects or county bounty payments as provided in s. 23.09 (18).

(x) *Boat registration and enforcement.* All moneys received under ss. 30.50 to 30.55, for boat registration and enforcement under ss. 30.50 to 30.80, except s. 30.79. Of these receipts there shall be transferred annually a sum sufficient for the payment of state aids under par. (xm).

(xm) *Boat registration aids.* The amounts in the schedule from the moneys received under ss. 30.50 to 30.55 for the payment of state aids under s. 30.79. Any portion of this appropriation which remains unexpended at the end of the fiscal year shall be added to the appropriation for the succeeding fiscal year.

(2) FORESTRY OPERATIONS. (u) *General program operations.* The amounts in the schedule for general program operations under s. 23.09 and chs. 26 and 28, relating to forestry.

(vm) *County forest aids.* A sum sufficient to pay county forest aid under s. 28.11 (8).

(z) *Reforestation fund.* All moneys received in the reforestation fund to be used as provided in s. 25.30.

(3) STATE PARKS AND RECREATION AREAS. (u) *General program operations.* The amounts in the schedule for general program operations under ss. 23.09 (7) (d) 2 and 27.01, relating to parks and recreation areas.

(9) GENERAL APPROPRIATIONS AND PROVISIONS. (u) *Administrative services.* Administrative services may be charged to a special account as determined by the department of administration and shall be charged back to the general program operations appropriation for the several programs at the end of each fiscal year, including fringe benefits related to administrative payrolls.

(uc) *Fringe benefits.* A sum sufficient to pay the cost of living bonus under ss. 20.550 (37) and 20.932 and the state conservation fund's share of employer contributions to the Wisconsin retirement fund, teachers retirement fund, public employees social security fund, conservation warden's pension fund, group life insurance, health and accident insurance, workmen's compensation and unemployment insurance and employe salary adjustments. In this section, expenditure estimates for these outlays for the

several programs of the department shall appear in the schedule of each applicable subsection as par. (uc).

(v) *Taxes and assessments.* A sum sufficient to pay taxes and assessments that are or may become a lien on property acquired by the conservation commission prior to date of conveyance to the state. In this section, expenditure estimates for these outlays for the several programs of the department shall appear in the schedule of each applicable subsection as par. (v).

(vc) *Aids in lieu of taxes.* A sum sufficient to pay aids to municipalities for state forest lands and hunting and fishing grounds pursuant to s. 70.113. In this section, expenditure estimates for these outlays for the several programs of the department shall appear in the schedule of each applicable subsection as par. (vc).

(w) *Gifts and donations.* All moneys received from gifts, grants, bequests and devises shall be paid into the conservation fund and are appropriated to the several programs of the department to be used in accordance with s. 25.29. In this section, expenditure authority for gifts and donations shall appear in the schedule of each applicable subsection as par. (w).

(wc) *Car pool operations.* All moneys received from car pool use for operation, maintenance and replacement of car pool vehicles. Whenever the unencumbered balance of this appropriation exceeds the amount necessary for operation, maintenance and replacement of car pool vehicles, the excess shall revert to the program funds from which the original vehicle purchase was made in the same ratio as such funds were used for the original vehicle purchase.

(x) *Imprest petty cash fund.* 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 and for petty cash. 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.

(xf) *Canceled drafts.* All moneys received pursuant to s. 20.550 (41) to be used for payment of demands under s. 20.956 (3).

(xm) *Insurance loss.* All moneys received as reimbursement for fire and wind loss to be used for repair or replacement of such damage under s. 210.03 (2).

(y) *Revenues and appropriations.* All moneys received pursuant to the operation of a program under subs. (1) to (4) shall be credited to the proper program, but the expenditure from unassigned revenues shall be limited to the general program revenue appropriations. Whenever the estimated unassigned revenues and available unassigned revenue appropriation balances are insufficient to cover the general program revenue appropriations under each program, the conservation commission shall so inform the department of administration and shall indicate the amounts which should be deducted from respective unassigned revenue appropriations to bring the appropriated amounts into agreement with the money available, and the department of administration shall adjust its records accordingly. Actual unassigned revenues in excess of estimated unassigned revenues appropriated may not be spent unless released by the board on government operations.

(ym) *Program balances.* At the close of each fiscal year the unencumbered balances of appropriations financed by unassigned revenues of the conservation fund under subs. (1) to (3) shall revert to the respective programs under subs. (1) to (3) and, together with the anticipated respective unassigned revenues by programs in the succeeding year, shall constitute the source of moneys available for appropriation to the programs under such subsections in the succeeding year. Unencumbered bal-

ances of appropriations financed by unassigned revenues for the program under sub. (4) and administrative services at the close of each fiscal year shall revert to the respective programs under subs. (1) to (3) in the ratio that revenues were allocated from such programs for the program under sub. (4) and administrative services.

SECTION 5. 20.280 (70) to (94) of the statutes are repealed.

SECTION 6. 20.551 (79) of the statutes is repealed.

SECTION 7. 23.09 (18) of the statutes is created to read:

23.09 (18) COUNTY FISH AND GAME PROJECTS. (a) The county board of any county which, by resolution, indicates its desire to plan and carry out a program of co-ordinated fish management projects, game management projects, or county bounties on wild animals may make application to the conservation commission for the allocation and apportionment of funds for state aids appropriated for such purposes by s. 20.280 (1) (vm).

(b) Fish management projects and game management projects and county bounty payments include but are not limited because of enumeration to: game food seeding; browse improvement cutting; prescribed burning for game habitat improvement; creating game cover brush piles; creation of impoundments, construction, nature trails; game and fish habitat creation or improvement; lake, stream and spring pond rehabilitation and improvement; construction of fish shelters; stream side fencing; rough fish control; and other approved fish and game management projects and the payment of bounties by the county under s. 29.61.

(c) State aid under this subsection to any county shall not exceed the percentage of the total appropriation made by s. 20.280 (1) (vm) in the ratio of the area of the county to the total area of the state excluding out-lying waters and interstate boundary waters of the Mississippi River and Lake Pepin. Such state aid granted to any county shall be matched by the county and the state's share shall not exceed one-half of the actual cost of the project. Personnel, equipment and materials furnished by the county may be included in computing the county share contribution.

(d) Application shall be made in the manner and on forms prescribed by the commission. The commission shall make such investigations as it deems necessary to satisfy itself that the project will best serve the public interest and need and shall also consider the relationship of the project to similar projects on other public lands. Upon approval of the project the commission shall encumber a sum not more than one-half of the cost estimate of such project. The commission is authorized to inform itself and to require any necessary evidence from the county to substantiate the cost before payment is made.

(e) Recreation facilities developed under the assistance of this subsection shall not be converted to uses which are inconsistent with the purposes of this subsection without the approval of the commission. The commission shall require that the proceeds from the disposal of facilities developed under this subsection shall be used to further the objectives of this subsection.

(f) Any county may co-operate with and participate in approved projects in any other county under this subsection.

SECTION 7m. 23.093 of the statutes is created to read:

23.093 CARP CONTROL RESEARCH. The conservation commission is authorized to enter into contracts with public or private agencies for the accelerated research and development of a specific toxic material for the control and eradication of carp in the waters of the state.

SECTION 8. 25.29 of the statutes is amended to read:

25.29 CONSERVATION FUND. 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, *including grants received from the federal government or any of its agencies*, 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 sportsman'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 forests as authorized in s. 28.11. 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 wildlife 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.

Approved September 8, 1965.