

1969 Assembly Bill 416

Date Published:  
February 3, 1970

**CHAPTER 353, LAWS OF 1969**

AN ACT to repeal 15.347 (3), 20.370 (3) (a) and (k), 20.545 (1) (i), 23.99, 66.36 (2), 139.31 (2) and (2m), 139.33 (2) and (2m) and 144.21 (3) (b) and (d), (6) (d), (7), (8), (9) and (10); to renumber and amend 20.370 (1) (g), (i) and (kz), (2) (g), (i), (k) and (kz), (3) (g) and (i), (4) (g), (8) (g) and (j) and (9) (k), 20.395 (2) (g), 22.13 (3), 46.70 and 70.113; to amend 66.36 (1) and (3), 92.18 and 144.21 (2), (3) (c) and (6) (intro.) and (a); to repeal and recreate 20.370 (5) (d), 20.370 (7) and 144.21 (6) (b) and (c); and to create 20.245 (1) (d), 20.370 (1) (dk), (do), (e), (em), (f) and (fm), (3) (c), (dn) and (e), (5) (fm), (7) (b) and (8) (c), (d) and (f), 20.866 (title) and (2) (tm) and (tp), 23.09 (17m), (21), (22) and (24), 23.30, 23.31, 44.02 (13) and 70.113 (2) and (3) of the statutes, relating to the outdoor recreation program and state assistance for pollution abatement and prevention facilities, and making appropriations.

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

SECTION 1. It is the intent of the legislature by this act:

(1) To recognize that actual federal aids for water pollution prevention and abatement are falling short of the amount planned when the federal program was enacted; that inadequate funding acts to slow down the rate of necessary facilities construction and prevents the state from meeting its water quality standards; that the state must act in its own interest to protect and enhance its valuable water resources and to establish a cooperative state-municipal program of accelerated construction of nec-

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essary water pollution prevention and abatement facilities in anticipation of federal reimbursement.

(2) To coordinate and implement a comprehensive program by all governmental agencies and nongovernmental parties of preserving and developing the outdoor recreation resources of the state to most completely and efficiently satisfy the outdoor recreation needs of its people. To accomplish this purpose, all outdoor recreation programs and all governmental outdoor recreation revenue sources are to be coordinated for comprehensive policy, planning and budget consideration by the governor and legislature. To that end this act authorizes a continuing outdoor recreation program.

SECTION 2. 15.347 (3) of the statutes, as affected by chapter 276, laws of 1969, is repealed.

SECTION 3. At the appropriate place in the schedule in section 20.005 of the statutes, insert the following amounts for the purposes indicated:

				1969-70	1970-71
20.245	<b>Historical Society</b>				
(1)	Collection and Preservation of Historical Materials				
(d)	Historic sites .....	GPR	B	20,000	20,000
20.370	<b>Natural Resources, Department of</b>				
(1)	Fish and Game				
(dk)	Coho salmon facilities .....	GPR	B	500,000	500,000
(dn)	Aids in lieu of taxes .....	GPR	S	66,000	94,000
(do)	Lake rehabilitation .....	GPR	B	150,000	150,000
(e)	Wild river preservation .....	GPR	B	50,000	50,000
(em)	Wildlife habitat mgt.; co. forests .....	GPR	B	125,000	125,000
(f)	Lake survey and classification .....	GPR	B	50,000	50,000
(fm)	Access to public waters .....	GPR	B	35,000	35,000
(fn)	Artificial lake creation .....	GPR	B	350,000	400,000
(2)	Forestry				
(dn)	Aids in lieu of taxes .....	GPR	S	16,000	23,000
(e)	County forest rec. aids .....	GPR	B	100,000	100,000
(3)	State Parks				
(c)	State park operations .....	GPR	S	1,058,000	1,103,000
(dn)	Aids in lieu of taxes .....	GPR	S	96,000	137,000
(e)	Local park aids .....	GPR	B	1,000,000	1,000,000
(4)	Information, Education and Vacation Services				
(d)	Tourist information centers .....	GPR	B	116,000	120,000
(5)	Environmental Management				
(c)	Payments to municipalities .....	GPR	S	450,000	450,000
(d)	Principal repayment and interest .....	GPR	S	—0—	480,000
(fm)	Aids to municipalities .....	GPR	B	50,000	50,000
(7)	Outdoor Recreation				
(a)	General program operations .....	GPR	C	5,065,500	5,366,000
	Less program allocations .....			—4,647,000	—5,366,000
	Net Appropriation .....			418,500	—0—
(b)	Principal repayment and interest .....	GPR	S	—0—	459,000
(8)	General Services				
(b)	Recreation planning—long range ..	GPR	B	25,000	25,000
(c)	Recreation sites local planning ..	GPR	B	50,000	50,000
(d)	Long range local natural resources planning .....	GPR	B	45,000	45,000
(e)	Youth conservation camps .....	GPR	B	560,000	645,000
(f)	Conservation work projects .....	GPR	B	50,000	50,000
20.395	<b>Transportation, Department of</b>				
(2)	Highway Facilities				
(b)	Scenic easements .....	GPR	B	185,000	185,000
20.366	<b>Public Debt</b>				
(2)	Capital Improvement Authorizations				
(tm)	Natural resources; water pollution abatement facilities .....	BR	C	33,400,000	—0—
(tn)	Natural resources; recreation facilities .....	BR	C	13,232,000	—0—

SECTION 4. 20.245 (1) (d) of the statutes is created to read:

20.245 (1) (d) *Historic sites*. Biennially from moneys allocated under s. 20.370 (7) (a), the amounts in the schedule for historic sites under s. 44.02 (13).

SECTION 5. 20.370 (1) (dk), (do), (e), (em), (f) and (fm) of the statutes are created to read:

20.370 (1) (dk) *Coho salmon facilities*. Biennially from moneys allocated under sub. (7) (a), the amounts in the schedule for capital development of coho salmon production facilities.

(do) *Lake rehabilitation*. Biennially from moneys allocated under sub. (7) (a), the amounts in the schedule for lake rehabilitation.

(e) *Wild river preservation*. Biennially from moneys allocated under sub. (7) (a), the amounts in the schedule for the preservation and maintenance of scenic or wild rivers under s. 30.26.

(em) *Wildlife habitat management; county forests*. Biennially from moneys allocated under sub. (7) (a), the amounts in the schedule for wildlife habitat development and planning on county forest lands.

(f) *Land survey and classification*. Biennially from moneys allocated under sub. (7) (a), the amounts in the schedule for lake surveys and classification under s. 23.09 (7) (m).

(fm) *Access to public water*. Biennially from moneys allocated under sub. (7) (a), the amounts in the schedule for public water access aids to local units of government under s. 23.09 (15).

SECTION 6. 20.370 (1) (g) of the statutes is renumbered 20.370 (1) (d) and amended to read:

20.370 (1) (d) *Land acquisition*. Biennially from moneys allocated under sub. (7) ~~(g)~~ (a), the amounts in the schedule for the acquisition of additional fish and game management land, land use easements under s. 23.09 (7) (d) 3 and (16) and other land use rights, *subject to the limitations of sub. (2) (d)*.

SECTION 7. 20.370 (1) (i) of the statutes is renumbered 20.370 (1) (dm) and amended to read:

20.370 (1) (dm) Biennially from moneys allocated under sub. (7) ~~(g)~~ (a), the amounts in the schedule for the development of fish and game management lands, *subject to the limitations of (2) (dm)*.

SECTION 8. 20.370 (1) (kz) of the statutes is renumbered 20.370 (1) (dn) and amended to read:

20.370 (1) (dn) From moneys allocated under sub. (7) ~~(g)~~ (a), a sum sufficient for paying aids to municipalities on lands pursuant to s. 70.113.

SECTION 9. 20.370 (2) (g) of the statutes is renumbered 20.370 (2) (d) and amended to read:

20.370 (2) (d) *Land acquisition*. Biennially from moneys allocated under sub. (7) ~~(g)~~ (a), the amounts in the schedule for the acquisition of forest recreational lands and land use easements and other land rights under s. 23.09 (7) (d) 1 and (16). *The total amounts expended under this paragraph and subs. (1) (d) and (3) (d) for land acquisitions shall not exceed \$4 million for the 1969-71 biennium.*

SECTION 10. 20.370 (2) (i) of the statutes is renumbered 20.370 (2) (dm) and amended to read:

20.370 (2) (dm) Biennially from moneys allocated under sub. (7) ~~(g)~~ (a), the amounts in the schedule for the development of forest recreational lands. *The total amounts expended under this paragraph and sub. (1) (dm) shall not exceed \$9,232,000 for the 1969-71 biennium.*

SECTION 11. 20.370 (2) (k) of the statutes is renumbered 20.370 (2) (e) and amended to read:

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20.370 (2) (e) Biennially from ~~the general fund, the amounts in the schedule from~~ moneys allocated under sub. (7) ~~(g) (a)~~, *the amounts in the schedule* for state aid for recreational development on county forest lands under s. 23.09 (17).

SECTION 12. 20.370 (2) (kz) of the statutes is renumbered 20.370 (2) (dn) and amended to read:

20.370 (2) (dn) From moneys allocated under sub. (7) ~~(g) (a)~~, a sum sufficient for paying aids to municipalities on lands pursuant to s. 70.113.

SECTION 13. 20.370 (3) (a) and (k) of the statutes are repealed.

SECTION 14. 20.370 (3) (c), (dn) and (e) of the statutes are created to read:

20.370 (3) (c) *State park operations.* From moneys allocated under sub. (7) (a), a sum sufficient equivalent to the state parks unassigned receipts under ch. 27 each year for the operation of the state parks system.

(dn) *Aids in lieu of taxes.* From moneys allocated under sub. (7) (a), a sum sufficient for paying aids to municipalities on lands pursuant to s. 70.113.

(e) *Local park aids.* Biennially from moneys allocated under sub. (7) (a), the amounts in the schedule for the state's share of aids for parks and outdoor recreational facilities under ss. 23.09 (19) and 66.36.

SECTION 15. 20.370 (3) (g) of the statutes is renumbered 20.370 (3) (d) and amended to read:

20.370 (3) (d) Biennially from moneys allocated under sub. (7) ~~(g) (a)~~, the amounts in the schedule for the acquisition of state park lands, land use easements and other land rights under s. 23.09 (7) (d) 2 and (16).

SECTION 16. 20.370 (3) (i) of the statutes is renumbered 20.370 (3) (dm) and amended to read:

20.370 (3) (dm) Biennially from moneys allocated under sub. (7) ~~(g) (a)~~, the amounts in the schedule for development of park lands.

SECTION 17. 20.370 (4) (g) of the statutes is renumbered 20.370 (4) (d) and amended to read:

20.370 (4) (d) Biennially from ~~the general fund, the amounts in the schedule from~~ moneys allocated under sub. (7) ~~(g) (a)~~, *the amounts in the schedule* for the operation of tourist information centers.

SECTION 18. 20.370 (5) (d) of the statutes is repealed and recreated to read:

20.370 (5) (d) *Principal repayment and interest.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the acquisition, construction, development, enlargement or improvement of water pollution abatement facilities.

SECTION 19. 20.370 (5) (fm) of the statutes is created to read:

20.370 (5) (fm) *Aids to municipalities.* Biennially, the amounts in the schedule to assist municipalities in the construction of smaller pollution prevention and abatement facilities pursuant to s. 144.21 (6) (c).

SECTION 20. 20.370 (7) of the statutes is repealed and recreated to read:

20.370 (7) **OUTDOOR RECREATION PROGRAM.** (a) *General program operations.* The unencumbered balance in s. 20.370 (7), 1967 stats., on June 30, 1969, and as a continuing appropriation on July 1, 1969, and on each July 1 thereafter, an amount equal to .0165% of the current equalized value of all taxable property in this state for an outdoor recreation program. From the moneys credited to this appropriation, an amount equal to the amounts appropriated under par. (b) shall be lapsed into the general fund as required for the payment of principal and interest costs incurred in the financing of recreational facilities. The natural resources board may allocate the remaining funds in general accordance with s. 23.30 to the appro-

priations specified in subs. (1), (2), (3), (4) and (8) and ss. 20.245 (1) (d) and 20.395 (3) (a).

1. The board may authorize expenditures from funds allocated to programs under subs. (1), (2) and (3) for such appraisal, surveying, negotiation and legal costs as are directly related to the additional land acquisition herein described, and it may authorize the expenditure of not more than 4% of the funds allocated to programs under sub. (3) (e) for administration of the program under s. 23.09 (19).

2. With the approval of the board on government operations, the board may reduce, supplement or transfer between the allocations made to programs under this section when the board finds that such actions will expedite its program.

3. The moneys allocated to programs under this section may be transferred quarterly and the department of administration may approve allotment requests of the agencies receiving such allocations in anticipation of these transfers.

4. Any unencumbered balance of the biennial appropriations made for programs under this paragraph shall revert to the appropriation made by this paragraph at the end of the biennium and shall be available for allocation in the subsequent year.

SECTION 21. 20.370 (7) (b) and (8) (c), (d) and (f) of the statutes are created to read:

20.370 (7) (b) *Principal repayment and interest.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the acquisition, construction, development, enlargement or improvement of state recreation facilities.

(8) (c) *Recreation sites local planning.* Biennially from moneys allocated under sub. (7) (a), the amounts in the schedule for local recreation site planning under s. 23.09 (24).

(d) *Long range local natural resources planning.* Biennially from moneys allocated under sub. (7) (a), the amounts in the schedule for long range natural resources planning for local units of government.

(f) *Conservation work projects.* Biennially from moneys allocated under sub. (7) (a), the amounts in the schedule for conservation work projects under s. 23.09 (21).

SECTION 22. 20.370 (8) (g) of the statutes, as affected by chapter 154, laws of 1969, is renumbered 20.370 (8) (b) and amended to read:

20.370 (8) (b) *Recreational planning—long range.* Biennially from moneys allocated under sub. (7) ~~(g)~~ (a), the amounts in the schedule for long-range recreational planning.

SECTION 23. 20.370 (8) (j) of the statutes, as affected by chapters 152 and 154, laws of 1969, is renumbered 20.370 (8) (e) and amended to read:

20.370 (8) (e) *Youth conservation camps.* Biennially from moneys allocated under sub. (7) ~~(g)~~ (a), the amounts in the schedule for the construction and operation of youth conservation camps under s. ~~44.74~~ 23.09 (23).

SECTION 24. 20.370 (9) (k) of the statutes, as affected by chapters 152 and 154, laws of 1969, is renumbered 20.370 (1) (fn) and amended to read:

20.370 (1) (fn) Biennially from moneys allocated under sub. (7) ~~(g)~~ (a), the amounts in the schedule ~~to the soil conservation board~~ for artificial lake creation under ~~ss.~~ ss. 23.09 (20) and 92.18.

SECTION 25. 20.395 (2) (g) of the statutes, as affected by chapters 154 and 157, laws of 1969, is renumbered 20.395 (2) (b) and amended to read:

20.395 (2) (b) Biennially, ~~the amounts allocated by the recreation council~~ under s. ~~20.370 (7) (g)~~ from moneys allocated under s. 20.370 (7) (a),

*the amounts in the schedule for the acquisition of scenic easements, development of historical markers, overlooks, waysides and related functions specified in ss. 84.04 and 84.09 (1).*

SECTION 26. 20.545 (1) (i) of the statutes, as affected by chapters 154 and 157, laws of 1969, is repealed.

SECTION 27. 20.866 (title) and (2) (tm) and (tp) of the statutes are created to read:

20.866 (title) PUBLIC DEBT. (2) (tm) *Natural resources; water pollution abatement facilities.* As a continuing appropriation from the capital improvement fund, the amounts in the schedule to the department of natural resources to acquire, construct, develop, enlarge or improve water pollution abatement facilities. The state may contract public debt in an amount not to exceed \$33,400,000 for this purpose.

(tp) *Natural resources; recreation facilities.* As a continuing appropriation from the capital improvement fund the amounts in the schedule to the department of natural resources to acquire, construct, develop, enlarge or improve state recreation facilities. The state may contract public debt in an amount not to exceed \$13,232,000 for this purpose.

SECTION 28. 22.13 (3) of the statutes is renumbered 23.09 (20) and amended to read:

23.09 (20) LOCAL PARK AIDS. The department shall receive applications for state aid in such manner *and subject to such limitations* as the department prescribes for ~~metropolitan area~~ park and other outdoor recreational facilities development submitted under s. 66.36 and allocate funds therefor within the limits of the appropriation established ~~by~~ *in* s. ~~20.545~~ ~~(1) (i)~~ 20.370 (3) (e) in accordance with priorities based on comprehensive plans submitted with the application and ~~on the ratio of population density to available recreational lands in the area to be served consistent with the state comprehensive outdoor recreation plan of the department.~~

SECTION 29. 23.09 (17m) of the statutes is created to read:

23.09 (17m) GRANTS TO COUNTIES FOR THE DEVELOPMENT OF HABITAT ON COUNTY FORESTS. (a) The county board of any county, which by resolution indicates its desire to improve the natural environment for game and non-game species on county lands entered under s. 28.11, may make application to the department for the allocation of funds appropriated for such purposes by s. 20.370 (1) (em).

(b) The annual appropriation for each county shall not exceed 5 cents for each acre entered under s. 28.11, but any funds remaining from the appropriation made by s. 20.370 (1) (em) and unallocated to the counties on March 31 of each year may be allotted to any county in an amount not to exceed an additional 5 cents per acre under the procedure established in this subsection. These aids shall be used to undertake management activities provided in the comprehensive county forest land use plan and included in the annual work plan and budget.

(c) Management operations shall be limited to approved projects designed to benefit both game and nongame species and the natural environment.

(d) Application shall be made in the manner and on forms prescribed by the department. The department shall investigate all project proposals to satisfy itself that the project is feasible, desirable and consistent with such plans. If the department so finds, it may make advance payment as it determines to be reasonable and proper to the game management fund account of any county.

(e) All payments made to counties under this subsection shall be deposited in the "County Game Management Fund".

(f) Completion of such projects authorized by the department shall be certified by a representative of the department. All records of receipts

and expenditures from the county game management fund account shall be available to the department for inspection and audit at any time.

(g) Any unauthorized expenditures from the county game management fund shall be restored to such fund upon demand by the department and if not restored shall become a charge against the county and the secretary of state shall include such unpaid sums in the state tax levy of the respective counties in subsequent years.

(h) Any county game management fund unencumbered balances which are no longer required for the purposes of the subsection shall be paid to the department upon demand and if not so repaid shall become a charge against the county and the secretary of state shall include such unpaid sums in the state tax levy of the respective counties in subsequent years.

(i) Expenditures under this section on any land withdrawn from s. 28.11 and the title to which is transferred by the county to other than a public agency shall become a charge against the county and the secretary of state shall include such unpaid sums in the state tax levy of the respective counties in subsequent years.

SECTION 30. 23.09 (21), (22) and (24) of the statutes are created to read:

23.09 (21) CREATION OF NEW LAKES. The department may create new lakes on lands under its supervision and control. It also shall accept applications and administer state aids under s. 92.18.

(22) CONSERVATION WORK PROJECTS. The department may develop and conduct a program of conservation work projects within a reasonable transportation distance from any city of the 1st class.

(24) RECREATIONAL SITE PLANNING. (a) The governing body of any county, town, city or village which by resolution indicates its desire to develop site plans for outdoor recreational facilities may make application to the department for state aid for such purpose in accordance with the procedures in and subject to sub. (17) (c), (d) and (e).

SECTION 31. 23.30 and 23.31 of the statutes are created to read:

23.30 OUTDOOR RECREATION PROGRAM. (1) PURPOSE. The purpose of this section is to promote, encourage, coordinate and implement a comprehensive long-range plan to acquire, maintain and develop for public use those areas of the state best adapted to the development of a comprehensive system of state and local outdoor recreation facilities and services in all fields, including, without limitation because of enumeration, parks, forests, camping grounds, fishing and hunting grounds, related historical sites, highway scenic easements and local recreation programs, except spectator sports, and to facilitate and encourage the fullest public use thereof.

(2) OUTDOOR RECREATION PROGRAM. The outdoor recreation program is established as a continuing program to financially assist the state and local agency outdoor recreation program, including, without limitation because of enumeration, lake rehabilitation, coho salmon production, wildlife management on county forests, public access, state park and forest recreation areas, fish and game habitat areas, youth conservation camps, creation of new lakes, lake and stream classification, highway scenic easements, state aids for local governmental parks and other outdoor recreational facilities, acquisition and development, state aids for county forest recreation areas development, related historic sites, tourist information sites; recreational planning; scenic or wild river preservation and use; and conservation work program.

(3) NATURAL RESOURCES BOARD. The natural resources board is the body through which all governmental agencies and nongovernmental agen-

cies may coordinate their policies, plans and activities with regard to Wisconsin outdoor recreation resources. To this end it shall:

(a) Consider and recommend to the governor and legislature broad policies and standards to guide the comprehensive development of all outdoor recreation resources in Wisconsin, including, without limitation because of enumeration, outdoor recreation development in relation to state population patterns, the several outdoor recreation activities, outdoor recreation development to aid the state recreation industry, and policies and standards to coordinate the respective outdoor recreation development programs of federal, state and local governmental agencies and the recreation programs operated by private enterprise.

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

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

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

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

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

(h) Accept on behalf of the state and allocate to the appropriate state agency any gifts and grants of money, property or services made for the purposes of outdoor recreation in Wisconsin. The proceeds of such gifts and grants may be expended for the purpose of the gift or grant.

23.31 RECREATION RESOURCES FACILITIES. (1) To provide and develop recreation facilities within this state, the natural resources board, with the approval of the governor, subject to the limits of s. 20.370 (7) (q) may direct that state debt be contracted for providing recreation resources facilities or making additions and improvements to existing recreation resources facilities as set forth in sub. (2) and subject to the limits set therein. Said debt shall be contracted for in the manner and form as the legislature hereafter prescribes. It is the intent of the legislature that state debt not to exceed \$56,055,000 in the 12-year period from 1969 to 1981 may be incurred for the comprehensive provision of outdoor recreation facilities as provided by s. 23.30.

SECTION 32. 23.99 of the statutes is repealed.

SECTION 33. 44.02 (13) of the statutes is created to read:

44.02 (13) Have authority to acquire and develop outdoor historic sites related to the outdoor recreation program under s. 23.30.

SECTION 34. 46.70 of the statutes is renumbered 23.09 (23) and amended to read:

23.09 (23) The department may establish and operate youth conservation camps for boys ~~in co-operation with the conservation commission~~. The camps shall be operated ~~during summers~~ in areas suitable for constructive



employment in conservation projects, and boys employed shall be deemed to be in the unclassified service. The department of public welfare is authorized to *may* acquire by fee or by lease all lands and facilities necessary for the establishment of camps for such department.

SECTION 35. 66.36 (1) and (3) of the statutes are amended to read:

66.36 (1) Any city of the 1st and 2nd class as defined by s. 62.05 (1), village, town or county may apply for and accept state aids for the acquisition and development of recreational lands and rights in lands for the development of its metropolitan area park system under s. ~~22.13 (3)~~ 23.09 (20). Such application shall be made in such manner as the department of natural resources prescribes.

(3) State aid under this section shall be limited to no more than 50 percent % of the cost of acquiring, through fee title or through easements, and developing recreation lands which are essentially open in nature and which are located in areas which are not intensively developed for homes or commercial establishments and which are open, or predominantly open, lands, including agricultural lands, wetlands, flood plains, forest and wood lots in and around urban areas which because of scenic, historic or aesthetic factors have outdoor recreation value such as sight-seeing, picnicking, hiking, nature study, swimming, boating, hunting, fishing and camping and other outdoor recreation facilities. Costs associated with development operation and maintenance of parks and other outdoor recreational facilities established under this section shall not be eligible for state aid. ~~Costs~~ Administrative costs of acquiring lands or land rights shall not be included in the "cost of land" eligible for state aid under this section. Title to lands or rights in lands acquired under this section shall vest in the local unit of government, ~~provided that~~ but such land shall not be converted to uses inconsistent with this section without prior approval of the state and ~~that~~ proceeds from the sale or other disposal of such lands shall be used to promote the objectives of this section.

SECTION 36. 66.36 (2) of the statutes is repealed.

SECTION 37. 70.113 of the statutes, as affected by chapter 154 and chapter 276, laws of 1969, is renumbered 70.113 (1) and amended to read:

70.113 (1) As soon after April 20 of each year as is feasible the department of natural resources shall pay to the town treasurer the sum of 30 cents per acre as a grant out of the appropriation made by s. 20.370 (1) (dn), (2) (dn) and (8) (vc) on each acre situated in the town of state forest lands, as defined in s. 28.02 (1), and state public shooting, trapping or fishing grounds and reserves or refuges operated thereon, acquired at any time under s. 23.09 (7) (d) 1 or 3, 29.10 (1943 ~~State~~ stats.), 29.571 (1) or from the appropriations made by s. 20.370 (1) ~~(1) and (2) (1) (d)~~ by the department of natural resources or leased from the federal government by the department of natural resources.

SECTION 38. 70.113 (2) and (3) of the statutes are created to read:

70.113 (2) (a) Towns shall be paid for forest lands as defined in s. 28.02 (1), state parks under s. 27.01 and other lands acquired under s. 23.09 (7) (d), 23.31 or 29.571 (1) located within such town and acquired after June 30, 1969. Such payments shall be made from the appropriation under s. 20.370 (1) (dn), (2) (dn) or (3) (dn), or (8) (vc) and remitted by the department of natural resources in the amounts certified by the department of revenue according to par. (b). No payment shall be made on real estate which was tax-exempt prior to acquisition.

(b) Towns shall be paid for real estate specified in par. (a) for a 10-year period. The first payment on an acquisition after July 1, 1969, shall be determined on the basis of the May 1 local assessment following such acquisition multiplied by the county, local and school tax rate levied against all May 1 assessments for that year. The payment to the town

shall be made on or about April 20 following the tax levy. Subsequent payments shall be made on or before April 20 following the levy date according to the following schedule:

1. For the 2nd year, 90% of the first year's payment.
2. For the 3rd year, 80% of the first year's payment.
3. For the 4th year, 70% of the first year's payment.
4. For the 5th year, 60% of the first year's payment.
5. For the 6th year, 50% of the first year's payment.
6. For the 7th year, 40% of the first year's payment.
7. For the 8th year, 30% of the first year's payment.
8. For the 9th year, 20% of the first year's payment.
9. For the 10th year, 10% of the first year's payment.

(3) Both the town authorized to receive payment under sub. (2) and the state may petition the department of revenue to review the assessment of the property upon which taxes were levied, such taxes now being the basis for payment under sub. (2). The petition to the department of revenue to review the assessment shall be due August 1 of the year to which the assessment complained of relates. The filing of the petition shall be considered timely if mailed in a properly addressed envelope with postage duly prepaid, which envelope is postmarked before midnight of August 1. In its review, the department of revenue shall determine if the assessment complained of is unreasonably out of proportion to the general average of the assessment of all other property in such taxation district, and if it finds the assessment high or low it shall lower or raise such assessment. The department of revenue shall make its determination not later than November 1 of the year in which the petition is received, and its decision shall be final and not subject to review.

SECTION 39. 92.18 of the statutes is amended to read:

92.18 Any soil and water conservation district which is eligible for aid under P.L. 83-566 [68 Stat. 666 (1964), 16 USC 1001 et seq. (1958)], as amended, is eligible for additional aids from the state as follows: up to 50 ~~per cent~~ % of the cost incurred by the district for conservation development specified in s. 92.08 (3), meaning thereby the excess cost of the dam structure and additional land necessitated for fish and wildlife development, or meaning thereby the cost chargeable to the state or its agency when an artificial impoundment is part of an integrated flood control program. Applications for state aids under this section *shall be made to the department of natural resources and* shall contain provision for public access to the bodies of water to be created.

SECTION 40. 139.31 (2) and (2m) of the statutes, as affected by chapter 154, laws of 1969, are repealed.

SECTION 41. 139.33 (2) and (2m) of the statutes, as affected by chapter 154, laws of 1969, are repealed.

SECTION 42. 144.21 (2) of the statutes, as affected by chapter 276, laws of 1969, is amended to read:

144.21 (2) In order that the construction of pollution prevention and abatement facilities necessary to the protection of state waters be encouraged, a state program of assistance to municipalities for the financing of such facilities is established *and a program of state advances in anticipation of federal aid reimbursement is established to meet the state's water quality standards.* ~~The~~ These state ~~program~~ programs shall be administered by the department of natural resources and the department shall make such rules as are necessary for the proper execution of the state program.

SECTION 43. 144.21 (3) (b) of the statutes is repealed.

SECTION 44. 144.21 (3) (c) of the statutes is amended to read:

144.21 (3) (c) ~~After May 1, 1967, all~~ All municipalities are eligible for agreements under sub. (6) (a) and (b) based on the criteria in this paragraph. The criteria shall consider the health hazards of existing conditions, the extent and nature of pollution, per capita costs of the project, property valuation of the municipalities as equalized by the state, income of the residents in the municipalities, the availability of federal funds for the project, soil conditions, the feasibility and practicality of the project, the borrowing capacity of the municipality and any other factors which the department considers important. *Municipalities commencing projects but not completed prior to the effective date of this amendment (1969) shall be deemed eligible for agreements under sub. (6) (a) and (b).*

SECTION 45. 144.21 (3) (d) of the statutes is repealed.

SECTION 46. 144.21 (6) (intro.) and (a), as amended by chapter 55, laws of 1969, of the statutes are amended to read:

144.21 (6) (intro.) The department may enter into agreement with municipalities to provide state assistance for the financing of those pollution prevention and abatement facilities projects it approves under sub. (5). ~~The department may enter into one of 2 alternative agreements with municipalities:~~

(a) The department may enter into ~~agreement~~ *agreements* with municipalities to make payments to municipalities from the appropriation made by s. 20.370 (5) (c) to pay not less than 25% and not more than 30% of the estimated reasonable costs of the approved project. These payments shall be in even annual amounts and shall extend for a period of not less than 5 years and not more than 30 years. *The department shall not enter into such additional agreements after July 1, 1969, but shall continue to make payments on existing agreements until the terms of the agreement are fully satisfied.*

SECTION 47. 144.21 (6) (b) of the statutes is repealed and recreated to read:

144.21 (6) (b) The department may enter into agreements with municipalities to make payments to municipalities from the appropriation made by s. 20.866 (2) (tp).

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

2. It is the intent of the legislature that state debt not to exceed \$144 million in the 10-year period from 1969 to 1979 may be incurred for state water pollution and abatement assistance.

SECTION 48. 144.21 (6) (c) of the statutes is repealed and recreated to read:

144.21 (6) (c) In addition to any agreements entered into under pars. (a) and (b), the department may enter into agreements with municipalities to make payments to municipalities from the appropriation made by s. 20.370 (5) (fm) to provide direct financial assistance for smaller facilities, including but not limited to chlorination treatment and phosphate removal.

SECTION 49. 144.21 (6) (d), (7), (8), (9) and (10) of the statutes are repealed.

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SECTION 50. In the listings of program responsibility statutes for the department of health and social services in section 15.191 (intro.) of the statutes, the reference to s. 23.99 of the statutes is deleted.

(End)

Approved January 15, 1970.

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