



WISCONSIN LEGISLATURE

P.O. BOX 8952 • MADISON, WI 53708

For Immediate Release

Contact: Representative Tyler August
Senator Steve Nass
State Treasurer Matt Adamczyk

May 9, 2017
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Largest Scholarship in State History Proposed

\$5,000 scholarship would be merit-based for WI residents only.

MADISON...Today, State Representative Tyler August (R-Lake Geneva), State Senator Steve Nass (R-Whitewater), and State Treasurer Matt Adamczyk announced their proposal to create the Wisconsin Merit Scholarship. The scholarships, set at \$5,000, will be available based solely on merit to Wisconsin residents to attend UW System schools.

“Our legislation will create the largest scholarship in state history valued at \$5 million when fully implemented,” said August. “The scholarship will be significant, at \$5,000 per student using no newly allocated tax dollars. I am happy to report that the plan has the full support of UW System President Ray Cross.”

The scholarship will be determined by the UW Board of Regents based on university admission test scores (i.e. ACT, SAT) and high school GPA. The legislators pointed out that students already have access to billions in need-based aid. The only other state-funded merit based program is the Wisconsin Excellence Scholarship, set at \$2170 and is available to the top graduate in each high school.

“It was important the bill targets students based on merit,” said Nass. “We want to keep our best and brightest here in Wisconsin and this bill gives the UW System that tool.”

The funding for the scholarship bill comes from the sale of Board of Commissioners of Public Lands (BCPL) lands to the Department of Natural Resources (DNR). Constitutionally, the BCPL is tasked with selling all lands given to it by the federal government at statehood. The BCPL has already sold 98% of the land and this bill would sell the remaining 2% of land to the DNR. The land, almost entirely located in northern Wisconsin, is estimated to be worth around \$80 million dollars. Specifically, the bill

directs \$10 million per year from the Stewardship Program to be transferred to the Normal School Fund (NSF) at the BCPL to purchase the land over 8 years. The NSF is constitutionally required to distribute any earnings from the fund to the UW System.

“As a commissioner of the BCPL, this plan finally allows us to fulfill our constitutional duty to sell our lands to benefit the UW System” said Adamczyk. “This is a no-brainer as we create a \$5 million annual scholarship not only by selling our lands as constitutionally required, but also by doing so without making the taxpayers pay for it.”

When fully implemented, the NSF would have over \$100 million dollars in it. Assuming a conservative 5% rate of return on the fund, there would be \$5 million available annually for scholarships to be awarded by the UW System. In comparison, the NSF is only returning \$300,000 to the UW System – this would grow that amount 15 times larger. With scholarships set at \$5,000 it estimated that over 1,000 students will be able to take advantage of these scholarships.

August and Nass stated they are circulating the bill for cosponsors this week and hope to introduce the bill by the end of the week.

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State of Wisconsin Constitution

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Board Members:

Douglas La Follette, *Secretary of State*
Matt Adamczyk, *State Treasurer*
Brad D. Schimel, *Attorney General*

ARTICLE X.

EDUCATION

Superintendent of public instruction. SECTION 1. [As amended Nov. 1902 and Nov. 1982] The supervision of public instruction shall be vested in a state superintendent and such other officers as the legislature shall direct; and their qualifications, powers, duties and compensation shall be prescribed by law. The state superintendent shall be chosen by the qualified electors of the state at the same time and in the same manner as members of the supreme court, and shall hold office for 4 years from the succeeding first Monday in July. The term of office, time and manner of electing or appointing all other officers of supervision of public instruction shall be fixed by law. [1899 J.R. 16, 1901 J.R. 3, 1901 c. 258, vote Nov. 1902; 1979 J.R. 36, 1981 J.R. 29, vote Nov. 1982]

School fund created; income applied. SECTION 2. [As amended Nov. 1982] The proceeds of all lands that have been or hereafter may be granted by the United States to this state for educational purposes (except the lands heretofore granted for the purposes of a university) and all moneys and the clear proceeds of all property that may accrue to the state by forfeiture or escheat; and the clear proceeds of all fines collected in the several counties for any breach of the penal laws, and all moneys arising from any grant to the state where the purposes of such grant are not specified, and the 500,000 acres of land to which the state is entitled by the provisions of an act of congress, entitled "An act to appropriate the proceeds of the sales of the public lands and to grant pre-emption rights," approved September 4, 1841; and also the 5 percent of the net proceeds of the public lands to which the state shall become entitled on admission into the union (if congress shall consent to such appropriation of the 2 grants last mentioned) shall be set apart as a separate fund to be called "the school fund," the interest of which and all other revenues derived from the school lands shall be exclusively applied to the following objects, to wit: (1) To the support and maintenance of common schools, in each school district, and the purchase of suitable libraries and apparatus therefor.

(2) The residue shall be appropriated to the support and maintenance of academies and normal schools, and suitable libraries and apparatus therefor. [1979 J.R. 36, 1981 J.R. 29, vote Nov. 1982]

District schools; tuition; sectarian instruction; released time. SECTION 3. [As amended April 1972] The legislature shall provide by law for the establishment of district schools, which shall be as nearly uniform as practicable; and such schools shall be free and without charge for tuition to all children between the ages of 4 and 20 years; and no sectarian instruction shall be allowed therein; but the legislature by law may, for the purpose of religious instruction outside the district schools, authorize the release of students during regular school hours. [1969 J.R. 37, 1971 J.R. 28, vote April 1972]

Annual school tax. SECTION 4. Each town and city shall be required to raise by tax, annually, for the support of common schools therein, a sum not less than one-half the amount received by such town or city respectively for school purposes from the income of the school fund.

Income of school fund. SECTION 5. Provision shall be made by law for the distribution of the income of the school fund among the several towns and cities of the state for the support of common schools therein, in some just proportion to the number of children and youth resident therein between the ages of four and twenty years, and no appropriation shall be made from the school fund to any city or town for the year in which said city or town shall fail to raise such tax; nor to any school district for the year in which a school shall not be maintained at least three months.

State university; support. SECTION 6. Provision shall be made by law for the establishment of a state university at or near the seat of state government, and for connecting with the same, from time to time, such colleges in different parts of the state as the interests of education may require. The proceeds of all lands that have been or may hereafter be granted by the United States to the state for the support of a university shall be and remain a perpetual fund to be called "the university fund," the interest of which shall be appropriated to the support of the state university, and no sectarian instruction shall be allowed in such university.

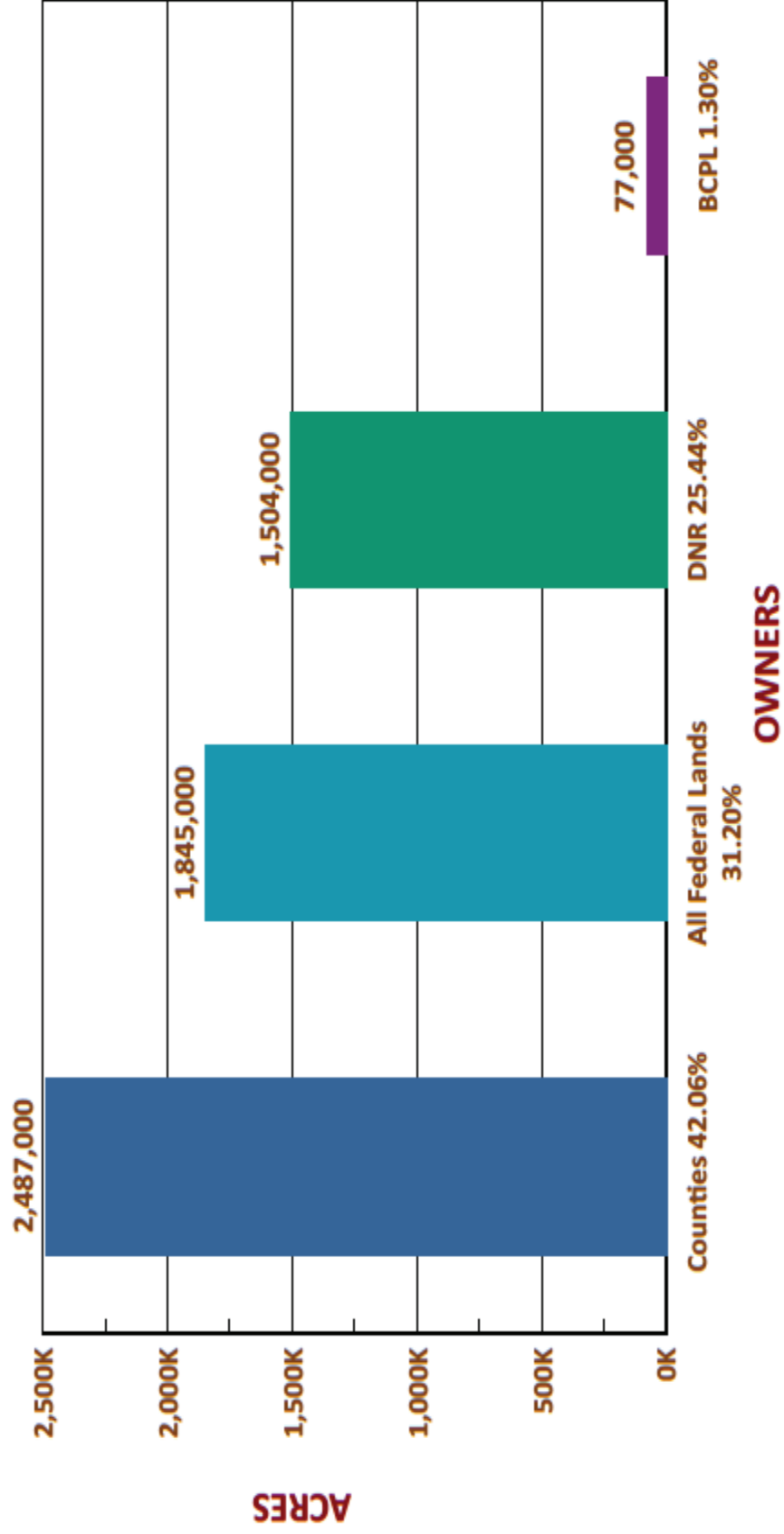
Commissioners of public lands. SECTION 7. The secretary of state, treasurer and attorney general, shall constitute a board of commissioners for the sale of the school and university lands and for the investment of the funds arising therefrom. Any two of said commissioners shall be a quorum for the transaction of all business pertaining to the duties of their office.

Sale of public lands. SECTION 8. Provision shall be made by law for the sale of all school and university lands after they shall have been appraised; and when any portion of such lands shall be sold and the purchase money shall not be paid at the time of the sale, the commissioners shall take security by mortgage upon the lands sold for the sum remaining unpaid, with seven per cent interest thereon, payable annually at the office of the treasurer. The commissioners shall be authorized to execute a good and sufficient conveyance to all purchasers of such lands, and to discharge any mortgages taken as security, when the sum due thereon shall have been paid. The commissioners shall have power to withhold from sale any portion of such lands when they shall deem it expedient, and shall invest all moneys arising from the sale of such lands, as well as all other university and school funds, in such manner as the legislature shall provide, and shall give such security for the faithful performance of their duties as may be required by law.

The BCPL is required to sell all lands.

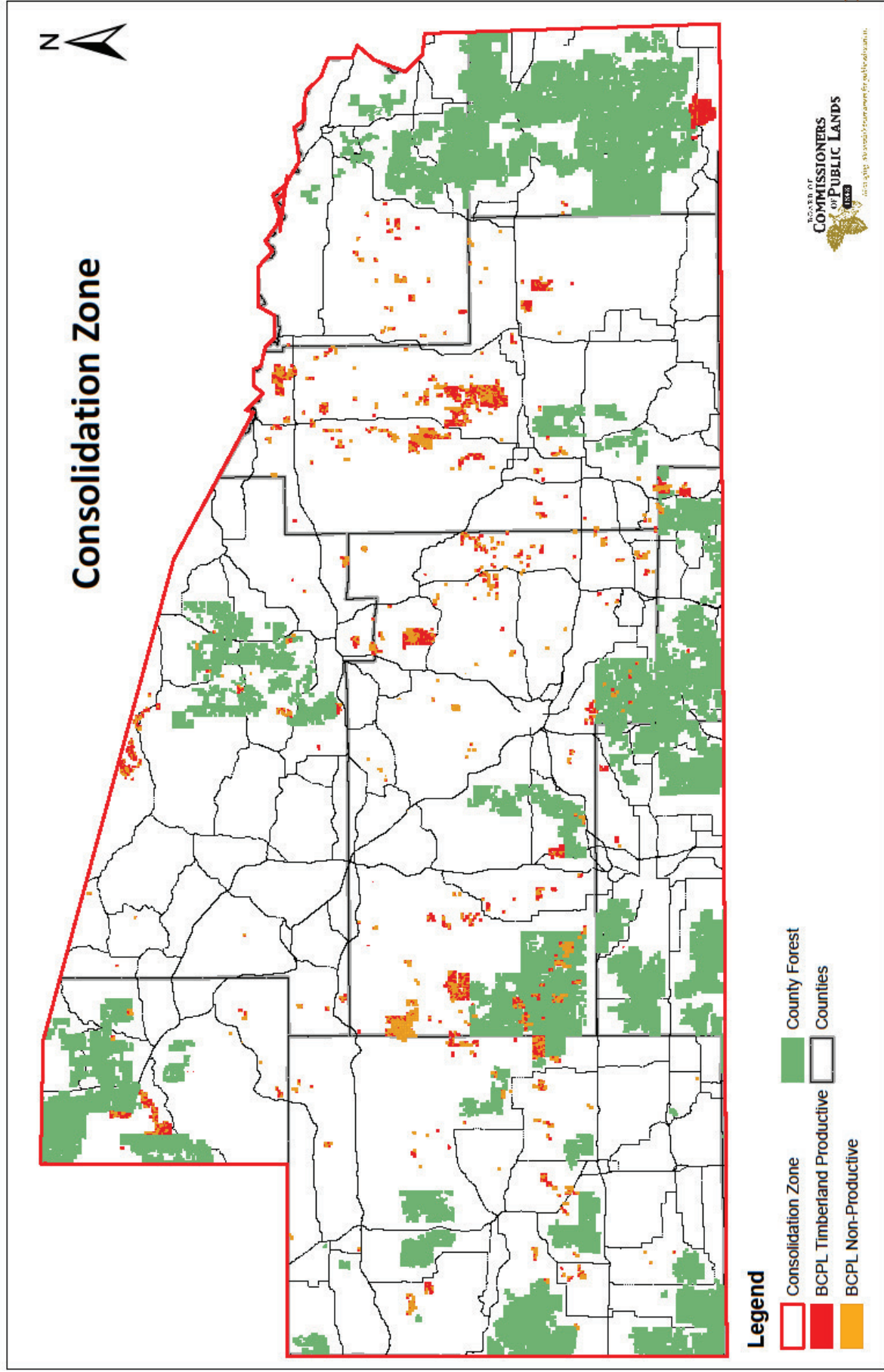
Year	Money in NSF	Earnings available for scholarship	Scholarships available (@\$5,000 per scholarship)
0	\$26,000,000	\$1,300,000	260
1	\$36,000,000	\$1,800,000	360
2	\$46,000,000	\$2,300,000	460
3	\$56,000,000	\$2,800,000	560
4	\$66,000,000	\$3,300,000	660
5	\$76,000,000	\$3,800,000	760
6	\$86,000,000	\$4,300,000	860
7	\$96,000,000	\$4,800,000	960
8	\$106,000,000	\$5,300,000	1060

PUBLIC LAND OWNERS IN WISCONSIN *



* BCPL Lands are constitutionally created School Trust Lands owned by the Board, held in trust for the benefit of public education.
 NOTE: All acres are rounded to the thousands of acres.

BCPL Consolidation Zone



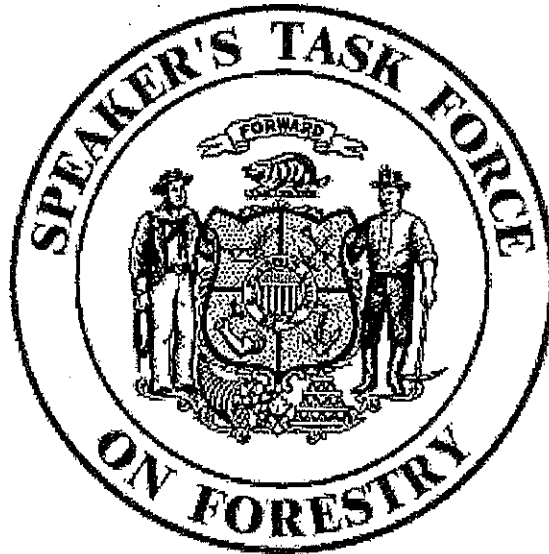
Summary of Current Trust Assets



	Common School Fund	Normal School Fund
Origin	About 1.5 million acres granted by the federal government in 1848	About 1.75 million acres granted to the state under the Swamp Land Act of 1850
Land Remaining in Trust*	6,150 acres	70,356 acres
Principal*	\$968.4 million	\$26.0 million

*as of 11/30/14

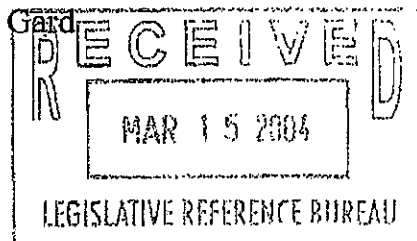
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Forest Inventory & Risk Assessment

Final Report

Submitted to Assembly Speaker John Gard
March 10, 2004



Task Force Membership & Purpose

Assembly Speaker John Gard convened the Task Force on Forestry on October 9, 2003.
Task Force members included:

Representative Donald Friske, Chairman
Representative John Ainsworth
Representative Dan Meyer
Mr. Gene Francisco, Wisconsin Professional Loggers Association
Dr. Robert Govett, University of Wisconsin – Stevens Point
Mr. Dan Kretz, Kretz Lumber Company
Mrs. Colette Matthews, Wisconsin County Forests Association
Mr. Don Nelson, Packaging Corporation of America
Mr. Pat Schillinger, Wisconsin Paper Council
Mr. Elroy Schmit, Lincoln County Board of Supervisors Forestry Committee Chair
Mr. Jerry Van de Hei, DNR Forester, Retired

The Assembly Speaker's Task Force on Forestry was charged to complete an inventory and assessment of Wisconsin's public and private forests. The inventory was to include but not be limited to species types, numbers and forested acres. The assessment reviewed the overall health of Wisconsin's forests as well as the governmental procedures impacting the improvement or detriment to the inventoried forested acres in the State.

In addition, Assembly Speaker John Gard created the Task Force in October 2003 to make an assessment of forest fire protection and prevention in the State of Wisconsin. The forest fires of 2003 in the Western United States highlighted the need to conduct a risk assessment, given the growing number of communities within Wisconsin's forested areas. Continuing concern over invasive species and insects within the United States and the legislature's ability to adapt state environmental policies to change could also play a part in making this assessment timely.

Records of the Task Force and audio of the proceedings are available at:
<http://www.legis.state.wi.us/assembly/asm35/news/TaskForceOnForestry/>

Section 3.0 Timberland Management Authority (continued)

3.2 Require DNR Regional Foresters to Report Directly to Wisconsin's Chief State Forester

It is our opinion that in order for the Division of Forestry to effectively manage all timberlands of the State of Wisconsin, Regional Foresters need to be able to gain access to the properties. Current DNR hierarchy has five Regional Managers in place, creating unnecessary and inefficient oversight. In some cases this can, and has, prevented the Chief State Forester from prescribing needed timberland management.

3.3 Require DNR to Initiate a Timberland Inventory of Uninventoried Lands

The Task Force concluded the progress made by the DNR on inventory of Wisconsin's Timberland is a monumental accomplishment. The victory of this success, however, will be lost if new lands acquired by the State are not similarly inventoried.

Proper timberland management cannot be expected to occur if the property managers do not have an accurate and scientific inventory of their assets.

3.4 Require DNR to Establish a Continuous Timberland Inventory of All Forested Lands

The Task Force believes a continuous timberland inventory is the next step in the goal of total quality timberland management. If an existing inventory is to remain an effective tool, then it will need to continuously and accurately reflect the changing timberland assets in State holdings.

This may be of assistance as the DNR investigates or pursues third-party forest certification. By maintaining a continuous inventory, the State of Wisconsin will do well to protect the integrity of assessments and changes within standards made by third party certifiers.

3.5 Require BCPL to Divest Itself of Timberland Property

It is our opinion the Board of Commissioners of Public Lands has expanded from its original constitutional charge. The State Constitution states the Board is constituted, "for the sale of the school and university lands and for the investment of the funds arising therefrom."³

It is also the opinion of the Task Force that the constitutional reference to the Board of Commissioners of Public Lands charges it only with the responsibility to manage the Trust Fund, not the timberlands. The BCPL has transferred FTE positions and timberland management responsibilities to the Division of Forestry in the past⁴ and it is the opinion of the Task Force such realignment should be restored.

It is in the interest of the State of Wisconsin to require the BCPL divest itself of its property. By providing the State of Wisconsin, Counties, Federal Government and Tribal Nations of Wisconsin a right of first refusal, it would ensure these tracts remain available to the State and national governments for public access.

Conclusion

In conclusion, the Speaker's Task Force on Forestry believes that the State of Wisconsin performs exceptionally well preventing and protecting its citizens from forest fires. There is room for improvement in the clarification of emergency powers and expenditures of mil tax funding for airplane fire detection, which tie up funding for other forestry initiatives.

The Task Force is concerned regarding the state and federal governments inability to meet prescribed annual allowable harvests on state, federal and private forestland under their jurisdictions. The Department of Natural Resources (DNR), the Division of Land in particular, has established a master plan process limiting the authority of the DNR to conduct sustainable timberland management on lands that it has been given the responsibility to manage.

Inadequate timberland management on State and Federal acres in Wisconsin will systemically increase the risk of fires, diseases and infestations of native and exotic species spreading to private timberlands and local communities.

The State of Wisconsin should reduce these risks by empowering the Division of Forestry and cooperating foresters to set up timber sales on State-owned properties within the scope of established master plans. Further, by transferring the responsibility of timberland management for the Board of Commissioners of Public Lands (BCPL), we can reduce the cost of managing these 80,000 acres.

The BCPL has demonstrated a lower return rate than the Division of Forestry has shown. By empowering the Division over these lands and requiring the BCPL focus on trust fund maintenance, costs will be reduced and revenues increased for both agencies. The cost savings will enable the State of Wisconsin to develop and improve its forests and increase contact with small private timberland owners on sustainable management.

The DNR master plan process has become cumbersome and time consuming for the DNR to conduct. An audit should be conducted and the Legislature should implement a streamlined process based on the audit report.

The State of Wisconsin is a large owner and manager of timberlands. It is imperative it implement and oversee timberland management with extreme diligence. It is the duty of government to serve and protect. Government should ensure the economic, environmental and recreational benefits are derived from its timberlands equally at the same time protecting neighboring communities and timberlands from the increasing threats of fire, disease and infestation.

End Notes

¹ BCPL return rate on timberland management: 1%

² State Statute 28.04 (2) (a)

³ Wisconsin State Constitution, Article X, Section 7

⁴ 1993 Act 16

⁵ State Statute 28.04 (2) (a)

⁶ Wisconsin State Constitution, Article VIII, Section 10 (3)



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-1803/1
EHS/EVM/ZDW/MDK:jld

2017 BILL

1 **AN ACT** *to repeal* 24.09 (2), 24.11 (1) (c), 24.59 (3), 24.605 and 24.61 (2) (cm); *to*
2 *renumber* 24.09 (1) (b) and 24.09 (1) (c); *to renumber and amend* 24.09 (1)
3 (a), 24.09 (1) (bm) and 24.09 (1) (d); *to amend* 20.285 (1) (rm) (title), 20.507 (1)
4 (h), 20.866 (2) (ta), 23.0917 (3) (br) 2., 23.0917 (3) (bt) 2., 24.01 (1), 24.01 (4),
5 24.01 (5), 24.01 (7), 24.01 (9), 24.01 (10), 24.09 (title), 24.10 (1), 24.10 (2), 24.59
6 (1), 36.49 (title) and 36.49 (3); and *to create* 23.0917 (3) (br) 3., 23.0917 (3) (bt)
7 3., 23.0917 (3) (bu), 23.0917 (3) (dm) 9., 23.1989, 28.12, 36.49 (4) and 59.52 (6)
8 (f) of the statutes; **relating to:** sale of public lands owned by the Board of
9 Commissioners of Public Lands to the state; county management of certain
10 state lands; merit scholarships for certain University of Wisconsin System
11 students; the obligation of moneys for land acquisition under the Warren

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1 Knowles-Gaylord Nelson Stewardship 2000 Program; and making an
2 appropriation (at the request of the state treasurer).

Analysis by the Legislative Reference Bureau

This bill allows the Board of Commissioners of Public Lands to sell all properties under its jurisdiction to the state and, if BCPL does so, requires the Department of Natural Resources to purchase those lands under the Warren Knowles-Gaylord Nelson Stewardship 2000 Program. The bill also allows counties to elect to manage these lands. The bill reduces the amounts DNR must set aside under the land acquisition subprogram of the stewardship program for DNR to acquire land and to provide grants to counties and for grants to nonprofit conservation organizations. The bill also requires the Board of Regents of the University of Wisconsin System to award merit scholarships to certain students.

Sale of public lands. Under current law, BCPL manages the common school fund, the normal school fund, the university fund, and the agricultural college fund (trust funds). The trust funds were established from the proceeds of the sale of most of the land granted to this state by the federal government at the time of statehood. BCPL manages the remaining lands granted by the federal government to this state and also administers a state trust fund loan program under which it makes loans, from moneys belonging to the trust funds, to school districts, local governments, and certain other public entities for certain public purposes.

Under this bill, if BCPL determines that the sale of all lands under its jurisdiction will not breach its duty as trustee, BCPL may sell all properties under its jurisdiction to the state. If BCPL sells this property, the bill requires DNR to purchase it and to pay for the purchase in annual installments.

Under current law, the state may incur public debt for certain conservation activities under the stewardship program, which is administered by DNR. The state may bond for various conservation activities under the program, one of which is land acquisition. This bill requires DNR, beginning in fiscal year 2017-18 and ending in fiscal year 2026-27, to set aside \$10,000,000 each fiscal year under the stewardship program, which may be obligated for the purpose of making the annual installment payments for the purchase of BCPL land. Under the bill, DNR is required to use those amounts to make installment payments of no more than \$10,000,000 each fiscal year until the total amount paid equals the appraised value of the land, except no payments may be made after fiscal year 2026-27.

Beginning in fiscal year 2017-18 and ending in fiscal year 2019-20, this bill reduces from \$9,000,000 to \$2,000,000 the amount that may be obligated for DNR land acquisition and for grants to counties for land acquisition, and reduces from \$7,000,000 to \$4,000,000 the amount that may be obligated as grants to nonprofit conservation organizations for land acquisition.

County management of DNR land. The bill authorizes a county board to manage, maintain, and improve any of the land DNR acquires from BCPL that is located in that county. Under the bill, if the county board adopts a resolution within

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six months after the effective date of this bill stating its intent to manage, maintain, and improve any such land, including a description of the land, and provides notice of the resolution to DNR, and if DNR provides notice to the county that it has acquired the land, then the county is required to, and DNR is required to allow the county to, manage, maintain, and improve the land (department land).

The bill allows a county to incorporate department land into its comprehensive county forest land use plan, if one exists, without DNR approval and allows the county to use county forest administration grants and sustainable forestry grants obtained under the county forest law for department land. The bill grants a county board many of the powers with respect to department land that a county board currently has with respect to county forests, such as regulating the use of the land by the public, establishing forest plantations, and engaging in silviculture, forest management, and timber sales. Similar to a current requirement under the county forest law, the bill requires any timber sale from department land with an estimated value of \$3,000 or more, except for timber that has been damaged by fire, snow, hail, ice, insects, disease, or wind, to be by sealed bid or public sale after fulfilling a publication requirement and allows any timber sale with an estimated value below \$3,000 to be made without prior advertising.

The bill authorizes a county board to adopt a resolution stating that the county no longer intends to manage, maintain, and improve department land and requires the county board to notify DNR of this resolution as soon as practicable after its adoption, at which point the county's responsibility to manage, maintain, and improve the land ends.

Wisconsin Merit scholarships. The bill requires the Board of Regents to award merit-based annual \$5,000 scholarships to students enrolled in two-year or four-year UW schools who have graduated from an in-state high school or been granted a high school diploma by the administrator of an in-state home-based private educational program. The scholarships are called "Wisconsin Merit scholarships." The bill requires the Board of Regents to determine student merit based on performance on standardized college entrance examinations and, if applicable, cumulative high school grade point averages. Under current law, income and interest from the normal school fund is appropriated to the Board of Regents to do the following annually: 1) make need-based grants totaling \$100,000 to students at the Nelson Institute for Environmental Studies who are members of underrepresented groups; 2) provide scholarships totaling \$100,000 to students enrolled in the sustainable management degree program through the UW-Extension; and 3) award the balance to the UW-Stevens Point for environmental programs. Under the bill, the Board of Regents must provide \$200,000 annually to the UW-Stevens Point for environmental programs and award the balance in the scholarships required under the bill.

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For further information see the *state and local* 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.** 20.285 (1) (rm) (title) of the statutes is amended to read:

2 20.285 (1) (rm) (title) *Environmental program grants and scholarships;*
3 *Wisconsin Merit scholarships.*

4 **SECTION 2.** 20.507 (1) (h) of the statutes is amended to read:

5 20.507 (1) (h) *Trust lands and investments — general program operations.* The
6 amounts in the schedule for the general program operations of the board as provided
7 under ss. 24.04, 24.09 (1) ~~(bm)~~ (3), 24.53 and 24.62 (1). All amounts deducted from
8 the gross receipts of the appropriate funds as provided under ss. 24.04, 24.09 (1) ~~(bm)~~
9 (3), 24.53 and 24.62 (1) shall be credited to this appropriation account.
10 Notwithstanding s. 20.001 (3) (a), the unencumbered balance at the end of each fiscal
11 year shall be transferred to the trust funds, as defined under s. 24.60 (5). The amount
12 transferred to each trust fund, as defined under s. 24.60 (5), shall bear the same
13 proportion to the total amount transferred to the trust funds that the gross receipts
14 of that trust fund bears to the total gross receipts credited to this appropriation
15 account during that fiscal year.

16 **SECTION 3.** 20.866 (2) (ta) of the statutes is amended to read:

17 20.866 (2) (ta) *Natural resources; Warren Knowles-Gaylord Nelson*
18 *stewardship 2000 program.* From the capital improvement fund a sum sufficient for
19 the Warren Knowles-Gaylord Nelson stewardship 2000 program under s. 23.0917.
20 The state may contract public debt in an amount not to exceed \$1,046,250,000
21 \$1,116,250,000 for this program. Except as provided in s. 23.0917 (4g) (b), (4m) (k),

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1 (5), (5g), and (5m), the amounts obligated, as defined in s. 23.0917 (1) (e), under this
2 paragraph may not exceed \$46,000,000 in fiscal year 2000-01, may not exceed
3 \$46,000,000 in fiscal year 2001-02, may not exceed \$60,000,000 in each fiscal year
4 beginning with fiscal year 2002-03 and ending with fiscal year 2009-10, may not
5 exceed \$86,000,000 in fiscal year 2010-11, may not exceed \$60,000,000 in fiscal year
6 2011-12, may not exceed \$60,000,000 in fiscal year 2012-13, may not exceed
7 \$47,500,000 in fiscal year 2013-14, may not exceed \$54,500,000 in fiscal year
8 2014-15, and may not exceed \$33,250,000 in each fiscal year beginning with 2015-16
9 and ending with fiscal year 2019-20, and may not exceed \$10,000,000 in each fiscal
10 year beginning with 2020-21 and ending with fiscal year 2026-27.

11 **SECTION 4.** 23.0917 (3) (br) 2. of the statutes is amended to read:

12 23.0917 (3) (br) 2. For each fiscal year beginning with 2015-16 and ending with
13 ~~2019-20~~ 2016-17, \$7,000,000.

14 **SECTION 5.** 23.0917 (3) (br) 3. of the statutes is created to read:

15 23.0917 (3) (br) 3. For each fiscal year beginning with 2017-18 and ending with
16 2019-20, \$4,000,000.

17 **SECTION 6.** 23.0917 (3) (bt) 2. of the statutes is amended to read:

18 23.0917 (3) (bt) 2. For each fiscal year beginning with 2015-16 and ending with
19 fiscal year ~~2019-20~~ 2016-17, \$9,000,000.

20 **SECTION 7.** 23.0917 (3) (bt) 3. of the statutes is created to read:

21 23.0917 (3) (bt) 3. For each fiscal year beginning with 2017-18 and ending with
22 fiscal year 2019-20, \$2,000,000.

23 **SECTION 8.** 23.0917 (3) (bu) of the statutes is created to read:

24 23.0917 (3) (bu) In obligating moneys under the subprogram for land
25 acquisition, the department shall set aside \$10,000,000 for each fiscal year

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1 beginning with 2017-18 and ending with 2026-27 to be obligated only for the
2 department to make installment payments for the purchase of land under s. 23.1989.

3 **SECTION 9.** 23.0917 (3) (dm) 9. of the statutes is created to read:

4 23.0917 (3) (dm) 9. For each fiscal year beginning with 2020-21 and ending
5 with fiscal year 2026-27, \$10,000,000.

6 **SECTION 10.** 23.1989 of the statutes is created to read:

7 **23.1989 Acquisition of certain public lands. (1)** Beginning in fiscal year
8 2017-18 and ending in fiscal year 2026-27, from the appropriation under s. 20.866
9 (2) (ta), the department shall set aside \$10,000,000 in each fiscal year that may be
10 obligated only to make installment payments for the purchase of land from the board
11 of commissioners of public lands under s. 24.59 (1). For purposes of s. 23.0917,
12 moneys provided from the appropriation under s. 20.866 (2) (ta) shall be treated as
13 moneys obligated under the subprogram under s. 23.0917 (3).

14 **(1m)** Subject to subs. (2) to (4), if the board of commissioners of public lands
15 sells land under s. 24.59 (1), the department shall purchase the land. The
16 department shall pay for the land purchased under this subsection in installments,
17 as provided in subs. (2) to (4).

18 **(2)** Notwithstanding s. 24.11 (1) (b) and except as provided in sub. (4), the
19 department shall make installment payments of \$10,000,000 in each fiscal year
20 beginning in fiscal year 2017-18 until the total amount paid under this subsection
21 equals the value of the land established under s. 24.59 (2), except that payments may
22 not be made after the fiscal year 2026-27.

23 **(3)** In the fiscal year in which a final installment payment of not more than
24 \$10,000,000 is due, from the appropriation under s. 20.866 (2) (ta), the department

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1 shall set aside an amount that shall be obligated only to make the final payment to
2 acquire land from the board of commissioners of public lands under s. 24.59 (1).

3 (4) In the fiscal year described in sub. (3), the department shall make an
4 installment payment equal to the amount remaining to make the final payment to
5 acquire land from the board of commissioners of public lands under s. 24.59 (1).

6 (5) If the department acquires land under sub. (1m), the department shall, as
7 soon as practicable, notify all counties from which the department has received
8 notification of a resolution adopted under s. 59.52 (6) (f). Beginning on the date that
9 a county receives this notice from the department, the department shall allow the
10 county to conduct all activities under s. 28.12 necessary to manage, maintain, and
11 improve the land described in the county's resolution under s. 59.52 (6) (f) until the
12 county board adopts a resolution under s. 28.12 (7).

13 **SECTION 11.** 24.01 (1) of the statutes is amended to read:

14 24.01 (1) "Agricultural college lands" embraces all lands granted to the state
15 by an act of congress entitled "An act donating public lands to the several states and
16 territories which may provide colleges for the benefit of agriculture and the mechanic
17 arts," approved July 2, 1862, as well as any land received under s. 24.09 (1) ~~(bm)~~ (3)
18 in exchange for such land.

19 **SECTION 12.** 24.01 (4) of the statutes is amended to read:

20 24.01 (4) "Marathon County lands" embraces all lands acquired by the state
21 pursuant to chapter 22 of the general laws of 1867, as well as any land received under
22 s. 24.09 (1) ~~(bm)~~ (3) in exchange for such land.

23 **SECTION 13.** 24.01 (5) of the statutes is amended to read:

24 24.01 (5) "Normal school lands" embraces all parcels of said "swamp lands"
25 which the legislature has declared or otherwise decided, or may hereafter declare or

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1 otherwise decide, were not or are not needed for the drainage or reclamation of the
2 same or other lands, as well as any land received under s. 24.09 ~~(1)-(b)(m)~~ (3) in
3 exchange for such land.

4 **SECTION 14.** 24.01 (7) of the statutes is amended to read:

5 24.01 (7) "School lands" embraces all lands made a part of "the school fund" by
6 article X, section 2, of the constitution, as well as any land received under s. 24.09
7 ~~(1)-(b)(m)~~ (3) in exchange for such land.

8 **SECTION 15.** 24.01 (9) of the statutes is amended to read:

9 24.01 (9) "Swamp lands" embraces all lands which have been or may be
10 transferred to the state pursuant to an act of congress entitled "An act to enable the
11 state of Arkansas and other states to reclaim the swamp lands within their limits,"
12 approved September 28, 1850, or pursuant to an act of congress entitled "An act for
13 the relief of purchasers and locators of swamp and overflowed lands," approved
14 March 2, 1855, as well as any land received under s. 24.09 ~~(1)-(b)(m)~~ (3) in exchange
15 for such land.

16 **SECTION 16.** 24.01 (10) of the statutes is amended to read:

17 24.01 (10) "University lands" embraces all lands the proceeds of which are
18 denominated "the university fund" by article X, section 6, of the constitution, as well
19 as any land received under s. 24.09 ~~(1)-(b)(m)~~ (3) in exchange for such land.

20 **SECTION 17.** 24.09 (title) of the statutes is amended to read:

21 **24.09 (title) Procedure before sale or exchange; withdrawal; resale.**

22 **SECTION 18.** 24.09 (1) (a) of the statutes is renumbered 24.09 (1) and amended
23 to read:

24 24.09 (1) Except as provided under ~~par. (e)~~ sub. (4), the board may not sell or
25 exchange any public lands which were not appraised or appraised under s. 24.08.

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1 Except as provided under ~~pars. (b), (bm) and (e)~~ subs. (2m), (3), and (4), the board may
2 not sell or exchange any public lands except at public auction or by sealed bid.

3 **SECTION 19.** 24.09 (1) (b) of the statutes is renumbered 24.09 (2m).

4 **SECTION 20.** 24.09 (1) (bm) of the statutes is renumbered 24.09 (3) and amended
5 to read:

6 24.09 (3) The board may exchange part or all of any parcel of public lands for
7 any other land of approximately equal value if the board determines that the
8 exchange will contribute to the consolidation or completion of a block of land,
9 enhance conservation of lands or otherwise be in the public interest. Under this
10 ~~paragraph subsection~~, an exchange is of “approximately equal value” if the difference
11 in value between the more highly valued land and the less highly valued land does
12 not exceed 10 percent of the value of the more highly valued land. All expenses
13 necessarily incurred in making an exchange under this ~~paragraph subsection~~ shall
14 be deducted from the gross receipts of the fund to which the proceeds of the sale of
15 the exchanged land will be added.

16 **SECTION 21.** 24.09 (1) (c) of the statutes is renumbered 24.09 (4).

17 **SECTION 22.** 24.09 (1) (d) of the statutes is renumbered 24.09 (5) and amended
18 to read:

19 24.09 (5) All sales other than sales under ~~par. (b) or (e)~~ sub. (2m) or (4) shall
20 be made at the times and public places by sealed bid or public sale as the board
21 designates. Prior to any sale, the board shall publish a class 3 notice, under ch. 985,
22 specifying the time and place and describing the lands to be sold in a newspaper
23 published in the county where the lands are situated.

24 **SECTION 23.** 24.09 (2) of the statutes is repealed.

25 **SECTION 24.** 24.10 (1) of the statutes is amended to read:

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1 24.10 (1) If the sale is to be by public auction, at the time and place specified
2 in the notice under s. 24.09 (1) ~~(d)~~ (5), the board shall commence the sale of the lands
3 described in the notice and thereafter continue the same from day to day, Sundays
4 excepted, between 9 a.m. and the setting of the sun, until all lands described in the
5 notice have been offered. The order of the sale shall be to begin at the lowest number
6 of the sections, townships, and ranges in each county and proceed regularly to the
7 highest, until all then to be sold are offered for sale. ~~Except for lands withheld from~~
8 ~~sale under s. 24.09 (2), each~~ Each lot, tract of lands, or collection of tracts of lands to
9 be sold shall be offered at the minimum price fixed by law and shall be cried at public
10 auction long enough to enable every one present to bid. If the minimum price or more
11 is bid, the lot or tract shall be struck off to the highest bidder, but if the minimum
12 price is not bid the tract shall be set down unsold.

13 **SECTION 25.** 24.10 (2) of the statutes is amended to read:

14 24.10 (2) If the sale is to be by sealed bid, the highest bid for any lot, tract of
15 lands, or collection of tracts of lands shall be accepted, unless the highest bid is below
16 the minimum price fixed by law. If the highest bid is below the minimum price fixed
17 by law, then all bids may be rejected. If all bids are rejected or if no bid is received,
18 the board may readvertise the sale, or adjourn the sale to a definite date, ~~or withhold~~
19 ~~the lands from sale pursuant to s. 24.09 (2).~~

20 **SECTION 26.** 24.11 (1) (c) of the statutes is repealed.

21 **SECTION 27.** 24.59 (1) of the statutes is amended to read:

22 24.59 (1) Notwithstanding ss. 24.09, 24.10, 24.15, 24.16, and 24.32, but subject
23 to ~~subs. sub. (2) and (3), if the board determines that the sale of all lands under its~~
24 jurisdiction will not breach the board's duty as trustee, the board may sell to the state
25 all public lands that the board identifies as available for sale to the state under its

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1 jurisdiction on the effective date of this subsection [LRB inserts date].

2 Notwithstanding s. 24.08 (4), the public lands shall be sold at the appraised value
3 determined under sub. (2).

4 **SECTION 28.** 24.59 (3) of the statutes is repealed.

5 **SECTION 29.** 24.605 of the statutes is repealed.

6 **SECTION 30.** 24.61 (2) (cm) of the statutes is repealed.

7 **SECTION 31.** 28.12 of the statutes is created to read:

8 **28.12 Department land managed by a county. (1)** In this section,
9 “department land” means land that meets all of the conditions under sub. (2).

10 **(2)** Except as provided under sub. (6), if a county has adopted a resolution under
11 s. 59.52 (6) (f) authorizing the county to manage, maintain, and improve land
12 acquired by the department under s. 23.1989 and has notified the department of the
13 resolution, and if the department notifies the county under s. 23.1989 (5) that it has
14 acquired the land described in the resolution, then the county shall manage,
15 maintain, and improve the land as provided under this section.

16 **(3)** If a county has prepared a comprehensive county forest land use plan under
17 s. 28.11 (5), the county may incorporate department land into the plan without
18 approval by the department. A committee designated under s. 28.11 (3) (a) has the
19 same powers, duties, procedures, and functions with respect to department land as
20 it has with respect to county forests, except to the extent those powers, duties,
21 procedures, or functions conflict with the state’s ownership of the land. The county
22 may use grant money received under s. 28.11 (5m) and (5r) on department land.

23 **(4)** A county board of a county in which department land is located may do any
24 of the following:

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1 (a) Establish regulations for the use of department land by the public and to
2 provide penalties for their enforcement.

3 (b) Appropriate funds for the development, protection, and maintenance of
4 department land.

5 (c) Enter into cooperative agreements with the department for protection of
6 department land from fire.

7 (d) Establish aesthetic management zones along roads and waters.

8 (e) Establish transplant nurseries for growing seedlings, from the state forest
9 nurseries, to larger size for planting in department land, but no ornamental or
10 landscape stock shall be produced in such nurseries.

11 (f) Establish forest plantations and engage in silviculture, forest management,
12 and timber sales on department land.

13 (g) Engage in other projects designed to achieve optimum development of
14 forests on department land.

15 (h) Establish energy conservation projects that permit individual members of
16 the public to remove up to 10 standard cords of wood without charge from department
17 land for individual home heating purposes. The county board shall limit removal of
18 wood for energy conservation projects to wood that is unsuitable for commercial sale.
19 The county board may require a permit to remove wood for energy conservation
20 projects and may charge a fee for the permit to administer projects established under
21 this paragraph. A county board shall restrict participation in projects established
22 under this paragraph to residents, as defined in s. 29.001 (69), but may not restrict
23 participation to residents of the county. No timber sale contract is required for wood
24 removed under this paragraph.

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1 **(4m)** Nothing in this section may be interpreted to infringe on any authority
2 the state has to enter into leases or agreements to explore and prospect for ore,
3 minerals, gas, or oil on department land, except that, if an extraction cannot be
4 accomplished without permanently affecting the surface of the land, extraction may
5 not commence until the county adopts a resolution under sub. (7) ending its
6 responsibilities under this section.

7 **(5)** (a) Any timber sale from department land with an estimated value of \$3,000
8 or more shall be by sealed bid or public sale after publication of a classified
9 advertisement announcing the sale in a newspaper having general circulation in the
10 county in which the timber to be sold is located. Any timber sale with an estimated
11 value below \$3,000 may be made without prior advertising.

12 (b) Paragraph (a) does not apply to any sale of timber that has been damaged
13 by fire, snow, hail, ice, insects, disease, or wind.

14 (c) A county is not required to pay any severance share to the state or to share
15 any revenue with the state from timber sold from department lands.

16 **(6)** The department may construct and use forest fire lookout towers, telephone
17 lines, and fire lanes or other forest protection structures on any lands described in
18 par. (a) and the county may not interfere with any department activity on
19 department land that is necessary for forest protection. The county and the
20 department shall permit public access to department land for the purposes of
21 hunting, fishing, hiking, sight-seeing, and cross-country skiing.

22 **(7)** A county board may adopt a resolution stating that the county no longer
23 intends to manage, maintain, and improve department land. As soon as practicable
24 after adopting the resolution, the county shall provide notice of the resolution to the

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1 department. The county's responsibility to manage, maintain, and improve the land
2 ends when this notice is provided to the department.

3 **SECTION 32.** 36.49 (title) of the statutes is amended to read:

4 **36.49 (title) Environmental program grants and scholarships;**
5 **Wisconsin Merit scholarships.**

6 **SECTION 33.** 36.49 (3) of the statutes is amended to read:

7 36.49 (3) ~~Award the balance~~ Provide \$200,000 to the University of
8 Wisconsin-Stevens Point for environmental programs.

9 **SECTION 34.** 36.49 (4) of the statutes is created to read:

10 36.49 (4) Award the balance in annual scholarships called "Wisconsin Merit
11 scholarships," which shall be based only on merit to students who are enrolled in an
12 institution or college campus and who have either graduated from high school in this
13 state or been granted a high school diploma by the administrator of a home-based
14 private educational program, as defined in s. 115.001 (3g), in this state. The board
15 shall determine merit based on a performance on standardized college entrance
16 examinations and, if applicable, cumulative high school grade point averages. An
17 annual scholarship awarded to a student under this subsection shall equal \$5,000.

18 **SECTION 35.** 59.52 (6) (f) of the statutes is created to read:

19 59.52 (6) (f) *Management of certain department of natural resources lands.*
20 Subject to s. 28.12, manage, maintain, and improve lands located in the county that
21 are acquired by the department of natural resources under s. 23.1989. The board
22 may exercise the powers under this paragraph if all of the following apply:

23 1. No later than 6 months after the effective date of this subdivision [LRB
24 inserts date], the board adopts a resolution stating the county's intention to exercise

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1 the powers under this paragraph. The county shall include in the resolution a
2 description of the land that the county intends to manage, maintain, and improve.

3 2. The board provides notice of the resolution under subd. 1. to the department
4 of natural resources, including a description of the land identified in the resolution.

5 3. The department notifies the county that it has acquired the land under s.
6 23.1989.

7

(END)