

Chapter NR 50

ADMINISTRATION OF OUTDOOR RECREATION
PROGRAM GRANTS AND STATE AIDS

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History: Chapter NR 50 as it existed on March 31, 1975 was repealed and a new chapter NR 50 was created, effective April 1, 1975

NR 50.01 Definitions. (1) "Department" means department of natural resources.

(2) "Secretary" means secretary, department of natural resources.

(3) "Applicant" means unit of government applying for a grant.

(4) "LAWCON" means land and water conservation fund program.

(5) "Project" (a) "Acquisition project" means the acquisition of land or rights thereto for a well defined outdoor recreation area or purpose.

(b) "Development project" means the development of structures, utilities, facilities or landscaping necessary for outdoor recreation use of an area.

(6) "Approval" means the signing by the secretary or his deputy of a project agreement resulting in encumbering a specified amount of federal or state aid funds for a specific purpose.

(7) "Assistance" means funds made available by the department to a sponsor in support of a public outdoor recreation project.

(8) "Contingency fund" means that part of the LAWCON apportionment that is not immediately apportioned to counties or state agencies but held by the department to meet high priority, unforeseen, or emergency need and which is granted by the secretary or deputy upon the recommendation of the outdoor recreation advisory council.

(9) "Project agreement" means a contract between the sponsor and department setting forth the mutual obligations with regard to a portion or all of specific project.

(10) "Sponsor" means local unit of government, state agency or snowmobile club receiving assistance.

(11) "Snowmobile trail" means a marked route on public property or on private lands subject to public easement or lease, designated for

use by snowmobile operators by the governmental agency having jurisdiction, but excluding highways except those highways on which the roadway is not normally maintained for other vehicular traffic by the removal of snow.

(12) "District" means one of the 6 field administrative offices of the department of natural resources.

(13) "Project period" means the period of time specified in the agreement during which all work must be accomplished.

(14) "Basic facilities" means the minimum improvements necessary to enable people to make use of recreation sites with minimum maintenance.

(15) "State outdoor recreation plan" means the comprehensive statewide outdoor recreation plan required by the land and water conservation fund act.

History: Cr. Register, March, 1975, No. 231, eff. 4-1-75; am. (8), Register, March, 1976, No. 243, eff. 4-1-76.

NR 50.02 Grant programs. The provisions of this chapter apply to the following grant programs: (1) The land and water conservation act of 1965, (PL-88-578) as amended by PL-91-485 (LAWCON) which was established to assist the state and federal agencies in meeting present and future recreation demands and needs of the American people and for other purposes.

(2) ORAP local park aids sections 23.09 (20) and 66.36, Wis. Stats., which provides for not more than 50% of the cost of acquiring and developing recreation lands and other outdoor recreation facilities.

(3) Creation of new lakes sections 23.09 (21) and 92.18, Wis. Stats., to provide for the creation of new lakes and assist in providing a continuing, comprehensive outdoor recreation program.

(4) Public access to water section 23.09 (9), Wis. Stats., which provides aids for purchase and development of lands for public access to water.

(5) Aids for counties for the development of snowmobile trails and areas, chapter 350, sections 23.09 (11) and (26), Wis. Stats.

(6) Law enforcement aids to counties, chapter 350 and section 23.09, Wis. Stats.

History: Cr. Register, March, 1975, No. 231, eff. 4-1-75; cr. (6), Register, March, 1977, No. 256, eff. 4-1-77.

NR 50.03 Planning requirements. (1) **LAWCON AND LOCAL PARK AID PROGRAMS.** Applicants are required to submit a comprehensive outdoor recreation plan for their area to the department which conforms to the state outdoor recreation plan; or applicants may qualify for eligibility if proposed projects are identified in approved plans of higher units of government.

(2) **STATE AIDS FOR LAKE CREATION.** Soil and water conservation district applications for grants shall be in conformance with department recommendations in an approved watershed work plan. Applications for aids for watershed development programs under other grant

2. Form 8700-61 — Salary schedule. This form is to be completed by the appropriate county official who shall list the names and salaries of persons engaged in the enforcement of chapter 350, Wis. Stats. Salary rate is restricted to no more than the regular straight time rate which the officer normally receives. Fringe benefits cannot exceed 20% of the gross salary.

3. Form 8700-62 — Travel, materials and supplies schedule. This form is to be completed by the appropriate county official, who shall list all reimbursable expenditures other than salaries and depreciable items.

4. Form 8700-63 — Depreciation schedule - straight line method. This form is to be completed by the appropriate county official, who shall list all capital outlay equipment and the resulting depreciation. Depreciation shall be calculated at the rate of 12½% annually on all equipment except snowmobiles, which shall be figured at the rate of 33½% annually.

5. Form 8700-64 — Record of court cases for violations of chapter 350, Wis. Stats. This form is to be completed by the appropriate county official, who shall list all violations and court actions for the calendar year.

(e) Each claim shall be audited by the department as soon as possible after the claim has been received. Payment of claims shall be made no later than April 1. Reimbursement of the actual cost and maintenance of snowmobile enforcement patrols is authorized. Travel expenses and salaries for training purposes are authorized only for attendance at snowmobile enforcement training sessions conducted by the department. The person in charge of the patrol, or his or her designee, is required to attend all designated department snowmobile enforcement patrol training sessions as a condition of receiving aids under this section and section 350.12(4)(a)4., Wis. Stats.

History: Cr. Register, March, 1977, No. 265, eff. 4-1-77.

NR 50.13 Law enforcement aids to municipalities. (section 30.79, Wis. Stats.). (1) Municipalities may receive law enforcement aids for up to 75% of the net costs (determined by deducting all fines and forfeitures imposed upon persons convicted of violations of ordinances enacted pursuant to section 30.77, Wis. Stats.) which are directly attributable to the operation and maintenance of the water safety patrol unit. State aid is available only for those activities associated with the local enforcement of sections 30.50 to 30.80, Wis. Stats., and any administrative rules and ordinances enacted pursuant thereto. No municipality shall receive state aid in excess of 20% of the funds available.

(2) Claim forms shall be filed with the appropriate district office of the department of natural resources, as specified in section 30.79, Wis. Stats. Claims are to be made for the calendar year immediately preceding the filing date.

(3) The following forms shall be used by each water safety patrol unit to qualify it for state aid:

(a) Form 8700-59 — Notice of intent to patrol. In order to be eligible for state aids, a water safety patrol must function as a law

enforcement unit and file an intent to patrol form with the department, listing the authority under which the water safety patrol will operate. On or before March 1 of each year the municipality shall file an intent to patrol form with the department, sent to the attention of the coordinator of boating safety, Madison, Wisconsin.

(b) Form 8700-89 — Daily log. This form is to be used in compiling a summary of the water safety patrol's daily activities and expenses. It is not to be filed with the department, but is to be used for assembling information necessary to complete form 8700-90. The form must be kept on file by the water safety patrol to augment its records and must be available in chronological order for periodic checks by representatives of the department during normal business hours and at the time of the annual audit.

(c) Form 8700-90 — Monthly report. This form is to be completed and filed with the appropriate district office no later than the tenth day following the month covered. The information shown on this form will be a computation of the information taken from the daily logs (form 8700-89).

(d) On or about September 1 of each year, 3 sets of the following forms will be sent by the department to each municipality which has an active intent to patrol form on file. The appropriate official fills out all of the forms, retains one set for the municipality's records, and files 2 sets with the appropriate district office as specified in section 30.79, Wis. Stats., covering the patrol expense for the preceding calendar year. Claims which are received by the department after this date cannot and will not be processed for payment.

1. Form 8700-60 — Application for state aid. This form is to be completed by the appropriate municipal official, who shall list the total net cost of the water safety patrol claimed by the municipality.

2. Form 8700-61 — Salary schedule. This form is to be completed by the appropriate municipal official, who shall list the names and salaries of persons engaged in the local enforcement of sections 30.50 to 30.80, Wis. Stats., and any administrative rules and ordinances enacted pursuant thereto. Salary rate is restricted to no more than the regular straight time rate which the officer normally receives. Fringe benefits cannot exceed 20% of the gross salary.

3. Form 8700-62 — Travel, materials and supplies schedule. This form is to be completed by the appropriate municipal official, who shall list all reimbursable expenditures other than salaries and depreciable items.

4. Form 8700-63 — Depreciation schedule - straight line method. This form is to be completed by the appropriate municipal official, who shall list all capital outlay equipment and the resulting depreciation. Depreciation shall be calculated at the rate of 12½% annually on all capital equipment (over \$100.00).

5. Form 8700-64 — Record of court cases for violations of sections 30.50 to 30.80, Wis. Stats., and any administrative rules and ordinances enacted pursuant thereto. This form is to be completed by the appropriate municipal official, who shall list all violations and court actions for the calendar year.

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(4) Travel expenses and salaries for training purposes are authorized only for attendance at boating safety enforcement training sessions conducted by the department. The person in charge of the patrol, or his/her designee, is required to attend all designated department boating safety enforcement patrol training sessions as a condition of receiving aids under this rule and section 30.79, Wis. Stats.

History: Cr. Register, October, 1977, No. 262, eff. 11-1-77.