



2021 ASSEMBLY BILL 760

December 7, 2021 - Introduced by Representatives KURTZ, ARMSTRONG, BEHNKE, MILROY, MOSES, NOVAK, OLDENBURG, PENTERMAN, ROZAR, SKOWRONSKI and TUSLER, cosponsored by Senators MARKLEIN, BALLWEG, COWLES, FELZKOWSKI and RINGHAND. Referred to Committee on Forestry, Parks and Outdoor Recreation.

1 **AN ACT** *to repeal* 20.370 (1) (mr), 20.370 (5) (eu), 20.370 (5) (gr), 20.370 (9) (hw),
2 20.855 (4) (v), 23.33 (2) (om) and 25.40 (2) (b) 27.; and *to amend* 20.370 (1) (ms),
3 20.370 (5) (ct), 20.370 (5) (cu), 20.855 (4) (u), 23.33 (2) (o), 23.33 (9) (b) (intro.),
4 23.33 (9) (b) 2., 23.33 (9) (b) 4., 23.33 (9) (bg) 1. and 23.33 (9) (bg) 2. of the
5 statutes; **relating to:** combining appropriations for all-terrain vehicle and
6 utility terrain vehicle projects and making an appropriation.

Analysis by the Legislative Reference Bureau

Under current law, monies collected from the registration of all-terrain vehicles (ATVs) and utility terrain vehicles (UTVs) are deposited in the conservation fund. In addition, the estimated gas tax payment, which is calculated on the basis of the number of registered ATVs and UTVs, is transferred from the transportation fund to the conservation fund. From the conservation fund, DNR is appropriated monies to conduct ATV and UTV projects, to provide aid to federal agencies and local units of government to to conduct ATV and UTV projects, and to provide aid to nonprofit organizations for specified ATV projects.

Under current law, monies collected from ATV registration and from the estimated gas tax payment for ATVs are credited to appropriations distinct from those for the monies collected from UTV registration and from the estimated gas tax payment for UTVs. Those monies are subsequently appropriated specifically for ATV or UTV projects. This bill combines numerous appropriations so that the collected

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ATV and UTVs monies are not separated and can be used for both ATV and UTV projects.

Under current law, DNR may provide aid to nonprofit organizations for ATV projects involving the production of maps and digital information applications, communications equipment, and the placement of safety information signs. The bill expands this authority to include aid for UTV projects.

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.** 20.370 (1) (mr) of the statutes is repealed.

2 **SECTION 2.** 20.370 (1) (ms) of the statutes is amended to read:

3 20.370 (1) (ms) *General program operations — state all-terrain vehicle and*
4 *utility terrain vehicle projects.* The amounts in the schedule from moneys received
5 from all-terrain vehicle and utility terrain vehicle fees under s. 23.33 (2) (c) to (e) for
6 state all-terrain vehicle and utility terrain vehicle projects.

7 **SECTION 3.** 20.370 (5) (ct) of the statutes is amended to read:

8 20.370 (5) (ct) *Recreation aids — all-terrain vehicle and utility terrain vehicle*
9 *project aids; gas tax payment.* As a continuing appropriation, an amount equal to the
10 estimated all-terrain vehicle and utility terrain vehicle gas tax payment to provide
11 aid to towns, villages, cities, counties, and federal agencies for nonstate all-terrain
12 vehicle and utility terrain vehicle projects and to provide aid to nonprofit
13 organizations for the production of maps and digital information applications under
14 s. 23.33 (9) (b) 7., communications equipment under s. 23.33 (9) (b) 8., and the
15 placement of signs developed under s. 23.33 (4z) (a) 3.

16 **SECTION 4.** 20.370 (5) (cu) of the statutes is amended to read:

17 20.370 (5) (cu) *Recreation aids — all-terrain vehicle and utility terrain vehicle*
18 *project aids.* As a continuing appropriation, the amounts in the schedule from

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1 moneys received from all-terrain vehicle and utility terrain vehicle fees under s.
2 23.33 (2) (c) to (e) to provide aid to towns, villages, cities, counties, and federal
3 agencies for nonstate all-terrain vehicle and utility terrain vehicle projects and to
4 provide aid to nonprofit organizations for the production of maps and digital
5 information applications under s. 23.33 (9) (b) 7., communications equipment under
6 s. 23.33 (9) (b) 8., and the placement of signs developed under s. 23.33 (4z) (a) 3.

7 **SECTION 5.** 20.370 (5) (eu) of the statutes is repealed.

8 **SECTION 6.** 20.370 (5) (gr) of the statutes is repealed.

9 **SECTION 7.** 20.370 (9) (hw) of the statutes is repealed.

10 **SECTION 8.** 20.855 (4) (u) of the statutes is amended to read:

11 20.855 (4) (u) *Transfer to conservation fund; all-terrain vehicle and utility*
12 *terrain vehicle formula.* From the transportation fund, a sum sufficient in an amount
13 equal to the amount to be paid into the conservation fund as determined under s.
14 25.29 (1) (dm) and (dr). The amounts may be paid at such intervals during each fiscal
15 year as the secretary of administration deems appropriate or necessary.

16 **SECTION 9.** 20.855 (4) (v) of the statutes is repealed.

17 **SECTION 10.** 23.33 (2) (o) of the statutes, as affected by 2021 Wisconsin Act 58,
18 is amended to read:

19 23.33 (2) (o) *Receipt of all-terrain vehicle and utility terrain vehicle fees.* All
20 fees remitted to or collected by the department under par. (c) 1., (e), or (ir) for services
21 provided regarding all-terrain vehicles and utility terrain vehicles shall be credited
22 to the appropriation account under s. 20.370 (9) (hu).

23 **SECTION 11.** 23.33 (2) (om) of the statutes is repealed.

24 **SECTION 12.** 23.33 (9) (b) (intro.) of the statutes is amended to read:

ASSEMBLY BILL 760**SECTION 12**

1 23.33 (9) (b) *All-terrain vehicle and utility terrain vehicle projects.* (intro.) Any
2 of the following all-terrain vehicle or utility terrain vehicle projects are eligible for
3 funding as a state all-terrain vehicle or utility terrain vehicle project from the
4 appropriation account under s. 20.370 (1) (ms) or for aid as a nonstate all-terrain
5 vehicle or utility terrain vehicle project from the appropriation accounts under s.
6 20.370 (5) (ct) and (cu):

7 **SECTION 13.** 23.33 (9) (b) 2. of the statutes is amended to read:

8 23.33 (9) (b) 2. Development of all-terrain vehicle or utility terrain vehicle
9 facilities such as parking areas, riding areas, shelters, toilets or other improvements.

10 **SECTION 14.** 23.33 (9) (b) 4. of the statutes is amended to read:

11 23.33 (9) (b) 4. Development or maintenance of a snowmobile route or trail or
12 an off-the-road motorcycle trail or facility if the route, trail or facility is open for use
13 by all-terrain vehicles or utility terrain vehicles.

14 **SECTION 15.** 23.33 (9) (bg) 1. of the statutes is amended to read:

15 23.33 (9) (bg) 1. A project to improve or maintain all-terrain vehicle trails for
16 use by utility terrain vehicles is eligible for summer funding as a state utility terrain
17 vehicle project from the appropriation account under s. 20.370 (1) ~~(mr)~~ (ms) or for aid
18 as a nonstate utility vehicle project from the appropriation accounts under s. 20.370
19 (5) ~~(eu)~~ (ct) and ~~(gr)~~ (cu). The maximum amount allowed for aid under this
20 subdivision is \$200 per mile for all-terrain vehicle trails that are maintained not less
21 than 3 months per year including the months of June, July, and August.

22 **SECTION 16.** 23.33 (9) (bg) 2. of the statutes is amended to read:

23 23.33 (9) (bg) 2. A project to improve or maintain all-terrain vehicle trails for
24 use by utility terrain vehicles is eligible for winter funding as a state utility terrain
25 vehicle project from the appropriation account under s. 20.370 (1) ~~(mr)~~ (ms) or for aid

ASSEMBLY BILL 760**SECTION 16**

1 as a nonstate utility vehicle project from the appropriation accounts under s. 20.370
2 (5) ~~(eu)~~ (ct) and ~~(gr)~~ (cu). The maximum amount allowed for aid under this
3 subdivision is \$100 per mile for all-terrain vehicle trails that are maintained not less
4 than 2 months nor more than 6 months per year including the months of January and
5 February.

6 **SECTION 17.** 25.40 (2) (b) 27. of the statutes is repealed.

7 **SECTION 18. Fiscal changes.**

8 (1) **ATV PROJECTS.** In the schedule under s. 20.005 (3) for the appropriation to
9 the department of natural resources under s. 20.370 (1) (ms), the dollar amount for
10 fiscal year 2021-22 is increased by \$79,400 for the purpose for which the
11 appropriation is made. In the schedule under s. 20.005 (3) for the appropriation to
12 the department of natural resources under s. 20.370 (1) (ms), the dollar amount for
13 fiscal year 2022-23 is increased by \$79,400 for the purpose for which the
14 appropriation is made.

15 (2) **ATV GAS TAX PAYMENTS.** In the schedule under s. 20.005 (3) for the
16 appropriation to the department of natural resources under s. 20.370 (5) (ct), the
17 dollar amount for fiscal year 2021-22 is increased by \$777,200 for the purpose for
18 which the appropriation is made. In the schedule under s. 20.005 (3) for the
19 appropriation to the department of natural resources under s. 20.370 (5) (ct), the
20 dollar amount for fiscal year 2022-23 is increased by \$932,700 for the purpose for
21 which the appropriation is made.

22 (3) **ATV AIDS.** In the schedule under s. 20.005 (3) for the appropriation to the
23 department of natural resources under s. 20.370 (5) (cu), the dollar amount for fiscal
24 year 2021-22 is increased by \$320,600 for the purpose for which the appropriation
25 is made. In the schedule under s. 20.005 (3) for the appropriation to the department

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SECTION 18

1 of natural resources under s. 20.370 (5) (cu), the dollar amount for fiscal year
2 2022-23 is increased by \$320,600 for the purpose for which the appropriation is
3 made.

4 (END)