

**2013 DRAFTING REQUEST**

**Senate Substitute Amendment (SSA-SB278)**

Received: 10/11/2013 Received By: mglass  
Wanted: As time permits Same as LRB:  
For: Robert Cowles (608) 266-0484 By/Representing:  
May Contact: Drafter: mglass  
Subject: Environment - mining Addl. Drafters:  
Nat. Res. - parks and forestry Extra Copies:  
Submit via email: YES  
Requester's email: Sen.Cowles@legis.wisconsin.gov  
Carbon copy (CC) to: larry.konopacki@legis.wisconsin.gov

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Restricting public access to managed forest land near mining sites

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**Instructions:**

See attached

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mglass 10/11/2013			_____			
/P2	mglass 10/14/2013	csicilia 10/14/2013	jmurphy 10/14/2013	_____	srose 10/11/2013		
/P3	mglass 10/22/2013			_____	mbarman 10/14/2013		
/1		csicilia	jfrantze	_____	mbarman	mbarman	

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
		10/23/2013	10/23/2013	_____	10/23/2013	10/23/2013	

FE Sent For:

<END>

**2013 DRAFTING REQUEST**

**Senate Substitute Amendment (SSA-SB278)**

Received: 10/11/2013 Received By: mglass  
Wanted: As time permits Same as LRB:  
For: Thomas Tiffany (608) 266-2509 By/Representing: Larry Konopacki  
May Contact: Drafter: mglass  
Subject: Environment - mining Addl. Drafters:  
Nat. Res. - parks and forestry Extra Copies:

Submit via email: YES  
Requester's email: Sen.Tiffany@legis.wi.gov  
Carbon copy (CC) to: larry.konopacki@legis.wisconsin.gov  
jennifer.esser@legis.wisconsin.gov  
eric.searing@legis.wisconsin.gov

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Restricting public access to managed forest land near mining sites

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**Instructions:**

See attached

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mglass 10/11/2013			_____			
/P2	mglass 10/14/2013	csicilia 10/14/2013	jmurphy 10/14/2013	_____	srose 10/11/2013		
/P3	mglass			_____	mbarman		

Vers. Drafted  
10/14/2013

Reviewed

Typed

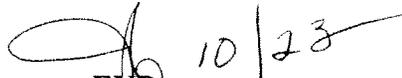
Proofed  
\_\_\_\_\_

Submitted  
10/14/2013

Jacketed

Required

FE Sent For:

  
<END> 10/23

1 js 10/23  
13

**2013 DRAFTING REQUEST**

**Senate Substitute Amendment (SSA-SB278)**

Received: 10/11/2013 Received By: mglass  
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 For: Thomas Tiffany (608) 266-2509 By/Representing: Larry Konopacki  
 May Contact: Drafter: mglass  
 Subject: Environment - mining Addl. Drafters:  
 Nat. Res. - parks and forestry

Submit via email: YES  
 Requester's email: Sen.Tiffany@legis.wi.gov  
 Carbon copy (CC) to: larry.konopacki@legis.wisconsin.gov  
 jennifer.esser@legis.wisconsin.gov  
 eric.searing@legis.wisconsin.gov

Extra Copies: CJS  
 P3  
 YES  
 NO → for P3 only

**Pre Topic:**

No specific pre topic given

**Topic:**

Restricting public access to managed forest land near mining sites

**Instructions:**

See attached

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mglass 10/11/2013						
/P2		csicilia 10/11/2013	jfrantze 10/11/2013		srose 10/11/2013		

FE Sent For: P3 yes 10/14  
 Jm 10/14  
 Jm 10/14  
 <END>

**2013 DRAFTING REQUEST**

**Senate Substitute Amendment (SSA-SB278)**

Received: 10/11/2013 Received By: mglass  
Wanted: As time permits Same as LRB:  
For: Thomas Tiffany (608) 266-2509 By/Representing: Larry Konopacki  
May Contact: Drafter: mglass  
Subject: Environment - mining Addl. Drafters:  
Nat. Res. - parks and forestry Extra Copies: cc: Larry Kono  
Submit via email: YES  
Requester's email: Sen.Tiffany@legis.wi.gov  
Carbon copy (CC) to: larry.konopacki@legis.wisconsin.gov

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Restricting public access to managed forest land near mining sites

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**Instructions:**

See attached

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mglass	P2 yjs	10/11/13	10/11/13			

FE Sent For:

<END>

## Tradewell, Becky

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**From:** Gibson-Glass, Mary  
**Sent:** Thursday, October 10, 2013 4:09 PM  
**To:** Tradewell, Becky  
**Subject:** FW: SB 278 substitute amendment

Here it is. Thanks, Becky

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**From:** Konopacki, Larry  
**Sent:** Thursday, October 10, 2013 3:53 PM  
**To:** Gibson-Glass, Mary  
**Cc:** Esser, Jennifer; Henning, Anna  
**Subject:** SB 278 substitute amendment

Hi Mary,

Would you please prepare a substitute amendment to SB 278 for Sen. Tiffany that accomplishes all of the following?

- Provide that areas within 600 feet of roads used for purposes associated with applying for a ferrous mining permit and within 600 feet of sites that will contain fixed sampling equipment (to be defined) that are in a proposed mining site are closed to public access for the lesser of the following amounts of time:
  - Until the date the DNR approves or denies the mining permit.
  - Until the date the DNR determines that the applicant is no longer pursuing the mining permit
  - Until 2 years after the bill's effective date, unless the department determines, after consulting with the applicant and regulatory bodies, that it is likely that the applicant or a regulatory body will need additional time to conduct evaluation activities at the proposed ferrous mining site (but not to exceed another 2 years) (similar to LRBa0896/P1 except that this extension may occur if a regulatory body will need the additional time, not just the applicant)
- ✓ Define "fixed sampling equipment" to mean physical equipment that will be in a location for more than 24 hours that is used for evaluation of the proposed mining site, including equipment used for boring, drilling, bulk sampling, obtaining weather data, and obtaining environmental or natural resources-related data. *other data related to*
- ✓ Provide that the DNR may close additional acres in the proposed mining site to one or more of the five MFL recreational activities as the DNR determines it is prudent to do so to allow activities that will be conducted on the proposed ferrous mining site that are related to obtaining a ferrous mining permit to occur while providing for the safety of the public, the employees and agents of the person proposing to engage in ferrous mining, and the employees and agents of regulatory bodies. *↳ climatological is used in the mining law* *data related to env. or history.*
- ✓ • **As an exception to the closure above**, always require that the MFL land be open to hunting deer during the regular nine-day gun deer season around the Thanksgiving holiday and that the land within 50 feet of class I and II trout streams be open for fishing.
- ✓ • Require that the DNR post information on its website about what areas in a proposed mining site are open or closed for what periods of time with respect to each MFL recreational activity.
- In addition to the fees under the original bill, provide that the applicant would have to pay an amount per year equal to 15% of the average statewide property tax per acre of productive forest property, for each acre not open to all 5 MFL recreational activities for the whole year. This amount would be paid to the county and municipality

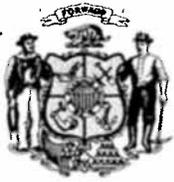
(20%/80% respectively) and would be subtracted from the total withdrawal tax if the property were to be removed from the MFL program prior to the end of the MFL order (as provided in LRBA8907/P2)

- Provide that the applicant may remove all or part of the land in the MFL program from that program with 30 days' notice to the DNR, instead of having to wait to do so until the end of a calendar year.

Thanks Mary

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Larry A. Konopacki  
Wisconsin Legislative Council  
(608) 267-0683  
[larry.konopacki@legis.wisconsin.gov](mailto:larry.konopacki@legis.wisconsin.gov)



RMR

LRBs01397/1/P2  
MGG...jm

Today if possible

How

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

SENATE SUBSTITUTE AMENDMENT,

TO SENATE BILL 278

LPS:  
THAW BILL  
SECTION #'S

ferrous  
ferrous

public access to managed forest  
land that is located in a  
proposed mining site.

Gen Cat

1 AN ACT...; relating to:???

Analysis by the Legislative Reference Bureau

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

- 2 ✓ SECTION ~~1c~~<sup>#</sup> 74.25 (1) (a) 6. of the statutes is amended to read:
- 3 74.25 (1) (a) 6. Pay to the county treasurer 20% of collections of occupational
- 4 taxes on coal docks, 20% of collections of the taxes imposed under ss. 77.04 and 77.84
- 5 (2) (a) and (am), and all collections of payments for closed lands under s. 77.84 (2) (b)
- 6 and, (bm), and (bp).
- 7 ✓ SECTION ~~1g~~<sup>#</sup> 74.30 (1) (f) of the statutes is amended to read:
- 8 74.30 (1) (f) Pay to the county treasurer 20% of collections of occupational taxes
- 9 on coal docks, 20% of collections of the taxes imposed under ss. 77.04 and 77.84 (2)

9

fix component

1 (a) and (am), and all collections of payments for closed lands under s. 77.84 (2) (b) and  
2 (bm), and (bp). ~~SECTION 1m.~~ 77.81 (5m) of the statutes is created to read:

INSERT 2-2

3 77.81 (5m) "Proposed ferrous mining site" means a proposed mining site, as  
4 described under s. 295.46 (1), for which the person proposing to engage in ferrous  
5 mining has provided preapplication notification under s. 295.465.

6 SECTION 2. 77.83 (2) (a) of the statutes is amended to read:

PLAIN

7 77.83 (2) (a) Except as provided in sub. (1) and pars. (b) and (c) and (d) and  
8 sub. (1) <sup>s</sup> and (2m), each owner of managed forest land shall permit public access to the land for  
9 the purposes of hunting, fishing, hiking, sight-seeing, and cross-country skiing.

10 SECTION 3. 77.83 (2) (d) of the statutes is created to read:

11 77.83 (2) (d) 1. Except as provided in subds. 1c., 1g., 1m., and 1r., the  
12 requirement under par. (a) that public access be permitted on managed forest land  
13 designated as open does not apply to managed forest land within a proposed ferrous  
14 mining site.

15 1c. Public access for fishing shall be permitted on managed forest land within  
16 a proposed ferrous mining site that is within 50 feet of the water's edge of a class I  
17 or class II trout stream.

18 1g. Public access for deer hunting shall be permitted on managed forest land  
19 within a proposed ferrous mining site during the regular fall open season for hunting  
20 deer with firearms that begins on the Saturday immediately preceding the 4th  
21 Thursday in November.

22 1m. In addition to the public access required for fishing under subd. 1c., the  
23 department and a person proposing to engage in ferrous mining on managed forest  
24 land designated as open within such a proposed ferrous mining site may enter into  
25 an agreement to allow that all or part of the land be open for public access during the

- 3 -  
regarding public access to  
managed forest land located  
in a proposed ferrous  
mining site

1 entire year or certain times of the year for the purposes of fishing, hiking,  
2 sight-seeing, and cross-country skiing.

3 1r. In addition to the public access required for hunting under subd. 1g., the  
4 department and a person proposing to engage in ferrous mining on managed forest  
5 land designated as open within such a proposed ferrous mining site shall enter into  
6 negotiations in good faith to attempt to enter into a memorandum of understanding  
7 under which the parties will collaborate in maximizing public access to the proposed  
8 mining site for the purpose of hunting. In attempting to create this memorandum  
9 of understanding, the parties shall take into consideration all of the following:

10 a. The activities that will be conducted on the proposed ferrous mining site that  
11 are related to obtaining a ferrous mining permit.

12 b. The safety of the public, the employees and agents of the person proposing  
13 to engage in ferrous mining, and the employees and agents of regulatory bodies.

14 (g) ~~The department shall post notice of each agreement or memorandum of~~  
15 ~~understanding entered into under subd. 1, 1r., or 1s. on the department's Internet~~  
16 site. The ~~notice~~ shall include all of the following information: INSERT  
3-13

17 1. ~~a.~~ <sup>1</sup> The areas where public access is permitted, and which activities, as specified  
18 in ~~subd.~~ <sup>(Sub. (2))</sup> (a), are allowed in each area.

19 2. ~~b.~~ <sup>1</sup> The dates and times that each activity allowed under subd. ~~2. a.~~ <sup>1</sup> is permitted  
20 in a given area.

21 SECTION 3g. 77.83 (2) (e) of the statutes is created to read:

22 77.83 (2) (e) Paragraph (d) and the requirement under s. 77.84 (2) (b) and (bm)  
23 that payments be made for acres located in a proposed ferrous mining site do not  
24 apply after whichever of the following dates occurs earlier:

1 1. The date on which the department approves or denies the application for a  
2 ferrous mining permit for the proposed ferrous mining site.

3 2. The date on which the department determines that the person who proposed  
4 to engage in ferrous mining has ceased to pursue a mining permit for the proposed  
5 ferrous mining site.

6 3. The 730th day after the effective date of this subdivision .... [LRB inserts  
7 date], or the date determined by the department under par. (f).

8 **SECTION 3r.** 77.83 (2) (f) of the statutes is created to read:

9 77.83 (2) (f) The department may change the date specified in par. (e) 3. by  
10 extending it for a period of up to 2 additional years if the department determines,  
11 after consulting with the person proposing to engage in ferrous mining and other  
12 regulatory bodies, that it is likely that the person will need additional time to conduct  
13 evaluation activities at the proposed ferrous mining site during that period of time.

14 **SECTION 4.** 77.84 (2) (b) of the statutes is amended to read:

15 77.84 (2) (b) For managed forest land orders that take effect before April 28,  
16 2004, in addition to the payment under par. (a), each owner shall pay \$1 for each acre  
17 that is designated as closed under s. 77.83 and for each acre that is located in a  
18 proposed ferrous mining site and that is not open to all of the outdoor activities  
19 specified in s. 77.83 (2) (a) for any part of the previous calendar year. The payment  
20 shall be made to each municipal treasurer on or before January 31.

21 **SECTION 5.** 77.84 (2) (bm) of the statutes is amended to read:

22 77.84 (2) (bm) For managed forest land orders that take effect on or after April  
23 28, 2004, in addition to the payment under par. (am), each owner of managed forest  
24 land shall pay to each municipal treasurer, on or before January 31, an amount that  
25 is equal to 20 percent of the average statewide property tax per acre of property

1 classified under s. 70.32 (2) (a) 6., as determined under par. (cm), for each acre that  
2 is designated as closed under s. 77.83 and for each acre that is located in a proposed  
3 ferrous mining site and that is not open to all of the outdoor activities specified in s.  
4 77.83 (2) (a) for any part of the previous calendar year.

5 ✓ **SECTION 5<sup>#</sup>m.** 77.84 (2) (bp) of the statutes is created to read:

6 77.84 (2) (bp) For managed forest land orders that take effect before April 28,  
7 2004, in addition to the payments under pars. (a) and (b), each owner of managed  
8 forest land shall pay to each municipal treasurer, on or before January 31, an amount  
9 that is equal to 15 percent of the average statewide property tax per acre of property  
10 classified under s. 70.32 (2) (a) 6., as determined under par. (cm), for each acre that  
11 is located in a proposed ferrous mining site, and that is not open to all of the outdoor  
12 activities specified in s. 77.83 (2) (a) for any part of the previous calendar year.

13 **SECTION 6<sup>#</sup>b.** 77.88 (5) (a) 1. of the statutes is amended to read: ← INSERT  
5-12

14 77.88 (5) (a) 1. An amount equal to the past tax liability multiplied by the  
15 number of years the land was designated as managed forest land, less any amounts  
16 paid by the owner under ss. 77.84 (2) (a) ~~and~~, (am), and (bp) and 77.87.

17 **SECTION 6<sup>#</sup>f.** 77.88 (5) (a) 2. of the statutes is amended to read:

18 77.88 (5) (a) 2. Five percent of the stumpage value of the merchantable timber  
19 on the land, less any amounts paid by the owner under ss. 77.84 (2) (a) ~~and~~, (am), and  
20 (bp) and 77.87.

21 **SECTION 6<sup>#</sup>j.** 77.88 (5) (ar) 1. of the statutes is amended to read:

22 77.88 (5) (ar) 1. For the portion of the land that is designated as managed forest  
23 land under the original order, an amount equal to the product of the total net  
24 property tax rate in the municipality in the year prior to the year in which the  
25 expanded order is approved and the assessed value of the land for the same year, as

1 computed by the department of revenue, multiplied by the number of years under the  
2 original order, less any amounts paid by the owner under ss. 77.84 (2) (a) and (bp)  
3 and 77.87 during the time the land was designated as managed forest land under the  
4 original order.

5 <sup>#</sup>  
**SECTION 6m.** 77.88 (5) (ar) 2. of the statutes is amended to read:

6 77.88 (5) (ar) 2. An amount equal to the product of the total net property tax  
7 rate in the municipality in the year prior to this withdrawal and the assessed value  
8 of the land for the same year, as computed by the department of revenue, multiplied  
9 by the number of years the land was designated as land under the expanded order,  
10 less any amounts paid by the owner under ss. 77.84 (2) (am) and (bp) and 77.87  
11 during the time the land is designated as managed forest land under the expanded  
12 order.

13 <sup>#</sup>  
**SECTION 6p.** 77.88 (5) (b) 1. of the statutes is amended to read:

14 77.88 (5) (b) 1. An amount equal to the past tax liability multiplied by the  
15 number of years since the renewal, less any amounts paid by the owner under ss.  
16 77.84 (2) (a) and, (am), and (bp) and 77.87.

17 <sup>#</sup>  
**SECTION 6s.** 77.88 (5) (b) 2. of the statutes is amended to read:

18 77.88 (5) (b) 2. Five percent of the stumpage value of the merchantable timber  
19 on the land, less any amounts paid by the owner under ss. 77.84 (2) (a) and, (am), and  
20 (bp) and 77.87.

21 <sup>#</sup>  
**SECTION 6v.** 77.89 (2) (a) of the statutes is amended to read:

22 77.89 (2) (a) Each municipal treasurer shall pay 20% of each payment received  
23 under sub. (1) and under ss. 77.84 (2) (a) and, (am), and (bp), 77.85, and 77.876 to the  
24 county treasurer and shall deposit the remainder in the municipal treasury. The  
25 payment to the county treasurer for money received before November 1 of any year

← INSERT 6-20

1 shall be made on or before the November 15 after its receipt. For money received on  
2 or after November 1 of any year, the payment to the county treasurer shall be made  
3 on or before November 15 of the following year.

4 (END)

2013-2014 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRBs0139/P1ins  
MGG....:

sk

1           **Insert 2-2**            ^

2            **SECTION 1.** 77.81 (1m) of the statutes is created to read:

3            77.81 (1m) "Fixed sampling equipment" means physical equipment that will  
4 be in the same location for more than 24 hours, <sup>and</sup> that is used for the evaluation of a  
5 proposed ferrous mining site, including equipment that is used for boring, drilling,  
6 bulk sampling <sup>or</sup> obtaining climatological data <sup>or</sup> other data relating to the  
7 environment or the state's natural resources.

8            **Insert 3-13**

9            **SECTION 2.** 77.83 (2m) of the statutes is created to read:

10           77.83 (2m) PROPOSED FERROUS MINING SITES. (a) The requirement under sub.  
11 (2) (a) that public access be permitted on managed forest land designated as open  
12 does not apply to an area of land within a proposed ferrous mining site that is located  
13 within 600 feet of fixed sampling equipment or within 600 feet of either side of a road  
14 that is used <sup>to</sup> be for purposes associated with ferrous mining.

15           (b) In addition to any managed forest land for which access is restricted under  
16 par. (a), the department may restrict public access to open managed forest land  
17 within a proposed ferrous mining site for any of the purposes specified in sub. (2) (a)  
18 if the department determines that it is necessary to ensure the safety of the public,  
19 the employees and agents of the person proposing to engage in ferrous mining, or the  
20 employees and agents of regulatory bodies.

21           (c) ~~The authority to restrict access~~ <sup>No restriction</sup> under par. (a) <sup>and</sup> (b) <sup>applies</sup> does not apply after  
22 whichever of the following dates occurs earlier:            or

1           1. The date on which the department approves or denies the application for a  
2 ferrous mining permit for the proposed ferrous mining site. ✓

3           2. The date on which the department determines that the person who proposed  
4 to engage in ferrous mining has ceased to pursue a mining permit for the proposed  
5 ferrous mining site. ✓

6           3. The 730th day after the effective date of this subdivision ... [LRB inserts  
7 date], or the date determined by the department under par. (d). ✓ ✓

8           (d) The department may change the date specified in par. (c) 3. by extending  
9 it for a period of up to 2 additional years if the department determines, after  
10 consulting with the person proposing to engage in ferrous mining and other  
11 regulatory bodies, that it is likely that the person, the department, or another  
12 regulatory body will need additional time to conduct evaluation activities at the  
13 proposed ferrous mining site during that period of time. ✓

14           (e) Notwithstanding pars. (a) and (b), public access shall always be permitted  
15 on <sup>open</sup> managed forest land within a proposed ferrous mining site for any of the following:

16           1. Fishing that occurs within 50 feet of the water's edge of a class I or class II  
17 trout stream.

18           2. Deer hunting during the regular fall open season for hunting deer with  
19 firearms that begins on the Saturday immediately preceding the 4th Thursday in  
20 November.

21           **Insert 5-12**

22           **SECTION 3.** 77.88 (3) of the statutes is amended to read:

23           77.88 (3) VOLUNTARY WITHDRAWAL. An owner may request that the department  
24 withdraw all or any part of the owner's land meeting one of the requirements  
25 specified under sub. (2) (a) 1. to 3. ✓ If any remaining land meets the eligibility

1 requirements under s. 77.82 (1), the department shall issue an order withdrawing  
2 the land subject to the request and shall assess against the owner the withdrawal  
3 tax under sub. (5) and the withdrawal fee under sub. (5m). If the land being  
4 withdrawn is within a proposed ferrous mining site, the department shall issue the  
5 order within 30 days after receiving the request. ✓

6 **Insert 6-20**

7 **SECTION 4.** 77.88 (9) (d) of the statutes is renumbered 77.88 (9) (d) 1. and  
8 amended to read:

9 77.88 (9) (d) 1. ~~A~~ Except as provided in subd. 2., a withdrawal order issued ✓  
10 before December 15 of any year takes effect on the January 1 after the date of  
11 issuance. ~~A, and~~ a withdrawal order issued on or after December 15 of any year takes  
12 effect on the 2nd January 1 after the date of issuance.

13 **SECTION 5.** 77.88 (9) (d) 2. of the statutes is created to read:

14 77.88 (9) (d) 2. An order that is issued for a withdrawal of land that is located  
15 within a proposed ferrous mining site takes effect on the date the order is issued. ✓

**Gibson-Glass, Mary**

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**From:** Konopacki, Larry  
**Sent:** Monday, October 14, 2013 10:46 AM  
**To:** Gibson-Glass, Mary  
**Subject:** Changes to LRBs0139/P2 upon jacketing

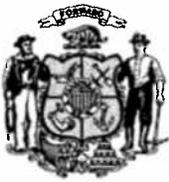
Hi Mary,

Before this sub. is jacketed for introduction, please change the initial two year period so that it begins when the applicant has provided preapplication notification under s. 295.465; however, please also add a provision that provides that the initial two year period begins on the effective date of the bill for applicants that had submitted such preapplication notification on the effective date of the bill.

Thanks,  
Larry

---

Larry A. Konopacki  
Wisconsin Legislative Council  
(608) 267-0683  
[larry.konopacki@legis.wisconsin.gov](mailto:larry.konopacki@legis.wisconsin.gov)



NOW

stays

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**  
**SENATE SUBSTITUTE AMENDMENT ,**  
**TO SENATE BILL 278**

SA

DWP  
Jan 15/14

Gen Cat ✓

1 **AN ACT to renumber and amend 77.88 (9) (d); to amend 74.25 (1) (a) 6., 74.30**  
2 **(1) (f), 77.83 (2) (a), 77.84 (2) (b), 77.84 (2) (bm), 77.88 (3), 77.88 (5) (a) 1., 77.88**  
3 **(5) (a) 2., 77.88 (5) (ar) 1., 77.88 (5) (ar) 2., 77.88 (5) (b) 1., 77.88 (5) (b) 2. and**  
4 **77.89 (2) (a); and to create 77.81 (1m), 77.81 (5m), 77.83 (2m), 77.84 (2) (bp) and**  
5 **77.88 (9) (d) 2. of the statutes; relating to: public access to managed forest land**  
6 **that is located in a proposed ferrous mining site.**

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

7 **SECTION 1.** 74.25 (1) (a) 6. of the statutes is amended to read:  
8 74.25 (1) (a) 6. Pay to the county treasurer 20% of collections of occupational  
9 taxes on coal docks, 20% of collections of the taxes imposed under ss. 77.04 and 77.84  
10 (2) (a) and (am), and all collections of payments for closed lands under s. 77.84 (2) (b)  
11 and, (bm), and (bp).

1           **SECTION 2.** 74.30 (1) (f) of the statutes is amended to read:

2           74.30 (1) (f) Pay to the county treasurer 20% of collections of occupational taxes  
3 on coal docks, 20% of collections of the taxes imposed under ss. 77.04 and 77.84 (2)  
4 (a) and (am), and all collections of payments for ~~closed~~ lands under s. 77.84 (2) (b) ~~and~~  
5 (bm), and (bp).

6           **SECTION 3.** 77.81 (1m) of the statutes is created to read:

7           77.81 (1m) “Fixed sampling equipment” means physical equipment that will  
8 be in the same location for more than 24 hours and that is used for the evaluation  
9 of a proposed ferrous mining site, including equipment that is used for boring,  
10 drilling, bulk sampling, or obtaining climatological data or other data relating to the  
11 environment or the state’s natural resources.

12           **SECTION 4.** 77.81 (5m) of the statutes is created to read:

13           77.81 (5m) “Proposed ferrous mining site” means a proposed mining site, as  
14 described under s. 295.46 (1), for which the person proposing to engage in ferrous  
15 mining has provided preapplication notification under s. 295.465.

16           **SECTION 5.** 77.83 (2) (a) of the statutes is amended to read:

17           77.83 (2) (a) Except as provided in ~~sub. (1) and~~ pars. (b) and (c) and subs. (1)  
18 and (2m), each owner of managed forest land shall permit public access to the land  
19 for the purposes of hunting, fishing, hiking, sight-seeing, and cross-country skiing.

20           **SECTION 6.** 77.83 (2m) of the statutes is created to read:

21           77.83 (2m) PROPOSED FERROUS MINING SITES. (a) The requirement under sub.  
22 (2) (a) that public access be permitted on managed forest land designated as open  
23 does not apply to an area of land within a proposed ferrous mining site that is located  
24 within 600 feet of fixed sampling equipment or within 600 feet of either side of a road  
25 that is used for purposes associated with ferrous mining.

*Handwritten scribbles at the top of the page.*

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(b) In addition to any managed forest land for which access is restricted under par. (a), the department may restrict public access to open managed forest land within a proposed ferrous mining site for any of the purposes specified in sub. (2) (a) if the department determines that it is necessary to ensure the safety of the public, the employees and agents of the person proposing to engage in ferrous mining, or the employees and agents of regulatory bodies.

(c) No restriction under par. (a) or (b) applies after whichever of the following dates occurs ~~earlier~~ first.

*STET. 3*  
*^*

1. The date on which the department approves or denies the application for a ferrous mining permit for the proposed ferrous mining site.

2. The date on which the department determines that the person who proposed to engage in ferrous mining has ceased to pursue a mining permit for the proposed ferrous mining site.

*INS 3-21*

3. The 730th day after the effective date of this subdivision .... [LRB inserts date], or the date determined by the department under par. (d).

(d) The department may ~~change~~ extend the date ~~specified in~~ under par. (c) 3. by extending it for a period of up to 2 additional years if the department determines, after consulting with the person proposing to engage in ferrous mining and other regulatory bodies, that it is likely that the person, the department, or another regulatory body will need additional time to conduct evaluation activities at the proposed ferrous mining site during that period.

(e) Notwithstanding pars. (a) and (b), public access shall always be permitted on open managed forest land within a proposed ferrous mining site for any of the following:

*Handwritten note:* the date that is applicable for par. (c) is one of the dates specified in par. (c) 3., *under*

1           1. Fishing that occurs within 50 feet of the water's edge of a class I or class II  
2 trout stream.

3           2. Deer hunting during the regular fall open season for hunting deer with  
4 firearms that begins on the Saturday immediately preceding the 4th Thursday in  
5 November.

6           (g) The department shall post information regarding public access to managed  
7 forest land located in a proposed ferrous mining site on the department's Internet  
8 site. The information shall include all of the following:

9           1. The areas where public access is permitted, and which activities, as specified  
10 in sub. (2) (a), are allowed in each area.

11           2. The dates and times that each activity allowed under subd. 1. is permitted  
12 in a given area.

13           **SECTION 7.** 77.84 (2) (b) of the statutes is amended to read:

14           77.84 (2) (b) For managed forest land orders that take effect before April 28,  
15 2004, in addition to the payment under par. (a), each owner shall pay \$1 for each acre  
16 that is designated as closed under s. 77.83 and for each acre that is located in a  
17 proposed ferrous mining site and that is not open to all of the outdoor activities  
18 specified in s. 77.83 (2) (a) for any part of the previous calendar year. The payment  
19 shall be made to each municipal treasurer on or before January 31.

20           **SECTION 8.** 77.84 (2) (bm) of the statutes is amended to read:

21           77.84 (2) (bm) For managed forest land orders that take effect on or after April  
22 28, 2004, in addition to the payment under par. (am), each owner of managed forest  
23 land shall pay to each municipal treasurer, on or before January 31, an amount that  
24 is equal to 20 percent of the average statewide property tax per acre of property  
25 classified under s. 70.32 (2) (a) 6., as determined under par. (cm), for each acre that

1 is designated as closed under s. 77.83 and for each acre that is located in a proposed  
2 ferrous mining site and that is not open to all of the outdoor activities specified in s.  
3 77.83 (2) (a) for any part of the previous calendar year.

4 **SECTION 9.** 77.84 (2) (bp) of the statutes is created to read:

5 77.84 (2) (bp) For managed forest land orders that take effect before April 28,  
6 2004, in addition to the payments under pars. (a) and (b), each owner of managed  
7 forest land shall pay to each municipal treasurer, on or before January 31, an amount  
8 that is equal to 15 percent of the average statewide property tax per acre of property  
9 classified under s. 70.32 (2) (a) 6., as determined under par. (cm), for each acre that  
10 is located in a proposed ferrous mining site, and that is not open to all of the outdoor  
11 activities specified in s. 77.83 (2) (a) for any part of the previous calendar year.

12 **SECTION 10.** 77.88 (3) of the statutes is amended to read:

13 77.88 (3) VOLUNTARY WITHDRAWAL. An owner may request that the department  
14 withdraw all or any part of the owner's land meeting one of the requirements  
15 specified under sub. (2) (a) 1. to 3. If any remaining land meets the eligibility  
16 requirements under s. 77.82 (1), the department shall issue an order withdrawing  
17 the land subject to the request and shall assess against the owner the withdrawal  
18 tax under sub. (5) and the withdrawal fee under sub. (5m). If the land being  
19 withdrawn is within a proposed ferrous mining site, the department shall issue the  
20 order within 30 days after receiving the request.

21 **SECTION 11.** 77.88 (5) (a) 1. of the statutes is amended to read:

22 77.88 (5) (a) 1. An amount equal to the past tax liability multiplied by the  
23 number of years the land was designated as managed forest land, less any amounts  
24 paid by the owner under ss. 77.84 (2) (a) and, (am), and (bp) and 77.87.

25 **SECTION 12.** 77.88 (5) (a) 2. of the statutes is amended to read:

1           77.88 (5) (a) 2. Five percent of the stumpage value of the merchantable timber  
2 on the land, less any amounts paid by the owner under ss. 77.84 (2) (a) ~~and~~, (am), and  
3 (bp) and 77.87.

4           **SECTION 13.** 77.88 (5) (ar) 1. of the statutes is amended to read:

5           77.88 (5) (ar) 1. For the portion of the land that is designated as managed forest  
6 land under the original order, an amount equal to the product of the total net  
7 property tax rate in the municipality in the year prior to the year in which the  
8 expanded order is approved and the assessed value of the land for the same year, as  
9 computed by the department of revenue, multiplied by the number of years under the  
10 original order, less any amounts paid by the owner under ss. 77.84 (2) (a) and (bp)  
11 and 77.87 during the time the land was designated as managed forest land under the  
12 original order.

13           **SECTION 14.** 77.88 (5) (ar) 2. of the statutes is amended to read:

14           77.88 (5) (ar) 2. An amount equal to the product of the total net property tax  
15 rate in the municipality in the year prior to this withdrawal and the assessed value  
16 of the land for the same year, as computed by the department of revenue, multiplied  
17 by the number of years the land was designated as land under the expanded order,  
18 less any amounts paid by the owner under ss. 77.84 (2) (am) and (bp) and 77.87  
19 during the time the land is designated as managed forest land under the expanded  
20 order.

21           **SECTION 15.** 77.88 (5) (b) 1. of the statutes is amended to read:

22           77.88 (5) (b) 1. An amount equal to the past tax liability multiplied by the  
23 number of years since the renewal, less any amounts paid by the owner under ss.  
24 77.84 (2) (a) ~~and~~, (am), and (bp) and 77.87.

25           **SECTION 16.** 77.88 (5) (b) 2. of the statutes is amended to read:



2013-2014 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRBs0139/P2ins  
MGG:cjs:jf

730th day after the

Insert 3-21

3. A date that is the 730th day after either of the following

<sup>noff</sup> a. The date on which the person proposing to engage in ferrous mining provides to the department a preapplication notification under s. 295.465, except as provided in subd. 3.b.

b. The effective date of this subdivision paragraph .... [LRB inserts date] if the person proposing to engage in ferrous mining has provided to the department the notification before the effective date of this subdivision paragraph .... [LRB inserts date].

preapplication

730th day after the

## **Gibson-Glass, Mary**

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**From:** Esser, Jennifer  
**Sent:** Tuesday, October 22, 2013 3:10 PM  
**To:** Gibson-Glass, Mary  
**Cc:** Konopacki, Larry; Smith, Ryan  
**Subject:** RE: Draft review: LRB s0139/P2 Topic: Restricting public access to managed forest land near mining sites

Yes please....thanks you knew exactly what I wanted to say.

---

**From:** Gibson-Glass, Mary  
**Sent:** Tuesday, October 22, 2013 3:03 PM  
**To:** Esser, Jennifer  
**Cc:** Konopacki, Larry; Smith, Ryan  
**Subject:** RE: Draft review: LRB s0139/P2 Topic: Restricting public access to managed forest land near mining sites

Jen-

I assume you want me to change the requester to Senator Cowles and to jacket it for introduction. If that is not the case, please let me know.

Thanks,

Mary

---

**From:** Esser, Jennifer  
**Sent:** Tuesday, October 22, 2013 11:49 AM  
**To:** Gibson-Glass, Mary  
**Cc:** Konopacki, Larry; Smith, Ryan  
**Subject:** FW: Draft review: LRB s0139/P2 Topic: Restricting public access to managed forest land near mining sites

Hi Mary,

I wanted to give you our authorization to draft this amendment for Senator Cowles.

Hope you have a great day. Thanks for your hard work.

Jen

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**From:** Konopacki, Larry  
**Sent:** Friday, October 11, 2013 5:41 PM  
**To:** Searing, Eric; Esser, Jennifer; Sen.Tiffany  
**Subject:** RE: Draft review: LRB s0139/P2 Topic: Restricting public access to managed forest land near mining sites

At first glance, this appears to do everything you are looking for. I will forward it to Ryan per your earlier direction.

---

Larry A. Konopacki  
Wisconsin Legislative Council  
(608) 267-0683  
[larry.konopacki@legis.wisconsin.gov](mailto:larry.konopacki@legis.wisconsin.gov)

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**From:** Konopacki, Larry  
**Sent:** Friday, October 11, 2013 5:03 PM  
**To:** Searing, Eric; Esser, Jennifer; Sen.Tiffany  
**Subject:** FW: Draft review: LRB s0139/P2 Topic: Restricting public access to managed forest land near mining sites

I assume this was sent to all of your e-mails, but just in case, here it is. I will look at this and send further comment

---

Larry A. Konopacki  
Wisconsin Legislative Council  
(608) 267-0683  
[larry.konopacki@legis.wisconsin.gov](mailto:larry.konopacki@legis.wisconsin.gov)

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**From:** LRB.Legal  
**Sent:** Friday, October 11, 2013 4:45 PM  
**To:** Konopacki, Larry  
**Subject:** Draft review: LRB s0139/P2 Topic: Restricting public access to managed forest land near mining sites

**Draft Requester: Sen. Thomas Tiffany**

**Following is the PDF version of draft LRB s0139/P2.**



no change Wed



LRBs0139/PB 1

MGG:cjs:jm

RMR

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**  
**SENATE SUBSTITUTE AMENDMENT,**  
**TO SENATE BILL 278**

stays

SAV

Gen Cat

1 AN ACT *to renumber and amend* 77.88 (9) (d); *to amend* 74.25 (1) (a) 6., 74.30  
2 (1) (f), 77.83 (2) (a), 77.84 (2) (b), 77.84 (2) (bm), 77.88 (3), 77.88 (5) (a) 1., 77.88  
3 (5) (a) 2., 77.88 (5) (ar) 1., 77.88 (5) (ar) 2., 77.88 (5) (b) 1., 77.88 (5) (b) 2. and  
4 77.89 (2) (a); and *to create* 77.81 (1m), 77.81 (5m), 77.83 (2m), 77.84 (2) (bp) and  
5 77.88 (9) (d) 2. of the statutes; **relating to:** public access to managed forest land  
6 that is located in a proposed ferrous mining site.

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

7 SECTION 1. 74.25 (1) (a) 6. of the statutes is amended to read:  
8 74.25 (1) (a) 6. Pay to the county treasurer 20% of collections of occupational  
9 taxes on coal docks, 20% of collections of the taxes imposed under ss. 77.04 and 77.84  
10 (2) (a) and (am), and all collections of payments for closed lands under s. 77.84 (2) (b)  
11 and, (bm), and (bp).

1           **SECTION 2.** 74.30 (1) (f) of the statutes is amended to read:

2           74.30 (1) (f) Pay to the county treasurer 20% of collections of occupational taxes  
3 on coal docks, 20% of collections of the taxes imposed under ss. 77.04 and 77.84 (2)  
4 (a) and (am), and all collections of payments for closed lands under s. 77.84 (2) (b) ~~and~~  
5 (bm), and (bp).

6           **SECTION 3.** 77.81 (1m) of the statutes is created to read:

7           77.81 (1m) “Fixed sampling equipment” means physical equipment that will  
8 be in the same location for more than 24 hours and that is used for the evaluation  
9 of a proposed ferrous mining site, including equipment that is used for boring,  
10 drilling, bulk sampling, or obtaining climatological data or other data relating to the  
11 environment or the state’s natural resources.

12           **SECTION 4.** 77.81 (5m) of the statutes is created to read:

13           77.81 (5m) “Proposed ferrous mining site” means a proposed mining site, as  
14 described under s. 295.46 (1), for which the person proposing to engage in ferrous  
15 mining has provided preapplication notification under s. 295.465.

16           **SECTION 5.** 77.83 (2) (a) of the statutes is amended to read:

17           77.83 (2) (a) Except as provided in ~~sub. (1) and~~ pars. (b) and (c) and subs. (1)  
18 and (2m), each owner of managed forest land shall permit public access to the land  
19 for the purposes of hunting, fishing, hiking, sight-seeing, and cross-country skiing.

20           **SECTION 6.** 77.83 (2m) of the statutes is created to read:

21           77.83 (2m) PROPOSED FERROUS MINING SITES. (a) The requirement under sub.  
22 (2) (a) that public access be permitted on managed forest land designated as open  
23 does not apply to an area of land within a proposed ferrous mining site that is located  
24 within 600 feet of fixed sampling equipment or within 600 feet of either side of a road  
25 that is used for purposes associated with ferrous mining.

1 (b) In addition to any managed forest land for which access is restricted under  
2 par. (a), the department may restrict public access to open managed forest land  
3 within a proposed ferrous mining site for any of the purposes specified in sub. (2) (a)  
4 if the department determines that it is necessary to ensure the safety of the public,  
5 the employees and agents of the person proposing to engage in ferrous mining, or the  
6 employees and agents of regulatory bodies.

7 (c) No restriction under par. (a) or (b) applies after whichever of the following  
8 3 dates occurs first:

9 1. The date on which the department approves or denies the application for a  
10 ferrous mining permit for the proposed ferrous mining site.

11 2. The date on which the department determines that the person who proposed  
12 to engage in ferrous mining has ceased to pursue a mining permit for the proposed  
13 ferrous mining site.

14 3. a. The 730th day after the date on which the person proposing to engage in  
15 ferrous mining provides to the department a preapplication notification under s.  
16 295.465, except as provided in subd. 3. b.

17 b. The 730th day after the effective date of this subd. 3. b. .... [LRB inserts date],  
18 if the person proposing to engage in ferrous mining has provided to the department  
19 the preapplication notification before the effective date of this subd. 3. b. .... [LRB  
20 inserts date].

21 (d) The department may extend the date under par. (c) 3. for a period of up to  
22 2 additional years if the department determines, after consulting with the person  
23 proposing to engage in ferrous mining and other regulatory bodies, that it is likely  
24 that the person, the department, or another regulatory body will need additional

1 time to conduct evaluation activities at the proposed ferrous mining site during that  
2 period.

3 (e) Notwithstanding pars. (a) and (b), public access shall always be permitted  
4 on open managed forest land within a proposed ferrous mining site for any of the  
5 following:

6 1. Fishing that occurs within 50 feet of the water's edge of a class I or class II  
7 trout stream.

8 2. Deer hunting during the regular fall open season for hunting deer with  
9 firearms that begins on the Saturday immediately preceding the 4th Thursday in  
10 November.

11 (g) The department shall post information regarding public access to managed  
12 forest land located in a proposed ferrous mining site on the department's Internet  
13 site. The information shall include all of the following:

14 1. The areas where public access is permitted, and which activities, as specified  
15 in sub. (2) (a), are allowed in each area.

16 2. The dates and times that each activity allowed under subd. 1. is permitted  
17 in a given area.

18 **SECTION 7.** 77.84 (2) (b) of the statutes is amended to read:

19 77.84 (2) (b) For managed forest land orders that take effect before April 28,  
20 2004, in addition to the payment under par. (a), each owner shall pay \$1 for each acre  
21 that is designated as closed under s. 77.83 and for each acre that is located in a  
22 proposed ferrous mining site and that is not open to all of the outdoor activities  
23 specified in s. 77.83 (2) (a) for any part of the previous calendar year. The payment  
24 shall be made to each municipal treasurer on or before January 31.

25 **SECTION 8.** 77.84 (2) (bm) of the statutes is amended to read:

1           77.84 (2) (bm) For managed forest land orders that take effect on or after April  
2           28, 2004, in addition to the payment under par. (am), each owner of managed forest  
3           land shall pay to each municipal treasurer, on or before January 31, an amount that  
4           is equal to 20 percent of the average statewide property tax per acre of property  
5           classified under s. 70.32 (2) (a) 6., as determined under par. (cm), for each acre that  
6           is designated as closed under s. 77.83 and for each acre that is located in a proposed  
7           ferrous mining site and that is not open to all of the outdoor activities specified in s.  
8           77.83 (2) (a) for any part of the previous calendar year.

9           **SECTION 9.** 77.84 (2) (bp) of the statutes is created to read:

10           77.84 (2) (bp) For managed forest land orders that take effect before April 28,  
11           2004, in addition to the payments under pars. (a) and (b), each owner of managed  
12           forest land shall pay to each municipal treasurer, on or before January 31, an amount  
13           that is equal to 15 percent of the average statewide property tax per acre of property  
14           classified under s. 70.32 (2) (a) 6., as determined under par. (cm), for each acre that  
15           is located in a proposed ferrous mining site, and that is not open to all of the outdoor  
16           activities specified in s. 77.83 (2) (a) for any part of the previous calendar year.

17           **SECTION 10.** 77.88 (3) of the statutes is amended to read:

18           77.88 (3) VOLUNTARY WITHDRAWAL. An owner may request that the department  
19           withdraw all or any part of the owner's land meeting one of the requirements  
20           specified under sub. (2) (a) 1. to 3. If any remaining land meets the eligibility  
21           requirements under s. 77.82 (1), the department shall issue an order withdrawing  
22           the land subject to the request and shall assess against the owner the withdrawal  
23           tax under sub. (5) and the withdrawal fee under sub. (5m). If the land being  
24           withdrawn is within a proposed ferrous mining site, the department shall issue the  
25           order within 30 days after receiving the request.

1           **SECTION 11.** 77.88 (5) (a) 1. of the statutes is amended to read:

2           77.88 (5) (a) 1. An amount equal to the past tax liability multiplied by the  
3 number of years the land was designated as managed forest land, less any amounts  
4 paid by the owner under ss. 77.84 (2) (a) ~~and~~, (am), and (bp) and 77.87.

5           **SECTION 12.** 77.88 (5) (a) 2. of the statutes is amended to read:

6           77.88 (5) (a) 2. Five percent of the stumpage value of the merchantable timber  
7 on the land, less any amounts paid by the owner under ss. 77.84 (2) (a) ~~and~~, (am), and  
8 (bp) and 77.87.

9           **SECTION 13.** 77.88 (5) (ar) 1. of the statutes is amended to read:

10           77.88 (5) (ar) 1. For the portion of the land that is designated as managed forest  
11 land under the original order, an amount equal to the product of the total net  
12 property tax rate in the municipality in the year prior to the year in which the  
13 expanded order is approved and the assessed value of the land for the same year, as  
14 computed by the department of revenue, multiplied by the number of years under the  
15 original order, less any amounts paid by the owner under ss. 77.84 (2) (a) and (bp)  
16 and 77.87 during the time the land was designated as managed forest land under the  
17 original order.

18           **SECTION 14.** 77.88 (5) (ar) 2. of the statutes is amended to read:

19           77.88 (5) (ar) 2. An amount equal to the product of the total net property tax  
20 rate in the municipality in the year prior to this withdrawal and the assessed value  
21 of the land for the same year, as computed by the department of revenue, multiplied  
22 by the number of years the land was designated as land under the expanded order,  
23 less any amounts paid by the owner under ss. 77.84 (2) (am) and (bp) and 77.87  
24 during the time the land is designated as managed forest land under the expanded  
25 order.

1           **SECTION 15.** 77.88 (5) (b) 1. of the statutes is amended to read:

2           77.88 (5) (b) 1. An amount equal to the past tax liability multiplied by the  
3 number of years since the renewal, less any amounts paid by the owner under ss.  
4 77.84 (2) (a) ~~and, (am), and (bp)~~ and 77.87.

5           **SECTION 16.** 77.88 (5) (b) 2. of the statutes is amended to read:

6           77.88 (5) (b) 2. Five percent of the stumpage value of the merchantable timber  
7 on the land, less any amounts paid by the owner under ss. 77.84 (2) (a) ~~and, (am), and~~  
8 ~~(bp)~~ and 77.87.

9           **SECTION 17.** 77.88 (9) (d) of the statutes is renumbered 77.88 (9) (d) 1. and  
10 amended to read:

11           77.88 (9) (d) 1. ~~A~~ Except as provided in subd. 2., a withdrawal order issued  
12 before December 15 of any year takes effect on the January 1 after the date of  
13 issuance. ~~A, and a~~ and a withdrawal order issued on or after December 15 of any year takes  
14 effect on the 2nd January 1 after the date of issuance.

15           **SECTION 18.** 77.88 (9) (d) 2. of the statutes is created to read:

16           77.88 (9) (d) 2. An order that is issued for a withdrawal of land that is located  
17 within a proposed ferrous mining site takes effect on the date the order is issued.

18           **SECTION 19.** 77.89 (2) (a) of the statutes is amended to read:

19           77.89 (2) (a) Each municipal treasurer shall pay 20% of each payment received  
20 under sub. (1) and under ss. 77.84 (2) (a) ~~and, (am), and (bp)~~, 77.85, and 77.876 to the  
21 county treasurer and shall deposit the remainder in the municipal treasury. The  
22 payment to the county treasurer for money received before November 1 of any year  
23 shall be made on or before the November 15 after its receipt. For money received on

1 or after November 1 of any year, the payment to the county treasurer shall be made  
2 on or before November 15 of the following year.

3 (END)