

CR 88-63

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny  
Secretary

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Revisor of Statutes  
Bureau

STATE OF WISCONSIN )  
 )  
DEPARTMENT OF NATURAL RESOURCES )

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Bruce B. Braun, Deputy Secretary of the Department of Natural Resources and custodian of the official records of said Department, do hereby certify that the annexed copy of Natural Resources Board Order No. CA-11-88 was duly approved and adopted by this Department on June 23, 1988. I further certify that said copy has been compared by me with the original on file in this Department and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have here-  
unto set my hand and affixed the  
official seal of the Department at  
the Natural Resources Building in  
the City of Madison, this 17th  
day of August, 1988

Bruce B. Braun  
Bruce B. Braun, Deputy Secretary

(SEAL)

ORDER OF THE STATE OF WISCONSIN NATURAL RESOURCES BOARD  
AMENDING AND CREATING RULES

.....  
IN THE MATTER of amending ch. NR 55 (title), .  
ss. NR 55.01 and 55.04(3); and creating .  
NR 55 subch. I (title) and subch. II of the .  
Wisconsin Administrative Code pertaining to . CA-11-88  
administration of federal payments in lieu .  
of taxes (PILT) .  
.....

Analysis Prepared by Department of Natural Resources

Statutory authority: s. 227.11(2)(a), Stats.  
Statutes interpreted: s. 16.54(11), Stats.

Chapter NR 55 specifies the procedures used in the allocation of federal payments in lieu of taxes on national forest lands to towns, villages and cities. It interprets s. 16.54(11), Stats. The chapter sets out the conditions of eligibility, sets the procedure for determining the method of calculating payment in lieu of taxes on national forest land otherwise due the county, and specifies the procedure for calculating the individual payments to towns, villages and cities.

The proposed rule change will place a minimum payment of \$15.00 for towns, villages and cities receiving payments for national forest lands and a minimum payment of \$15.00 for counties receiving payments for other than national forest lands after the calculations under s. NR 55.04(3). The proposed rule change also describes the procedures for redistributing the payments of amounts less than \$15.00.

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SECTION 1. Chapter NR 55 (Title) is amended to read:

ADMINISTRATION OF FEDERAL PAYMENTS IN LIEU OF TAXES (PILT)

SECTION 2. NR 55 Subchapter I (Title) is created to read:

Subchapter I Federal Payments In Lieu Of Taxes On National Forest Lands

SECTION 3. NR 55.01 is amended to read:

NR 55.01 PURPOSE AND APPLICABILITY. The provisions of this ~~chapter~~ subchapter apply to towns, cities and villages and establish the procedure for the allocation of federal payment in lieu of taxes (PILT) for national forest lands under the federal payment for entitlement land program (31 USC 6901 to 6907) in accordance with s. 16.54(11), Stats.

SECTION 4. NR 55.04(3) is amended to read:

NR 55.04(3) MUNICIPAL PAYMENT. The department shall make payment to each municipality eligible for PILT payments under s. NR 55.03 equal to the acreage of national forest land located in the municipality calculated as a percentage of the acreage of national forest land in the county in which the municipality is located. Payments calculated under this subchapter and due any municipality which total less than \$15.00 will not be issued to that municipality but be redistributed to other qualifying municipalities within the county. The redistribution will be proportional and consistent with the calculations performed above.

SECTION 5. NR 55 Subchapter II (Title) is created to read:

Subchapter II Federal Payments In Lieu Of Taxes On Lands Other Than National Forest Lands

NR 55.10 PURPOSE AND APPLICABILITY. The provisions of this subchapter apply to counties and establish the procedure for the allocation of federal payment in lieu of taxes (PILT) for other than national forest lands under the federal payment for entitlement land program (31 USC 6901 to 6907).

NR 55.11 DEFINITIONS. For the purpose of this subchapter:

- (1) "PILT" has the same meaning as s. NR 55.02(4).
- (2) "Qualifying municipalities" means all municipalities eligible to receive PILT payments generated by national forest lands under s. NR 55.03.

NR 55.12 MINIMUM PAYMENTS TO COUNTIES. Payment to a county for other than national forest lands resulting from the calculation of municipal payments under s. NR 55.04(3) which total less than \$15.00 will not be issued to the county but redistributed to all qualifying municipalities within the county. The redistribution will be proportional and consistent with the calculations under s. NR 55.04(3).

SECTION 6. TERMINOLOGY CHANGES. Whenever the term "chapter" appears in the following sections of the code, the term "subchapter" is substituted: s. 55.02 (intro).

The foregoing rules were approved and adopted by the State of Wisconsin Natural Resources Board on June 23, 1988.

The rules shall take effect the first day of the month following publication in the Wisconsin administrative register as provided in s. 227.22(2) (intro), Stats.

Dated at Madison, Wisconsin, August 16, 1988

STATE OF WISCONSIN  
DEPARTMENT OF NATURAL RESOURCES

By Carroll D. Besadry  
Carroll D. Besadry, Secretary

(SEAL)



State of Wisconsin

DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny  
Secretary

August 17, 1988

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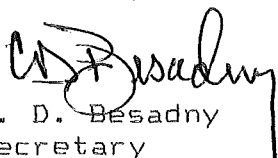
Mr. Orlan L. Prestegard  
Revisor of Statutes  
Suite 702  
30 W. Mifflin Street

Dear Mr. Prestegard:

Enclosed are two copies, including one certified copy, of State of Wisconsin Natural Resources Board Order No. CA-11-88. These rules were reviewed by the Assembly Committee on Natural Resources and the Senate Committee on Urban Affairs, Energy, Environmental Resources and Elections pursuant to s. 227.19, Stats. A summary of the final regulatory flexibility analysis and comments of the legislative review committees is also enclosed.

You will note that this order takes effect following publication. Kindly publish it in the Administrative Code accordingly.

Sincerely,

  
C. D. Besadny  
Secretary

Enc.