

1999 DRAFTING REQUEST

Bill

Received: 12/15/98

Received By: gibsom

Wanted: As time permits

Identical to LRB:

For: Rick Skindrud (608) 266-3520

By/Representing: Allen

This file may be shown to any legislator: NO

Drafter: rkite

May Contact:

Alt. Drafters:

Subject: Nat. Res. - forests and parks

Extra Copies:

Topic:

Land in cities to be eligible under managed forest law

Instructions:

Same as 1997 AB 81 (LRB 1114)

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>
/?	rkite 01/4/99	chanaman 01/6/99		_____			S&L
/1			jfrantze 01/6/99	_____	lrb_docadmin 01/6/99	lrb_docadmin 01/13/99	

FE Sent For:

02-08-99

<END>

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1/?	rkite	cmd 1/14 jlg 1/14	Jo 1/6	Jo / Jo 1/6			

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<END>

~~1997 - 1998 LEGISLATURE~~

RM/R
1284/1

LRB-11147

~~MGG:kap:km~~

RNK:1
cmj+jlg

soon

D-Note

1997 ASSEMBLY BILL 81

February 12, 1997 - Introduced by Representatives SKINDRUD, AINSWORTH, GOETSCH, HAHN, MUSSER, POWERS, SERATTI, ZUKOWSKI, BAUMGART and MURAT. Referred to Committee on Natural Resources.

regenerate

1 **AN ACT to amend 77.81 (4) and 77.88 (1) (a); and to create 77.82 (5) (c), 77.82**
2 **(7) (bm) and 77.88 (1) (am) of the statutes; relating to: allowing managed forest**
3 **land to be located in cities.**

Analysis by the Legislative Reference Bureau pays

Certain lands are designated as managed forest land under a program administered by the department of natural resources (DNR). Under this program, the owner of land designated as managed forest land makes an annual acreage share instead of the property taxes that normally would be payable.

Under current law, the owner of a parcel of land may petition to have the parcel designated as managed forest land if the parcel consists of at least 10 contiguous acres and is located in a town or village. Also at least 80% of the parcel must be capable of producing a minimum of 20 cubic feet of timber per acre per year. Under the bill, the land may also be located in a city. ten

Under current law, DNR may approve or deny a petition depending on whether the land meets certain requirements. The bill allows the governing body of a city to request that DNR deny a petition for land in the city if the use of the land as managed forest land is not compatible with existing or planned uses by the city for the land. If the governing board makes the request, DNR must deny the petition. Under current law, a village or town does not have the authority to use this procedure.

ASSEMBLY BILL 81

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.** 77.81^X (4) of the statutes is amended to read:

2 77.81 (4) "Municipality" means a town ~~or~~, village or city.[✓]

3 **SECTION 2.** 77.82^X (5) (c) of the statutes is created to read:

4 77.82 (5) (c) In addition to its authority to act under par. (b),[✓] the governing body[✓]
5 of the city in which proposed managed forest land is located may, within 30 days after
6 the notice under par. (a)[✓] is provided, by the affirmative vote of a majority of all of its
7 members, request the department[✓] to deny a petition submitted under sub. (2)[✓] or (4)[✓]
8 for land located in the city if the use of the land as managed forest land is not
9 compatible with the existing or planned uses of the land as determined by the city.

10 **SECTION 3.** 77.82^X (7) (bm) of the statutes is created to read:

11 77.82 (7) (bm) Notwithstanding pars. (a)[✓] and (b),[✓] the department shall deny[✓]
12 a petition^{submitted} under sub. (2) or (4) for land located in a city if the governing body of the
13 city requests denial of the petition under sub. (5) (c).[✓]

14 **SECTION 4.** 77.88 (1) (a) of the statutes is amended to read:

15 77.88 (1) (a) The department may, at the request of the owner of managed forest
16 land or of the governing body of the municipality in which any managed forest land
17 is located, or at its own discretion, investigate to determine whether the designation
18 as managed forest land should be withdrawn. The Except as provided in par. (am),[✓]
19 the department shall notify the owner of the land and the mayor of the city,[✓] the
20 chairperson of the town or the president of the village in which the land is located
21 of the investigation.

proof w/ stats

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

1
LRB-1284/20

RNK.....

cmf + jlg

Should read
"Skindrud"

hyphen

The drafting file for 1997 AB 181, on which this draft is based, indicates that Representatives Skinrud and Seratti offered an amendment to this bill last session which deleted s. 77.82 (5) (c) and ~~77.82~~ (7) (bm), as created in this draft. I did not incorporate that amendment into this draft. If you intended that the amendment be incorporated, please let me know and I will redraft accordingly.

Robin N. Kite
Legislative Attorney
266-7291

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-1284/1dn
RNK:cmh&jlg:jf

January 6, 1999

The drafting file for 1997 AB-81, on which this draft is based, indicates that Representatives Skindrud and Seratti offered an amendment to this bill last session which deleted s. 77.82 (5) (c) and (7) (bm), as created in this draft. I did not incorporate that amendment into this draft. If you intended that the amendment be incorporated, please let me know and I will redraft accordingly.

Robin N. Kite
Legislative Attorney
266-7291

**SUBMITTAL
FORM**

**LEGISLATIVE REFERENCE BUREAU
Legal Section Telephone: 266-3561
5th Floor, 100 N. Hamilton Street**

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and sign on the appropriate line(s) below.

Date: 1/6/99

To: Representative Skindrud

Relating to LRB drafting number: LRB-1284

Topic

Land in cities to be eligible under managed forest law

Subject(s)

Nat. Res. - forests and parks

1. **JACKET** the draft for introduction _____

in the **Senate** ____ or the **Assembly** (check only one). Only the requester under whose name the drafting request is entered in the LRB's drafting records may authorize the draft to be submitted. Please allow one day for the preparation of the required copies.

2. **REDRAFT.** See the changes indicated or attached _____.

A revised draft will be submitted for your approval with changes incorporated.

3. Obtain **FISCAL ESTIMATE NOW**, prior to introduction _____.

If the analysis indicates that a fiscal estimate is required because the proposal makes an appropriation or increases or decreases existing appropriations or state or general local government fiscal liability or revenues, you have the option to request the fiscal estimate prior to introduction. If you choose to introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon introduction. It takes about 10 days to obtain a fiscal estimate. Requesting the fiscal estimate prior to introduction retains your flexibility for possible redrafting of the proposal.

If you have any questions regarding the above procedures, please call 266-3561. If you have any questions relating to the attached draft, please feel free to call me.

Robin N. Kite, Legislative Attorney
Telephone: (608) 266-7291