

1999 ASSEMBLY BILL 555

October 25, 1999 – Introduced by Representatives PETTIS, MUSSER, KESTELL, HASENOHRL, AINSWORTH, GUNDERSON, SYKORA and SKINDRUD, cosponsored by Senator BRESKE. Referred to Committee on Rural Affairs and Forestry.

1 **AN ACT to amend** 26.05 (3) (c); and **to create** 26.05 (2m) of the statutes; **relating**
2 **to:** failure to pay owners of raw forest products.

Analysis by the Legislative Reference Bureau

Current law prohibits a person from cutting or removing timber or other forest products without the consent of the owner of the forest products. A person violating this provision is subject to a forfeiture or, if the violation is intentional, may be punished for theft.

Under this bill, the same penalties apply to a person who enters into a contract with an owner of raw forest products to cut or remove the raw forest products but who fails to pay the owner the total price for the forest products as agreed upon under the contract.

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:

3 **SECTION 1.** 26.05 (2m) of the statutes is created to read:
4 **26.05 (2m) PAYMENT TO OWNER REQUIRED.** No person who entered into a contract
5 with the owner of raw forest products under which the person received the owner's

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SECTION 1

1 consent to cut, remove or transport the raw forest products may fail to pay to the
2 owner the total amount of any compensation for the raw forest products as agreed
3 upon under the contract.

4 **SECTION 2.** 26.05 (3) (c) of the statutes is amended to read:

5 26.05 (3) (c) In addition to any other penalty, a person who violates ~~this section~~
6 sub. (2) or a rule promulgated under ~~this section~~ sub. (2) is liable for the reasonable
7 costs incurred to establish the volume and value of the raw forest products cut,
8 removed or transported.

9 (END)