

1999 DRAFTING REQUEST

Bill

Received: **01/18/2000**

Received By: **gibsom**

Wanted: **Soon**

Identical to LRB:

For: **Legislative Council - JLC**

By/Representing: **patronsky**

This file may be shown to any legislator: NO

Drafter: **gibsom**

May Contact:

Alt. Drafters:

Subject: **Nat. Res. - forests and parks**

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Managed forest land program

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>
I?	gibsom 01/18/2000	wjackson 01/19/2000		_____			S&L
/1			martykr 01/19/2000	_____	lrb-docadmin 01/19/2000	lrb-docadmin 01/21/2000	

FE Sent For:

<END>

1999 DRAFTING REQUEST

Bill

Received: **01/18/2000**

Received By: **gibsom**

Wanted: **Soon**

Identical to LRB:

For: **Legislative Council - JLC**

By/Representing: **patronsky**

This file may be shown to any legislator: **NO**

Drafter: **gibsom**

May Contact:

Alt. Drafters:

Subject: **Nat. Res. - forests and parks**

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Managed forest land program

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>Reauired</u>
I?	gibsom 01/18/2000	wjackson 01/19/2000		_____			S&L
/1			martykr 01/19/2000	_____	lrb_docadmin 01/19/2000		

FE Sent For:

<END>

1999 DRAFTING REQUEST

Bill

Received: **01/18/2000**

Received By: **gibson**

Wanted: **Soon**

Identical to LRB:

For: **Legislative Council - JLC**

By/Representing: **patronsky**

This file may be shown to any legislator: NO

Drafter: **gibson**

May Contact:

Alt. Drafters:

Subject: **Nat. Res. - forests and parks**

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Managed forest land program

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>
/?	gibson		<i>[Signature]</i>	<i>[Signature]</i>			

FE Sent For:

<END>

BILL

1
2
1
2
(5)(h)

1 refunds to the endangered resource program, granting rule-making authority
2 and making appropriations.

Analysis by the Legislative Reference Bureau

This bill is explained in the NOTES provided by the joint legislative council.
For further information see the **state and local** fiscal estimate, which will be printed as an appendix to this bill.

PLEASE NOTE
FOR 2ND
DRAFT

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

PREFATORY NOTE: This bill was prepared for the joint legislative council's special committee on incentives for resource stewardship. The joint legislative council established the special committee by a June 24, 1998, mail ballot and directed it to study "means to encourage and promote private efforts to conserve and protect the natural values of land and water through an appropriate legislative framework and the use of economic incentives". The bill:

1. Provides an annual grant to a nonprofit corporation to fund activities that encourage and assist private landowners to donate land and interests in land for conservation purposes.

2. Provides an annual grant to a nonprofit corporation to encourage corporations and other persons to undertake activities that protect and promote rare and endangered wild animals and wild plants, to encourage land management activities that promote conservation goals and to provide conservation education.

3. Revises the managed forest land program to encourage private landowners to include land in the managed forest land program by allowing land to be in the program for a 5-year term.

4. Provides an appropriation to the department of natural resources (DNR) to contract with private foresters to prepare plans for inclusion of wooded land into the managed forest land program.

5. Authorizes corporations to donate income tax refunds to the DNR to preserve endangered resources.

6. Requires the DNR to promulgate administrative rules adopting policies to be followed by the DNR in accepting and using donations from private parties.

This bill is explained in more detail in SECTION notes following the relevant SECTIONS of the bill.

3 SECTION 1. 20.370 (1) (fs) of the statutes is amended to read:

4 **20.370 (1) (fs) Endangered resources - voluntary payments; sales, leases and**
5 **fees.** As a continuing appropriation, from moneys received as amounts designated
6 under s. ss. 71.10(5)(b) and 71.30(10)(b), the net amounts certified under s. ss. 71.10

306M
ASAI

Mary

Please draft the following for
introduction by the Legislative Council

SECTIONS 14 through 31, SECTION
32(D) and SECTION 33(2) as a separate
bill + NOTES + ~~MEMORANDUM~~
+ PREF NOTE

We agree with all of the changes you
made to WCCS 008511, as discussed

in your drafted note, as these

changes to the 2 Bill drafts were

agreed to

Thanks,
Ron Ford & Mark Patonsky



State of Wisconsin
1999 - 2000 LEGISLATURE

4249/1 RM
LRB-204011 mot R
MGG&JK:wlj:jf
↓
stays

noon D-Note

1999 BILL

Reger

1 **AN ACT** to repeal 23.0955 (2) (am); to renumber and amend 77.82 (12); to
 2 **amend** 20.370 (1) (fs), 20.370 (5) (aw), 20.566 (1) (hp), 23.0955 (2) (a) (intro.),
 3 23.0955 (2) (a) 3., 23.0955 (2) (b) (intro.), 25.29 (1) (a), 74.25 (1) (a) 6., 74.30 (1)
 4 (f), 74.30 (1) (h), 77.82 (2) (title), 77.82 (2) (h), 77.82 (3) (b), 77.82 (12) (title),
 5 77.84 (2) (a), 77.84 (2) (b), 77.84 (2) (c), 77.88 (5) (a) 1., 77.88 (5) (a) 2., 77.88 (5)
 6 (b) 1., 77.88 (5) (b) 2. and 77.89 (2); and **to create** 23.0955 (2) (b) 2m., 4. and 5.,
 7 23.0955 (3), 23.0956, 23.099, 71.30 (lo), 77.82 (12) (b) and 77.84 (2) (am) of the
 8 statutes; **relating to:** a grant program to encourage private activities that
 9 promote natural resource conservation, requiring the department of natural
 10 resources to promulgate rules establishing policies for the acceptance of
 11 contributions from private sources, prohibiting the department of natural
 12 resources from selling the naming rights' of certain properties under its
 13 jurisdiction, adding a 15-year term for orders designating land under the
 14 managed forest land program, ~~authorizing the donation of corporate income tax~~

allowing the department of natural resources to contract with private foresters to prepare management plans under the managed forest land program

BILL

1 ~~refunds to the endangered resource program, granting rule-making authority~~
2 and making ^{an appropriation} ~~(appropriations)~~

Analysis by the Legislative Reference Bureau

This bill is explained in the **NOTES** provided by the joint legislative council.

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:

PREFATORY NOTE: This bill was prepared for the joint legislative council's special committee on incentives for resource stewardship. The joint legislative council established the special committee by a June 24, 1998, mail ballot and directed it to study "means to encourage and promote private efforts to conserve and protect the natural values of land and water through an appropriate legislative framework and the use of economic incentives". The bill:

1. Provides an annual grant to a nonprofit corporation to fund activities that encourage and assist private landowners to donate land and interests in land for conservation purposes.

2. Provides an annual grant to a nonprofit corporation to encourage corporations and other persons to undertake activities that protect and promote rare and endangered wild animals and wild plants, to encourage land management activities that promote conservation goals and to provide conservation education.

3. Revises the managed forest land program to encourage private landowners to include land in the managed forest land program by allowing land to be in the program for a E-year term.

204 4. Provides an appropriation to the department of natural resources (DNR) to contract with private foresters to prepare plans for inclusion of wooded land into the managed forest land program.

5. Authorizes corporations to donate income tax refunds to the DNR to preserve endangered resources.

6. Requires the DNR to promulgate administrative rules adopting policies to be followed by the DNR in accepting and using donations from private parties.

This bill is explained in more detail in **SECTION** notes following the relevant **SECTIONS** of the bill.

SECTION 1. 20.370 (1) (fs) of the statutes is amended to read:

20.370 (1) (fs) ~~Endangered resources — voluntary payments; sales; leases and fees.~~ As a continuing appropriation, from moneys received as amounts designated under ~~s. ss. 71.10 (5) (b) and 71.30 (10) (b),~~ the net amounts certified under ~~s. ss. 71.10~~

No Spaces

BILL

1 **SECTION 14. 74.25 (1)** (a) 6. of the statutes is amended to read:

2 **74.25 (1)** (a) 6. Pay to the county treasurer 20% of collections of occupational
3 taxes on coal docks, 20% of collections of the taxes imposed under ss. 77.04 and 77.84
4 (2) (a) and (am) and all collections of payments for closed lands under s. 77.84 (2) (b).

5 **SECTION 15.** 74.30 (1) (f) of the statutes is amended to read:

6 **74.30 (1)** (f) Pay to the county treasurer 20% of collections of occupational taxes
7 on coal docks, 20% of collections of the taxes imposed under ss. 77.04 and 77.84 (2)
8 (a) and (am) and all collections of payments for closed lands under s. 77.84 (2) (b).

9 **SECTION 16.** 74.30 (1) (h) of the statutes is amended to read:

10 **74.30 (1)** (h) Retain for the taxation district all woodland tax law collections
11 under s. 77.16 and 80% of collections of the taxes imposed under ss. 77.04 and 77.84
12 (2) (a) and (am).

13 **SECTION 17.** 77.82 (2) (title) of the statutes is amended to read:

14 77.82 (2) (title) ~~PETITION~~ INITIAL PETITION.

15 **SECTION 18.** 77.82 (2) (h) of the statutes is amended to read:

16 77.82 (2) (h) Whether the land will be designated as managed forest land for
17 15, 25 or 50 years.

18 **SECTION 19.** 77.82 (3) (b) of the statutes is amended to read:

19 77.82 (3) (b) If the petitioner requests that the department prepare the
20 management plan, the department shall comply with the request. The denartment
21 may contract with private foresters to prepare these management plans.

22 **SECTION 20.** 77.82 (12) (title) of the statutes is amended to read:

23 **77.82 (12)** (title) ~~RENEWAL~~ EXTENSION.

24 **SECTION 21. 77.82 (12) of the statutes is renumbered 77.82 (12) (a) and**
25 amended to read:

BILL

1 77.82 (12) (a) The department shall notify each owner of managed forest land
2 of the expiration date of an order no later than the January 31 preceding the
3 expiration date. The After receiving the notification, the owner may petition the
4 department for renewal of the order. The petition shall be filed no later than the
5 March 31 before the expiration date and shall specify whether the owner wants the
6 order renewed for 25 or 50 years. Any order issued under this section may only be
7 renewed for 25 or for 50 years.

8 (c) The notice and hearing provisions under subs. (5) and (6) do not apply to a
9 petition under this subsection. The department may deny the a petition under this
10 subsection only if the land fails to meet the eligibility requirements under sub. (l),
11 if the owner has failed to comply with the management plan or if there are delinquent
12 taxes on the land. If the petition is denied, the department shall state the reason for
13 the denial in writing.

14 **SECTION 22.** 77.82 (12) (b) of the statutes is created to read:

15 77.82 (12) (b) In addition to petitioning for renewal under par. (a), an owner
16 of land that is designated as managed forest land for a ~~15~~-year period may petition
17 the department at any time to extend that designation to 25 or 50 years. The term
18 of the extended designation shall run from the date that the original order
19 designating the land for 15 years was issued.

20 **SECTION 23.** 77.84 (2) (a) of the statutes is amended to read:

21 77.84 (2) (a) Each owner of managed forest land shall pay to the municipal
22 treasurer an annual acreage share of 74 cents per acre ~~on or before January 31.~~

23 **SECTION 24.** 77.84 (2) (am) of the statutes is created to read:

BILL

1 77.84 (2) (am) In addition to the payment under par. (a), each owner of land
2 designated as managed forest land for a 15-year period shall pay to the municipal
3 treasurer an annual acreage share of \$1.25 per acre.

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

5 77.84 (2) (b) In addition to the payment under par. (a) and any payment
6 required under nar. (am), each owner of managed forest land shall annually pay \$1
7 for each acre that is designated as closed under s. 77.83.

8 (bn) The payment payments required under pars. (a) to (b) shall be made to the
9 municipal treasurer on or before January 31 of each year.

10 **SECTION 26.** 77.84 (2) (c) of the statutes is amended to read:

11 77.84 (2) (c) In 1992 and each 5th year thereafter, the department of revenue
12 shall adjust the amounts under pars. (a), (am) and (b) by multiplying the amount
13 specified by a ratio using as the denominator the department of revenue's estimate
14 of the average statewide tax per acre of property classes under s. 70.32 (2) (b) 4., 1993
15 stats., s. 70.32 (2) (b) 5., 1993 stats., and s. 70.32 (2) (b) 6., 1993 stats., for 1986 and,
16 as the numerator, the department of revenue's estimate of the average tax per acre
17 for the same classes of property for the year in which the adjustment is made.

18 **SECTION 27.** 77.88 (5) (a) 1. of the statutes is amended to read:

19 77.88 (5) (a) 1. An amount equal to the product of the total net property tax rate
20 in the municipality in the year prior to the withdrawal and the assessed value of the
21 land for the same year, as computed by the department of revenue, multiplied by the
22 number of years the land was designated as managed forest land, less any amounts
23 paid by the owner under ss. 77.84 (2) (a) and (am) and 77.87.

24 **SECTION 28.** 77.88 (5) (a) 2. of the statutes is amended to read:

BILL

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 77.87.

4 **SECTION 29.** 77.88 (5) (b) 1. of the statutes is amended to read:

5 77.88 (5) (b) 1. An amount equal to the product of the total net property tax rate
6 in the municipality in the year prior to the withdrawal and the assessed value of the
7 land for the same year, as computed by the department of revenue, multiplied by the
8 number of years since the renewal, less any amounts paid by the owner under ss.
9 77.84 (2) (a) and (am) and 77.87.

10 **SECTION 30.** 77.88 (5) (b) 2. of the statutes is amended to read:

11 77.88 (5) (b) 2. Five percent of the stumpage value of the merchantable timber
12 on the land, less any amounts paid by the owner under ss. 77.84 (2) (a) and (am) and
13 77.87.

*move
to p. 18,
after
line 3*

NOTE: This bill amends the managed forest land program to provide for a E-year term for first-time designations of land under the program, commencing on January 1, 2001. Under the managed forest land program, persons owning productive forest land are provided tax incentives to manage their land in ways that promote sound forest management. Under current law, property must be designated under the managed forest land program for 25-year or 50-year periods. Land entered for 15 years may be converted to 25-year or 50-year entries at any time.

No space

Property designated under the program is exempt from property taxation but is subject to an annual managed forest land tax of 74 cents per acre if the land is open to the public for recreational purposes and \$1.74 per acre if the land is not open to the public for recreational purposes. Under the bill, an additional \$1.25 per acre is added to the annual managed forest land tax for lands designated for a 15-year term. The nonstatutory provisions at the end of this bill provide that the statutory changes related to the 15-year term take effect on January 1, 2001.

14 **SECTION 31.** 77.89 (2) of the statutes is amended to read:

15 77.89 (2) PAYMENT TO COUNTIES. Each municipal treasurer shall pay 20% of each
16 payment received under sub. (1) or s. 77.84 (2) (a) or (am) or 77.85 to the county
17 **treasurer and shall deposit the remainder in the municipal treasury. The payment**
18 to the county treasurer for money received before November 1 of any year shall be

BILL

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

4 **SECTION 32. Appropriation changes; ~~natural resources~~**

Matural
from p.
17

5 (1) In the schedule under section 20.005 (3) of the statutes for the appropriation
6 to the department of natural resources under section 20.370 (5) (aw) of the statutes,
7 as affected by the acts of 1999, the dollar amount is increased by \$270,000 for fiscal
8 year 1999-00 and the dollar amount is increased by \$520,000 for fiscal year 2000-01
9 for the purposes for which the appropriation is made.

10 (1) ~~(2)~~ In the schedule under section 20.005 (3) of the statutes for the appropriation
11 to the department of natural resources under section 20.370 (1) (mu) of the statutes,
12 as affected by the acts of 1999, the dollar amount is increased by \$300,000 for fiscal
13 year 1999-00 and the dollar amount is increased by \$300,000 for fiscal year 2000-01
14 to contract with private foresters to prepare management plans for the designation
15 of land under the managed forest land program.

NOTE: This appropriation, from the forestry account of the conservation fund, allows the DNR to hire private forestry consultants, on a contract basis, to prepare the necessary management plans for designation of land under the managed forest land program.

16 **SECTION 33. Effective dates.** This act takes effect on the day after publication,

January 1, 2001
=

17 except as follows:

18 (1) The treatment of sections 20.370 (5) (aw), 23.0955 (2) (a) (intro.) and 3., (am),
19 (b) (intro.), 2m., 4. and 5. and ~~(3) and 23.0956~~ of the statutes and **SECTION 32** (1) (2)
20 take effect on the day after publication, or on the day after publication of the
21 1999-2000 biennial budget act, whichever is later.

BILL

1
2
3
4

(2) The treatment of sections 74.25 (1)(a) 6., 74.30 (1) (f) and (h), 77.82 (2) (title) and (h) and (12), 77.84 (2) (a), (am), (b) and (c), 77.88 (5) (a) 1. and 2. and (b) 1. and 2. and 77.89 (2) of the statutes take effect on January 1, 2001.

(END)

¶ (1) The treatment of section 77.82 (3)(b) ^{of these statutes} takes effect on the day after publication.

DN

¶ Note that I included SECTION 32(2) ^{an appropriation change for s. 20.370 (1)(mu)} but not ~~32(1)~~ OK? _{for s. 20.370 (5)(aw)}
MUG

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

LRB-4249/1dn
MGG:wlj:km

January 19, 2000

Note that I included an appropriation change for s. 20.370 (1) (mu) but not for s. 20.370 (5) (aw). OK?

Mary Gibson-Glass
Senior Legislative Attorney
Phone: (608) 267-3215

**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: 01/19/2000

To: Legislative Council - JLC

Relating to LRB drafting number: LRB-4249

Topic

Managed forest land program

Subject(s)

Nat. Res. - forests and parks

1. **JACKET** the draft for introduction William JRA
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.

Mary Gibson-Glass, Senior Legislative Attorney
Telephone: (608) 267-32 15