

1999 DRAFTING REQUEST

Bill

Received: **09/16/98**

Received By: **gibsom**

Wanted: **Soon**

Identical to LRB:

For: **Administration-Budget 67973**

By/Representing: **Grinde**

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

Drafter: **gibsom**

May Contact: **See attached**

Alt. Drafters:

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

Extra Copies: **1 - DNR**

Topic:

DOA:.....Grinde - Use of proceeds of timber sale bonds

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>
/1	gibsom 10/16/98	gilfokm 10/16/98	jfrantze 10/19/98	_____	lrb_docadmin 10/19/98		State

FE Sent For:

<END>

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1?	gibson	1-10-16 Kmg	10/16	10/19			

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<END>

Statutory Language Proposals

Division: LANDS

Subprograms: FORESTRY

Issue/Topic: TIMBER SALE BONDING - OPERATIONAL SPENDING AUTHORITY

Proposed Change: Section 20.370, Stats., would be amended to allow the Department spending authority to utilize money withheld from timber sale bonds to rectify logging damages on the specific property where they occurred.

Explanatory Note: Currently, the Department lacks the necessary authority to utilize monies withheld from timber sale performance bonds to correct damages caused by a logging contractor during timber harvesting operations on state lands. Performance bonds are required to recompense the state for damages resulting from the failure to fully perform the contract. All or a portion of a bond may be withheld for failure to repair damages when they occur. However, the monies withheld by the state from performance bonds may not be spent to repair or clean up the property. Bonding revenue and operational spending authority are two different appropriations and revenue in one appropriation does not authorize the payment of expenditures from the other appropriation.

Desired Effective Date: July 1, 1999 or the effective date of the 1999-01 Biennial Budget

Contact Person: Eric Thompson (6-8251) or Jim Christenson (6-1318)

ch. 16



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-0187/1

MGG... King

D-Note soon

DOA:.....Grinde – Use of proceeds of timber sale bonds ✓

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

1 AN ACT ^{Don't} ^{Sen Cat} relating to: the budget.

Analysis by the Legislative Reference Bureau

NATURAL RESOURCES

OTHER NATURAL RESOURCES

Currently, the department of natural resources (DNR) requires that certain persons provide performance bonds or other surety when entering into a timber sale contract to cut or remove timber products from state forest lands. If a person cutting or removing timber under the contract causes damage, fails to remove debris or otherwise does not properly perform under the contract, DNR deposits in the conservation fund the portion of the surety that is necessary to cover the repair or other costs. These deposited moneys are not appropriated for any specific purpose.

This bill creates a separate appropriation to allow DNR to use the moneys that it receives from such sureties for these repair and other costs. The bill also specifically authorizes DNR to require sureties under these timber sale contracts. (S)

For further information see the *state* 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:

2 SECTION 1. 20.370 (1) (ct) of the statutes is created to read:


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

LRB-0187/1dn

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Attention: Eric Thompson

Please have someone who is familiar with DNR's current practice to  review for accuracy the analysis of this bill.

review

Mary Gibson-Glass
Senior Legislative Attorney
267-3215

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

LRB-0187/1dn
MGG:kmg:jf

October 16, 1998

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Mary Gibson-Glass
Senior Legislative Attorney
267-3215



State of Wisconsin
1999 - 2000 LEGISLATURE

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