

ORIGINAL       UPDATED  
 CORRECTED       SUPPLEMENTAL

**FISCAL ESTIMATE**

DOA-2048 N(R10/94)

Subject

Unlawful Harvest of Forest Products - Civil Action

Fiscal Effect

State:  No State Fiscal Effect

Check columns below only if bill makes a direct appropriation or affects a sum sufficient appropriation.

- Increase Existing Appropriation       Increase Existing Revenues
- Decrease Existing Appropriation       Decrease Existing Revenues
- Create New Appropriation

- Increase Costs - May be possible to Absorb Within Agency's Budget       Yes       No
- Decrease Costs

Local:  No local government costs

- |   |   |  |
|---|---|--|
| <p>1. <input type="checkbox"/> Increase Costs<br/> <input type="checkbox"/> Permissive      <input type="checkbox"/> Mandatory</p> <p>2. <input checked="" type="checkbox"/> Decrease Costs<br/> <input checked="" type="checkbox"/> Permissive      <input type="checkbox"/> Mandatory</p> | <p>3. <input type="checkbox"/> Increase Revenues<br/> <input type="checkbox"/> Permissive      <input type="checkbox"/> Mandatory</p> <p>4. <input type="checkbox"/> Decrease Revenues<br/> <input type="checkbox"/> Permissive      <input type="checkbox"/> Mandatory</p> | <p>5. Types of Local Government Units Affected:</p> <p><input type="checkbox"/> Towns      <input type="checkbox"/> Villages      <input type="checkbox"/> Cities</p> <p><input checked="" type="checkbox"/> Counties      <input type="checkbox"/> WTCS Districts</p> <p><input type="checkbox"/> School Districts      <input type="checkbox"/> Others</p> |
|---|---|--|

Fund Sources Affected

- GPR     FED     PRO     PRS     SEG     SEG-S

Affected Ch. 20 Appropriations

Assumptions Used in Arriving at Fiscal Estimate

SUMMARY OF BILL - AB 504 is being proposed to correct a Wisconsin court of appeals ruling that allows the person who unlawfully harvested ( stole) the forest products from the lands of another to deduct the costs of harvesting from any judgement against them under s.26.09 WI Stats.. The bill establishes three levels of possible damages if a person harvests the timber of another based on the precautions taken prior to harvesting.

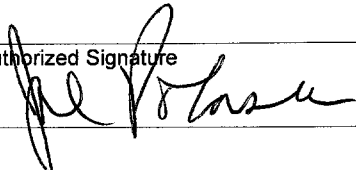
If a harvester relied on a registered land survey, which is later proved to be wrong, they are liable for single stumpage. If a harvester took reasonable precautions as identified in the bill to identify the boundaries but still harvests the timber of another, they are liable for double stumpage. If the harvester did not take reasonable precautions, they are liable for up to four times stumpage or double mill value, whichever is greater. In all cases a landowner may recover certain reasonable and necessary costs such as cleaning up the land, determining the value of timber lost, reforestation or replanting .

AB 504 also modifies s.26.03 WI Stats. to allow increased flexibility in how a county allows reporting of intent to harvest timber and increases the penalty for harvesting from tax-delinquent lands.

FISCAL IMPACT - This provision of the bill which allows flexible reporting of harvesting may actually slightly decrease the costs to local governments due to a decrease in administrative costs. AB 504 should have no fiscal impact on state government costs.

Long-Range Fiscal Implications

None

Agency	Prepared By	Phone No.	Authorized Signature	Phone No.	Date
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# FISCAL ESTIMATE WORKSHEET

1999 Session

Detailed Estimate of Annual Fiscal Effect  
DOA-2047 (R10/94)

ORIGINAL     UPDATED  
 CORRECTED     SUPPLEMENTAL

LRB or Bill No./Adm. Rule No.  
AB 504, 99-2649/1

Amendment No.  
AB 504

Subject

Unlawful Harvest of Forest Products - Civil Action

**I. One-Time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):**

II. Annualized Costs:		Annualized Fiscal impact on State funds from:	
A. State Costs by Category		Increased Costs	Decreased Costs
State Operations - Salaries and Fringes			
(FTE Position Changes)			
State Operations - Other Costs			
Local Assistance			
Aids to Individuals or Organizations			
<b>TOTAL State Costs by Category</b>		\$0	\$0
B. State Costs by Source of Funds		Increased Costs	Decreased Costs
GPR			
FED			
PRO/PRS			
SEG/SEG-S			
III. State Revenues:		Increased Rev.	Decreased Rev.
Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.)			
GPR Taxes			
GPR Earned			
FED			
PRO/PRS			
SEG/SEG-S			
<b>TOTAL State Revenues</b>		\$0	\$0

**NET ANNUALIZED IMPACT**

STATE

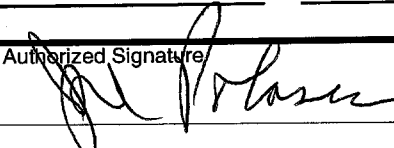
LOCAL

NET CHANGE IN COSTS

\$0

NET CHANGE IN REVENUES

\$0

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