

2001 DRAFTING REQUEST

Bill

Received: **08/28/2001**

Received By: **gibson**

Wanted: **As time permits**

Identical to LRB:

For: **Donald Friske (608) 266-7694**

By/Representing: **Tim Gary**

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

Drafter: **gibson**

May Contact:

Addl. Drafters:

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

Extra Copies:

Submit via email: **NO**

Pre Topic:

No specific pre topic given

Topic:

Timber sales

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	gibson 09/18/2001	wjackson 09/20/2001	pgreensl 09/20/2001	_____	lrb_docadmin 09/20/2001	for ASSN	S&L
/2	gibson 09/25/2001	wjackson 09/25/2001	pgreensl 09/25/2001	_____	lrb_docadmin 09/25/2001	lrb_docadminS&L 10/01/2001	
/3	gibson 10/15/2001 gibson 10/22/2001	jdyer 10/16/2001	pgreensl 10/16/2001	_____ _____ _____	lrb_docadmin 10/16/2001	lrb_docadminS&L 10/22/2001 lrb_docadmin 10/22/2001	

FE Sent For: 10/02/2001.



(1/2)

10-29-2001
(1/3)
At Intro.

<END>

2001 DRAFTING REQUEST

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/1	gibsom 09/18/2001	wjackson 09/20/2001	pgreensl 09/20/2001	<u>10/16</u>	lrb_docadmin 09/20/2001		S&L
/2	gibsom 09/25/2001	wjackson 09/25/2001	pgreensl 09/25/2001	<u>SELF</u>	lrb_docadmin 09/25/2001	lrb_docadminS&L 10/01/2001	

FE Sent For:

10-02-01
("1/2")

13 10/16 jld

10/16
pgg

<END>

For Assm

2001 DRAFTING REQUEST

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Wanted: **As time permits**

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/1	gibsom 09/18/2001	wjackson 09/20/2001	pgreensl 09/20/2001	_____	lrb_docadmin 09/20/2001		S&L
/2	gibsom 09/25/2001	wjackson 09/25/2001	pgreensl 09/25/2001	_____	lrb_docadmin 09/25/2001		S&L

FE Sent For:

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/1	gibsom 09/18/2001	wjackson 09/20/2001	pgreensl 09/20/2001	g/g	lrb_docadmin 09/20/2001		S&L

12 WJ 9/25
 9/25
 P8
 P8/RB
 <END>

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1?	gibsom	1 WJ 9/20	9/20 pg	9/20 SEUF			

FE Sent For:

<END>

FAX COVER SHEET

WISCONSIN COUNTY FORESTS ASSOCIATION

Colette J. Matthews, Executive Secret
 W7300 Ridge Road 518 W. Somio Ave
 Tomahawk WI 54487-9006
 e-mail: wcfa@newnorth.net
 Telephone: 715-453-9125 453-6741
 Fax: 715-453-9125 453-6741

SEND TO Company name <i>Tim Gary</i>	From <i>Colette Matthews</i>
Attention	Date
Office location <i>Rep Don Furstin's office</i>	Office location
Fax number <i>608-282-3685</i>	Phone number
<input type="checkbox"/> Urgent <input type="checkbox"/> Reply ASAP <input type="checkbox"/> Please comment <input checked="" type="checkbox"/> Please review <input type="checkbox"/> FYI	
Total pages including cover <u>2</u>	

COMMENTS

Amend s. 26.22 to read: #

"The department may sell any timber on (cross-out state park or state forest) its lands which has been damaged by fire (cross-out, but leave in "or") wind, snow hail or ice on such terms and in such manner as it shall deem best for the interest of the state."

Amend s. 28.11(6)(b)1 to read:

"Except as provided in par. 5. (cross out, but leave in "Any") any timber sale with"

Create s. 28.11(6)(b)5 to read: #

"The county may sell any timber on its lands which has been damaged by fire, wind, snow, hail or ice on such terms

Page 1

and in such manner as it shall deem best for the interest of the county."

.....
From: Barkley, Jeffrey D.
Sent: Thursday, June 21, 2001 11:30 AM
To: Christenson, Jimmy S
Cc: Mather, Robert J; 'Colette Matthews - WCFA Exec. Secretary'
Subject: PROPOSED STATUTORY CHANGES

Hi all. Attached are the potential changes which had been discussed.

Bob & Colette if you could comment on the content of the changes. Is there anything I have missed?

Jim - If you could smooth out the changes so that they are in a form I could take to WCFA for introduction into the legislature.

I'm new to this part of the business - tips, suggestions, comments are welcome & encouraged.

<<File: Proposed Statutory Changes 01_.doc>>



State of Wisconsin
2001 - 2002 LEGISLATURE

RMR
LRB-3683/PT 1
MGG:/:....
WLj

(D-N)

(FM)

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

GEN

1 AN ACT ...; relating to: sales of damaged timber by the department of natural
2 resources and by county forestry committees.

Analysis by the Legislative Reference Bureau

and 7 Under current law, the department of natural resources (DNR) may sell timber that is located in a state forest or state park that has been damaged by fire or wind on the terms and in the manner that DNR considers is in the best interests of the state. For sales of nondamaged timber from state forest land, DNR must follow certain advertising and sale procedures. This bill expands this authority to sell damaged timber to cover all lands under DNR's jurisdiction and to include damage caused by snow, hail, or ice.

Under current law, counties have no specific authority to sell damaged timber that is located in county forests. The provisions under current law regarding private or public sales and appraisals that apply to the sale of timber from county forests apply to all timber regardless of whether it is damaged. This bill allows counties to sell timber damaged by fire, snow, hail, ice, or wind on the terms and in the manner that the county forestry committee determines is in its best interest.

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:

SECTION 1. 26.22[✓] of the statutes is amended to read:

26.22 Sales, etc. The department may sell any timber on ~~the state park or state forest lands~~ land under the department's jurisdiction which has been damaged by fire, snow, hail, ice, or wind, on such terms and in such manner as ~~it shall deem~~ the department determines is in the best ~~for the~~ interest of the state.

SECTION 2. 28.11 (6) (c)[✓] of the statutes is created to read:

28.11 (6) (c) Exception. Paragraph (b) 1. and 2. ³ does not apply to any sale of timber that ~~have~~ ^{has} been damaged by fire, snow, hail, ice, or wind. ~~Timbered~~ ² damaged in that manner that is located in a county forest may be sold by the county forestry committee for that county on such terms and in such manner as the committee determines is in the best interest of the county.

(END)

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3683/Edn
MGC:.....

1
Wlj

1. Does the sale of damaged timber from county forests also need to be exempted from any of the requirements in s. 28.11 (6) (a)?

2. Does s. 28.11 (9) (a) need to be amended?

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

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3683/1dn
MCG:wlj:pg

September 20, 2001

1. Does the sale of damaged timber from county forests also need to be exempted from any of the requirements in s. 28.11 (6) (a)?
2. Does s. 28.11 (9) (a) need to be amended?

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



Two,
if possible

2001 BILL

REGEN

1 AN ACT to amend 26.22; and to create 28.11 (6) (c) of the statutes; relating to:
2 sales of damaged timber by the department of natural resources and by county
3 forestry committees from county forest lands

Analysis by the Legislative Reference Bureau

Under current law, the department of natural resources (DNR) may sell timber that has been damaged by fire or wind and that is located in a state forest or state park on the terms and in the manner that DNR considers is in the best interest of the state. For sales of nondamaged timber from state forest land, DNR must follow certain advertising and sale procedures. This bill expands this authority to sell damaged timber to cover all lands under DNR's jurisdiction and to include damage caused by snow, hail, or ice.

Under current law, counties have no specific authority to sell damaged timber that is located in county forests. The provisions under current law regarding private or public sales and appraisals that apply to the sale of timber from county forests apply to all timber regardless of whether it is damaged. This bill allows counties to sell timber damaged by fire, snow, hail, ice, or wind on the terms and in the manner that the county forestry committee determines is in its best interest.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

✓
INSERT
ANL

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

BILL

1
2
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12

SECTION 1. 26.22 of the statutes is amended to read:

26.22 Sales, etc. The department may sell any timber on ~~the state park or state forest lands~~ land under the department's jurisdiction which has been damaged by fire, snow, hail, ice, or wind, on such terms and in such manner as ~~it shall deem~~ the department determines is in the best for the interest of the state.

SECTION 2. 28.11 (6) (c) of the statutes is created to read:

28.11 (6) (c) *Exception.* ~~Paragraph~~ (b) 1. and 2. ~~does~~ ^{do} not apply to any sale of timber that has been damaged by fire, snow, hail, ice, or wind. Timber damaged in that manner that is located in a county forest may be sold by the county forestry committee for that county on such terms and in such manner as the committee determines is in the best interest of the county.

(END)

INS 2-5 ✓

INS 2-11 ✓

Paragraphs (a) and

2001-2002 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3683/2ins
MGC:wlj:pg

Insert ANL

Under current law, a county must pay back loans made by DNR to the county for its county forests. The county uses the loan proceeds for acquiring, developing, preserving, or maintaining county forests or for other forestry projects. A county pays back such a loan by paying to DNR an amount equal to at least 20% of the stumpage sales value of the timber cut from the county's forest lands. These payments are known as severage share payments. Under the bill, sales of timber damaged by fire, snow, hail, ice or wind are exempt from this severage share payment requirement.

Insert 2-5

SECTION 28.11 (3) (k) of the statutes is amended to read:

28.11 (3) (k) Establish energy conservation projects which permit individual members of the public to remove up to 10 standard cords of wood without charge from county forest lands for individual home heating purposes. The county board shall limit removal of wood for energy conservation projects to wood that is unsuitable for commercial sale. The county board may require a permit to remove wood for energy conservation projects and may charge a fee for the permit to administer projects established under this paragraph. A county board shall restrict participation in projects established under this paragraph to residents, as defined under s. 29.001 (69), but may not restrict participation to residents of the county. No timber sale contract is required for wood removed under this paragraph.

History: 1971 c. 215; 1975 c. 39 s. 734; 1975 c. 342; 1977 c. 29; 1979 c. 34 ss. 723 to 725, 2102 (39) (a); 1983 a. 27; 1983 a. 192 s. 304; 1983 a. 424 ss. 2 to 5; 1985 a. 29 ss. 655ce to 655eg, 3202 (39); 1985 a. 182, 57; 1987 a. 27; 1989 a. 71, 79; 1993 a. 16, 184, 301; 1995 a. 27, 201; 1997 a. 237, 248; 1999 a. 9.

SECTION 28.11 (6) (a) of the statutes is amended to read:

28.11 (6) (a) *Limitations.* The county forestry committee is authorized to sell merchantable timber designated in timber sale contracts and products removed in cultural or salvage cuttings. ~~No timber sale contract is required for wood removed under sub. (3) (k).~~ All timber sales shall be based on tree scale or on the scale, measure or count of the cut products; the Scribner Decimal C log rule shall be used

1 in log scaling. All cuttings shall be limited to trees marked or designated for cutting
2 by qualified personnel recognized as such by the department.

History: 1971 c. 215; 1975 c. 39 s. 734; 1975 c. 342; 1977 c. 29; 1979 c. 34 ss. 723 to 725, 2102 (39) (a); 1983 a. 27; 1983 a. 192 s. 304; 1983 a. 424 ss. 2 to 5; 1985 a. 29 ss. 655ce to 655cg, 3202 (39); 1985 a. 182 s. 57; 1987 a. 27; 1989 a. 31, 79; 1993 a. 16, 184, 301; 1995 a. 27, 201; 1997 a. 237, 248; 1999 a. 9.

3 **Insert 2-11**

4 **SECTION ~~4~~ 28.11 (9) (a)** of the statutes is amended to read:

5 28.11 (9) (a) Except as provided under pars. (b) ~~and~~, (c), and (d), on timber cut
6 from lands entered as "county forest lands" the county shall pay a severance share
7 of not less than 20% of the actual stumpage sales value of the timber. A higher rate
8 of payment may be applied when agreed upon by the department and the county.
9 When cutting is done by the county and timber is not sold or is sold as cut forest
10 products the severance share shall be 20% of the severance tax schedule in effect
11 under s. 77.06 (2).

History: 1971 c. 215; 1975 c. 39 s. 734; 1975 c. 342; 1977 c. 29; 1979 c. 34 ss. 723 to 725, 2102 (39) (a); 1983 a. 27; 1983 a. 192 s. 304; 1983 a. 424 ss. 2 to 5; 1985 a. 29 ss. 655ce to 655cg, 3202 (39); 1985 a. 182 s. 57; 1987 a. 27; 1989 a. 31, 79; 1993 a. 16, 184, 301; 1995 a. 27, 201; 1997 a. 237, 248; 1999 a. 9.

12 **SECTION ~~4~~ 28.11 (9) (cm)** of the statutes is created to read:

13 **28.11 (9) (cm)** No severance share payment is required for timber that is sold
14 as provided under sub. (6) (c).



State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

100 NORTH HAMILTON STREET
5TH FLOOR
MADISON, WI 53701-2037

STEPHEN R. MILLER
CHIEF

LEGAL SECTION: (608) 266-3561
LEGAL FAX: (608) 264-6948

September 25, 2001

MEMORANDUM

To: Representative Friske
From: Mary Gibson-Glass, Senior Legislative Attorney
Re: LRB-3683/2 Timber sales

MGG-
Jacketed this
one for Assm.
↓
They may need
a comp.
for the
Senate
??

The attached draft was prepared at your request. Please review it carefully to ensure that it is accurate and satisfies your intent. If it does and you would like it jacketed for introduction, please indicate below for which house you would like the draft jacketed and return this memorandum to our office. If you have any questions about jacketing, please call our program assistants at 266-3561. Please allow one day for jacketing.

JACKET FOR ASSEMBLY JACKET FOR SENATE

If you have any questions concerning the attached draft, or would like to have it redrafted, please contact me at (608) 267-3215 or at the address indicated at the top of this memorandum.

If the last paragraph of the analysis states that a fiscal estimate will be prepared, the LRB will request that it be prepared after the draft is introduced. You may obtain a fiscal estimate on the attached draft before it is introduced by calling our program assistants at 266-3561. Please note that if you have previously requested that a fiscal estimate be prepared on an earlier version of this draft, you will need to call our program assistants in order to obtain a fiscal estimate on this version before it is introduced.

Please call our program assistants at 266-3561 if you have any questions regarding this memorandum.

Barman, Mike

From: Barman, Mike
Sent: Tuesday, October 02, 2001 7:53 AM
To: Rep.Friske
Subject: LRB-3683/2 (attached - requested by Tim) (Note: FE also sent for)



01-3683/2

Mike Barman

Mike Barman - Senior Program Asst. (PH. 608-266-3561)
(E-Mail: mike.barman@legis.state.wi.us) (FAX: 608-264-6948)

State of Wisconsin
Legislative Reference Bureau - Legal Section - Front Office
100 N. Hamilton Street - 5th Floor
Madison, WI 53703

f. 3683

13

delete p 3 lines 20-22

Fiscal Estimate - 2001 Session

Original Updated Corrected Supplemental

LRB Number 01-3683/2		Introduction Number	
Subject			
Timber sales			
Fiscal Effect			
State:			
<input type="checkbox"/> No State Fiscal Effect <input type="checkbox"/> Indeterminate <input type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Decrease Existing Appropriations <input checked="" type="checkbox"/> Decrease Existing Revenues <input type="checkbox"/> Create New Appropriations <input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Decrease Costs			
Local:			
<input type="checkbox"/> No Local Government Costs <input type="checkbox"/> Indeterminate <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p>1. <input type="checkbox"/> Increase Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory</p> <p>2. <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory</p> </div> <div style="width: 45%;"> <p>3. <input checked="" type="checkbox"/> Increase Revenue <input type="checkbox"/> Permissive <input checked="" type="checkbox"/> Mandatory</p> <p>4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory</p> </div> </div> <div style="margin-top: 10px;"> <p>5. Types of Local Government Units Affected</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> <input type="checkbox"/> Towns <input checked="" type="checkbox"/> Counties <input type="checkbox"/> School Districts </div> <div style="width: 30%;"> <input type="checkbox"/> Village <input type="checkbox"/> Others <input type="checkbox"/> WTCS Districts </div> <div style="width: 30%;"> <input type="checkbox"/> Cities </div> </div> </div>			
Fund Sources Affected		Affected Ch. 20 Appropriations	
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input checked="" type="checkbox"/> SEG <input type="checkbox"/> SEGS		20.370(5)(bq) and 20.370(5)(bu)	
Agency/Prepared By		Authorized Signature	Date
DNR/ Joe Polasek (608) 266-2794		Joe Polasek (608) 266-2794	10/31/01

copy sent to Rep. Friske (10-31-01)

FE is for old "12" version

Draft is now "13"

Intro as ABL600

Fiscal Estimate Narratives

DNR 10/31/01

LRB Number	01-3683/2	Introduction Number	Estimate Type	Original
Subject				
Timber sales				

Assumptions Used in Arriving at Fiscal Estimate

Bill Summary: This bill would amend the process of selling timber damaged by fire or weather-related events. Prior to this bill, the salvage provisions only applied to timber damaged by wind or fire and only on State Forests or State Parks. Damage by snow, hail and ice has been included as has the inclusion of other lands under State jurisdiction and County Forests. The salvage provisions provide for a waiver of the requirement to advertise those timber sales if the estimated value is \$3,000 or more. This bill would allow both the Counties and State to sell salvage sales as they deem in their best interest. In addition, the bill exempts the County Forests from paying the 20% severance tax on sales sold under the salvage provision.

Fiscal Estimate: The following assumptions were made in preparing the fiscal analysis:

*Current designation of "salvage" on a sale is made by the establishing forester. It includes timber with reduced value due to wind, fire or insect-damaged stumpage. It was assumed for the analysis that the current salvage definition and consequent number of sales would closely parallel what could be expected under a new definition.

ASSUMPTIONS:

*The assumption is made that all of the counties with salvage sales owe severance. There is potential, however, that if a county had no balance in its forestry fund account, it would owe no severance for timber cut as salvage or otherwise.

*Savings to counties by not having to advertise a sale would be minimal and hard to ascertain. It is common practice to combine several sales at a time when advertising. The average number of "salvage" sales for the last two years on County Forests (33) would indicate that while there would be cost savings, it would be minimal. The fiscal analysis does not address these figures.

*The ability to salvage timber more quickly and efficiently can minimize the degradation of the forest products and thereby lead to increases in product value and stumpage prices for the landowner. In addition, being able to reopen recreational areas quickly would encourage recreational use and income to recover. This would benefit both the landowner and the local economy. While real, these benefits are difficult to ascertain and are not detailed in the fiscal analysis.

* Exempting salvage timber from severance WILL NOT reduce a County's Forestry Fund Loan balance. It will merely postpone payment on the debt.

ANALYSIS:

Impact of exempting county forest salvage these sales from 20% severance

1999 - 26 sales with a value of \$180,065

2000 - 39 sales with a value of \$131,494

AVE: 32.5 sales per year for \$155,780

Under the present system the 20% severance would total an average of \$31,156. This means that the state would receive an estimated \$31,156 less revenue as a result of this proposal. The reduction in state revenue would mean that there would be a reduction in revenue available for payments and loans to county forests, again estimated to be \$31,156. This figure can vary dramatically from year to year depending on storm occurrences

Long-Range Fiscal Implications

Depending on the year, the exemption of the 20% severance could have a potentially large impact on the availability of county forest project and variable acreage share loan availability. History indicates that between \$800,000 and \$1,000,000 is repayed annually into the revenue accounts available for these county forest loans. This represents approximately 50% of what is annually available in that fund. An abnormally high number of weather-related events in any one year (with a corresponding large number of severance-exempt "salvage" sales) would reduce the amount of money available for County Forest loans.

Fiscal Estimate Worksheet - 2001 Session

Detailed Estimate of Annual Fiscal Effect

Original
 Updated
 Corrected
 Supplemental

LRB Number 01-3683/2		Introduction Number	
Subject			
Timber sales			
I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):			
None.			
II. Annualized Costs:		Annualized Fiscal Impact on funds from:	
		Increased Costs	Decreased Costs
A. State Costs by Category			
State Operations - Salaries and Fringes		\$	
(FTE Position Changes)			
State Operations - Other Costs			
Local Assistance			
Aids to Individuals or Organizations			
TOTAL State Costs by Category		\$	\$
B. State Costs by Source of Funds			
GPR			
FED			
PRO/PRS			
SEG/SEG-S			
III. State Revenues - Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.)			
		Increased Rev	Decreased Rev
GPR Taxes		\$	\$
GPR Earned			
FED			
PRO/PRS			
SEG/SEG-S			-31,200
TOTAL State Revenues		\$	-\$31,200
NET ANNUALIZED FISCAL IMPACT			
		<u>State</u>	<u>Local</u>
NET CHANGE IN COSTS		\$	\$
NET CHANGE IN REVENUE		\$-31,200	\$\$31,200
Agency/Prepared By		Authorized Signature	
DNR/ Joe Polasek (608) 266-2794		Joe Polasek (608) 266-2794	
		Date	
		10/31/01	



State of Wisconsin
2001 - 2002 LEGISLATURE

RMR
LRB-3683/23
MGG:wlj:pg
JLD

noon

2001 BILL

Regen

1 AN ACT to amend 26.22, 28.11 (3) (k), 28.11 (6) (a) and 28.11 (9) (a); and to create
2 28.11 (6) (c) and 28.11 (9) (cm) of the statutes; relating to: sales of damaged
3 timber by the department of natural resources and from county forest lands.

Analysis by the Legislative Reference Bureau

Under current law, the department of natural resources (DNR) may sell timber that has been damaged by fire or wind and that is located in a state forest or state park on the terms and in the manner that DNR considers is in the best interest of the state. For sales of nondamaged timber from state forest land, DNR must follow certain advertising and sale procedures. This bill expands this authority to sell damaged timber to cover all lands under DNR's jurisdiction and to include damage caused by snow, hail, or ice.

Under current law, counties have no specific authority to sell damaged timber that is located in county forests. The provisions under current law regarding private or public sales and appraisals that apply to the sale of timber from county forests apply to all timber regardless of whether it is damaged. This bill allows counties to sell timber damaged by fire, snow, hail, ice, or wind on the terms and in the manner that the county forestry committee determines is in its best interest.

Under current law, a county must pay back loans made by DNR to the county for its county forests. The county uses the loan proceeds for acquiring, developing, preserving, or maintaining county forests or for other forestry projects. A county pays back such a loan by paying to DNR an amount equal to at least 20% of the stumpage sales value of the timber cut from the county's forest lands. These

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payments are known as severage share payments. Under the bill, sales of timber damaged by fire, snow, hail, ice or wind are exempt from this severage share payment requirement.

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.** 26.22 of the statutes is amended to read:

2 **26.22 Sales, etc.** The department may sell any timber on the state park or
3 state forest lands land under the department's jurisdiction which has been damaged
4 by fire, snow, hail, ice, or wind, on such terms and in such manner as ~~it shall deem~~
5 the department determines is in the best for the interest of the state.

6 **SECTION 2.** 28.11 (3) (k) of the statutes is amended to read:

7 28.11 (3) (k) Establish energy conservation projects which permit individual
8 members of the public to remove up to 10 standard cords of wood without charge from
9 county forest lands for individual home heating purposes. The county board shall
10 limit removal of wood for energy conservation projects to wood that is unsuitable for
11 commercial sale. The county board may require a permit to remove wood for energy
12 conservation projects and may charge a fee for the permit to administer projects
13 established under this paragraph. A county board shall restrict participation in
14 projects established under this paragraph to residents, as defined under s. 29.001
15 (69), but may not restrict participation to residents of the county. No timber sale
16 contract is required for wood removed under this paragraph.

17 **SECTION 3.** 28.11 (6) (a) of the statutes is amended to read:

18 28.11 (6) (a) *Limitations.* The county forestry committee is authorized to sell
19 merchantable timber designated in timber sale contracts and products removed in

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1 cultural or salvage cuttings. ~~No timber sale contract is required for wood removed~~
2 ~~under sub. (3) (k).~~ All timber sales shall be based on tree scale or on the scale,
3 measure or count of the cut products; the Scribner Decimal C log rule shall be used
4 in log scaling. All cuttings shall be limited to trees marked or designated for cutting
5 by qualified personnel recognized as such by the department.

6 **SECTION 4.** 28.11 (6) (c) of the statutes is created to read:

7 28.11 (6) (c) *Exception.* Paragraphs (a) and (b) 1. and 2. do not apply to any sale
8 of timber that has been damaged by fire, snow, hail, ice, or wind. Timber damaged
9 in that manner that is located in a county forest may be sold by the county forestry
10 committee for that county on such terms and in such manner as the committee
11 determines is in the best interest of the county.

12 **SECTION 5.** 28.11 (9) (a) of the statutes is amended to read:

13 28.11 (9) (a) Except as provided under pars. (b) and, (c), and (d), on timber cut
14 from lands entered as "county forest lands" the county shall pay a severance share
15 of not less than 20% of the actual stumpage sales value of the timber. A higher rate
16 of payment may be applied when agreed upon by the department and the county.
17 When cutting is done by the county and timber is not sold or is sold as cut forest
18 products the severance share shall be 20% of the severance tax schedule in effect
19 under s. 77.06 (2).

20 **SECTION 6.** 28.11 (9) (cm) of the statutes is created to read:

21 28.11 (9) (cm) No severance share payment is required for timber that is sold
22 as provided under sub. (6) (c).

23 (END)

Barman, Mike

From: Barman, Mike
Sent: Wednesday, October 17, 2001 3:57 PM
To: Gary, Tim
Subject: LRB-3683/3 (attached - per your request)



01-3683/3