

**2001 DRAFTING REQUEST**

**Bill**

Received: 10/15/2001

Received By: gibsom

Wanted: As time permits

Identical to LRB:

For: John Gard (608) 266-2343

By/Representing: Matt Kussow

This file may be shown to any legislator: NO

Drafter: gibsom

May Contact: Colette Matthews 715 453 9125

Addl. Drafters:

Subject: Nat. Res. - parks and forestry

Extra Copies:

Submit via email: NO

**Pre Topic:**

No specific pre topic given

**Topic:**

Reports from counties to department of natural resources regarding timber cutting in county forests

**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 10/30/2001	rschluet 11/15/2001	pgreensl 11/19/2001	_____	lrb_docadmin 11/19/2001	lrb_docadminS&L 11/20/2001	

FE Sent For:

<END>

01-31-02  
(" / ")

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1?	gibsom						
FE Sent For:							

11-13-01

11/19 P8

11/19 P8/RS

1-11/14 King

<END>

**Skoldberg, Alyson**

**From:** Colette Matthews  
**Sent:** Thursday, October 04, 2001 3:24 PM  
**To:** Rep.Gard  
**Subject:** proposed changes to 28.11

John, here are the four proposed changes to 28.11. One of them, number 4, has been submitted to Representative Friske, but is still in draft form. The WCFA board at first thought #4 was the only one safe enough to go with; they voted at their last meeting to try to get all four through.

I don't know how you would handle this - if #4 should be included in one separate bill, or go alone. We will leave that decision up to you, and maybe you can talk to Don Friske about it. He, also, is willing to help us all he can.

Thanks for all your help!

Colette

**PROPOSED CHANGES**

**ELIMINATE REQUIREMENT FOR PARTIAL REPORTING IF A COUNTY DOES NOT HAVE AN OUTSTANDING DEBT**

Reasoning: Time Savings for both DNR and County

Statute: 28.11(6)(a)4

Suggested change: 4. Within 90 days after completion of any cutting operation (including timber trespass) but not more than 2 years after filing the cutting notice, *if the county has an outstanding debt owed to the state under this section*, the county shall transmit§§§.

Additional changes needed as a result of this statutory change:

Timber Sale Handbook 32-10 - references Partial Report and need to file  
3 3 3 34-2 - references Cutting Report Partial routing procedure

~~CHANGE 10 YEAR TIME FRAME IN COUNTY FOREST PLANS TO 15 YEARS~~

~~Reasoning: Time savings for both DNR and County. General feeling is that 10 years is such a short time frame that someone finishes one cycle and is not ready to start the process again. The 15 year time frame process and the planning efforts to overshadow the actual work (e.g. §§§).~~

~~Statute: 28.11(5)(a)~~

~~Suggested Change: A comprehensive county forest and use plan shall be prepared for a 15 year period by §§§. The application will be considered an annual application for the 15 year period of the plan.~~

~~Additional changes needed as a result of this statutory change:~~

~~Public Lands Handbook All references to 10 yr. plan in 210-12, 210-33, 210-51, 210-56, 210-60, 210-63, 210-64, 210-65, 210-10, 210-11, 280-10~~

~~CHANGE ADS SIZE ON TIMBER SALES FROM CLASSIFIED TO DISPLAY SIZED~~

~~any of sale ads. Display ads can be bordered and bordered to draw more attention to the ad.~~

~~although to be consistent with the other advertising on State Lands as well.~~

~~§§§. Any timber sale with an estimated value of \$1000 or more shall be advertised by a classified or display-sized advertisement announcing the sale in §§§.~~

~~Additional changes needed as a result of this statutory change:~~

~~Timber Sale Handbook 52-1~~

~~M.C. 9327.1 ?????????~~

-4042

11/12/01

conv. w/ Brad ~~Resch~~ Resch 715 748 1486

2 types of reports

partial - for ongoing cuttings - every  
2 years

final - 90 days after completed  
only want to exempt the partial reports



State of Wisconsin  
2001 - 2002 LEGISLATURE

LRB-4042/1 RMR  
MGG:.....! /KMG  
CS

2001 BILL

Lozen

1 AN ACT ...; relating to: reporting requirements on wood products that are cut  
2 from county forests.

of

*Analysis by the Legislative Reference Bureau*

Under current law, moneys are appropriated to the department of natural resources (DNR) for two types of noninterest bearing loans for county forests. The counties pay back both these types of loans 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.

Under current law, counties must transmit to DNR certain cutting reports regarding the cutting of merchantable wood products from these county forests. Under current law, the county must submit a final report on the cut wood products within 90 days after the cutting is completed or, for ongoing cutting operations, the county must submit an interim report on the cut wood products at two-year intervals until the cutting is completed.

This bill exempts a county from the interim reporting requirement concerning cut wood products if the county does not have a balance due to the state on its noninterest bearing loans.

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:*

S  
the county's

**BILL**

1 SECTION 1. 28.11 (6) (b) 4. of the statutes is amended to read:

2 28.11 (6) (b) 4. ~~Within 90 days after completion of any cutting operation~~  
3 ~~(including timber trespass) but not more than 2 years after filing the cutting notice,~~  
4 ~~the county shall transmit to the department on forms furnished by the department,~~  
5 ~~a report of merchantable wood products cut.~~ The department may conduct such  
6 investigations ~~on~~ of timber cutting operations as it ~~deems~~ determines to be advisable,  
7 including the holding of public hearings ~~thereon~~, and may assess severance share  
8 payments accordingly.

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. 655c 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.

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

10 28.11 (6) (c) *Cutting reports.* 1. A county shall transmit to the department a  
11 final cutting report of merchantable wood products cut, including those cut as a  
12 result of timber trespass, within 90 days after the date <sup>on which</sup> any cutting operation is  
13 completed. *g*

14 2. For a cutting operation of merchantable wood products that lasts more than  
15 2 years from the date <sup>on which</sup> the cutting notice is filed under par. (b) 3., a county shall  
16 transmit to the department an interim cutting report of the <sup>for</sup> products cut, including  
17 those cut as a result of timber trespass, <sup>no</sup> no later than 2 years after the cutting notice  
18 is filed <sup>and</sup> and shall continue to file interim reports at intervals that are no longer than  
19 2 years until the cutting operation is completed. A county is exempt from preparing  
20 an interim report <sup>if</sup> there is no balance due in the forestry account of the county on  
21 the date <sup>on which</sup> the report is scheduled to be due. *g*

22 3. The department shall furnish the forms to be used for the cutting reports  
23 required under subds. 1. and 2.

24 (END)



# 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

November 19, 2001

### MEMORANDUM

To: Representative Gard

From: Mary Gibson-Glass, Senior Legislative Attorney

Re: LRB-4042/1 Reports from counties to department of natural resources regarding timber cutting in county forests

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.