

**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

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Advertising announcing timber sales

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**Instructions:**

See Attached

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**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 11/08/2001	jfrantze 11/09/2001	_____	lrb_docadmin 11/09/2001	lrb_docadminS&L 11/13/2001	

FE Sent For:

<END>

01-31-2002  
("1")

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1/?	gibsom	<i>10-31-1</i>	<i>to 11/9</i>	<i>Self 11/9</i>			

FE Sent For:

<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

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

Reasoning: Time Savings for both DNR and County

Statute: 28.11(3)(a)

Suggested change: Within 30 days after completion of any cutting operation (including timber trespass) or more than 2 years after final termination of the county has an outstanding debt owed to the state under this section, the county shall...

Additional changes needed as a result of this statutory change:

Timber Sale Handbook 32-10 references Partial Reporting and should file
3 3 24.2 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 you no sooner finish one cycle and you're almost ready to start the process again. We don't want the process and planning errors...

Statute: 28.11(3)(a)

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

Additional changes needed as a result of this statutory change:

Public Land Handbook All references to 10 year plan in 210-12, 210-30, 210-31, 210-36, 210-60, 210-63, 210-64, 210-65, 240-10, 240-11, 280-10

CHANGE AD SIZE ON TIMBER SALES FROM CLASSIFIED TO DISPLAY-SIZED

Reasoning: Improve visibility of sale ads. Display ads can be bolded and bordered to draw more attention so that no potential bidders miss the ad.

Statute: 28.11(6)(b) although to be consistent it would be wise to change 28.05(2) pertaining to State Lands as well.

Suggested Change: (b) Procedures. 1. Any timber sale with an estimated value of \$1000 or more shall be by sealed bid or public sale after publication of 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 ?????????



State of Wisconsin  
2001 - 2002 LEGISLATURE

RMR  
LRB-4044/1  
MGG:.....  
15  
a  
cmh

DN

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

Gen

1 AN ACT ...; relating to: the advertising of a sale of timber that has an estimated  
2 value of \$3,000 or more and that comes from state, county, or community  
3 forests.

**Analysis by the Legislative Reference Bureau**

Under current law, a timber sale that has an estimated value of \$3,000 or more is subject to certain advertising requirements if the timber comes from a state forest, a county forest, or a forest under the jurisdiction of a city, village, town, or school district. Under current law, a classified advertisement announcing the sale must be placed twice in a newspaper having general circulation in the county in which the timber is located. Under the bill, the advertisement must be a display advertisement that is <sup>two</sup> or more columns wide in size.

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:**

4 SECTION 1. 28.05 (2) of the statutes is amended to read:  
5 28.05 (2) PROCEDURE. Sales of cut products or stumpage having an estimated  
6 value of \$3,000 or more shall be by public sale after 2 publications of a classified

1 display advertisement announcing the sale that is 2 or more columns wide and that  
 2 is placed in a newspaper having general circulation in the county in which the timber  
 3 to be sold is located. Sales with an estimated value of \$3,000 or more requires  
 4 approval by the secretary.

~~History: 1989 a. 79, 1999 a. 9.~~

5 **SECTION 2.** 28.11 (6) (b) 1. of the statutes is amended to read:

6 28.11 (6) (b) 1. Any timber sale with an estimated value of \$3,000 or more shall  
 7 be by sealed bid or public sale after publication of a ~~classified~~ display advertisement  
 8 announcing the sale that is 2 or more columns wide and that is placed in a newspaper  
 9 having general circulation in the county in which the timber to be sold is located. Any  
 10 timber sale with an estimated value below \$3,000 may be made without prior  
 11 advertising. Any timber sale with an estimated value of \$3,000 or more requires  
 12 approval of the secretary.

~~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. 655cc 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.~~

13 **SECTION 3.** 28.22 of the statutes is amended to read:

14 **28.22 Timber sales; community forests.** Any timber sale from a community  
 15 forest shall be based on the scale, measure, or count of the cut products. Any timber  
 16 sale with an estimated value of \$3,000 or more shall be by public sale after 2  
 17 publications of a ~~classified~~ display advertisement announcing the sale that is 2 or  
 18 more columns wide and that is placed in a newspaper having general circulation in  
 19 the county in which the timber to be sold is located.

~~History: 1989 a. 79; 1999 a. 9.~~

20 **SECTION 4. Initial applicability.**

21 (1) This act first applies to sales of timber or stumpage for which  
 22 advertisements are placed on the effective <sup>date</sup> ~~day~~ of this ~~act~~ <sup>subsection</sup>.

23 **SECTION 5. Effective date.**



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

LRB-4044/dn  
MGG:.....

1  
65

Date

1. I inserted a specific requirement as to the size of the "display advertisement" because I, as a layperson, was not familiar with the term, and I felt the description needed to be more precise. Please let me know if you want any changes.
2. Since on the effective date of this bill DNR or a local unit of government may be in the process of advertising the sale, I created an initial applicability provision. I also created an effective date to allow the DNR and local units of government time to administrative implement this provision. If you want the effective date changed or deleted, please let me know.

1y

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



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

LRB-4044/1dn  
MGC:rs:jf

November 9, 2001

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Senior Legislative Attorney  
Phone: (608) 267-3215



# State of Wisconsin

## LEGISLATIVE REFERENCE BUREAU

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

STEPHEN H. MILLER  
CHIEF

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

November 9, 2001

### MEMORANDUM

To: Representative Gard

From: Mary Gibson-Glass, Senior Legislative Attorney

Re: LRB-4044/1 Advertising announcing timber sales

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.