

2001 DRAFTING REQUEST

Bill

Received: **01/24/2002**

Received By: **gibsom**

Wanted: **As time permits**

Identical to LRB:

For: **Mary Hubler (608) 266-2519**

By/Representing: **Steve Engelbert**

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

Drafter: **gibsom**

May Contact:

Addl. Drafters:

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

Extra Copies:

Submit via email: **NO**

Pre Topic:

No specific pre topic given

Topic:

Conversion of forest croplands to managed forest lands

Instructions:

Make conversion again possible under s. 77.82 (4m)

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>
/?	gibsom 01/29/2002	rschluet 01/30/2002		_____			S&L
/1			jfrantze 01/30/2002	_____	lrb_docadmin 01/30/2002		S&L
/2	gibsom 02/12/2002	gilfokm 02/12/2002	jfrantze 02/13/2002	_____	lrb_docadmin 02/13/2002	lrb_docadmin 02/14/2002	
			pgreensl 02/13/2002	_____			

FE Sent For:

@ mtd.

<END>

2001 DRAFTING REQUEST

Bill

Received: **01/24/2002**

Received By: **gibsom**

Wanted: **As time permits**

Identical to LRB:

For: **Mary Hubler (608) 266-2519**

By/Representing: **Steve Engelbert**

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

Drafter: **gibsom**

May Contact:

Addl. Drafters:

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

Extra Copies:

Submit via email: **NO**

Pre Topic:

No specific pre topic given

Topic:

Conversion of forest croplands to managed forest lands

Instructions:

Make conversion again possible under s. 77.82 (4m)

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>
/?	gibsom 01/29/2002	rschluet 01/30/2002		_____			S&L
/1			jfrantze 01/30/2002	_____	lrb_docadmin 01/30/2002		S&L
/2	gibsom 02/12/2002	gilfokm 02/12/2002	jfrantze 02/13/2002	_____	lrb_docadmin 02/13/2002		
			pgreensl 02/13/2002	_____			

FE Sent For:

<END>

2001 DRAFTING REQUEST

Bill

Received: 01/24/2002

Received By: gibsom

Wanted: As time permits

Identical to LRB:

For: Mary Hubler (608) 266-2519

By/Representing: Steve Engelbert

This file may be shown to any legislator: NO

Drafter: gibsom

May Contact:

Addl. Drafters:

Subject: Nat. Res. - parks and forestry

Extra Copies:

Submit via email: NO

Pre Topic:

No specific pre topic given

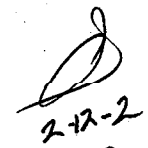
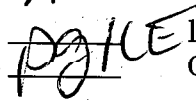
Topic:

Conversion of forest croplands to managed forest lands

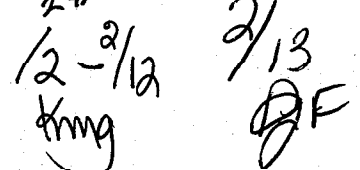
Instructions:

Make conversion again possible under s. 77.82 (4m)

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>
/?	gibsom 01/29/2002	rschluet 01/30/2002		2/13			S&L
/1		 2-12-2	jfrantze 01/30/2002	 2/13	lrb_docadmin 01/30/2002		

FE Sent For:



<END>

2001 DRAFTING REQUEST

Bill

Received: 01/24/2002

Received By: gibsom

Wanted: As time permits

Identical to LRB:

For: Mary Hubler (608) 266-2519

By/Representing: Steve Engelbert

This file may be shown to any legislator: NO

Drafter: gibsom

May Contact:

Addl. Drafters:

Subject: Nat. Res. - parks and forestry

Extra Copies:

Submit via email: NO

Pre Topic:

No specific pre topic given

Topic:

Conversion f forest croplands to managed forest lands

Instructions:

Make conversion again possible under s. 77.82 (4m)

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		8/1/30	Sub 1/30			

FE Sent For:

<END>

5807

2001 BILL

1 **AN ACT** to amend 77.82 (4m) (c) of the statutes; relating to: the conversion of
2 lands that are entered on the tax roll as forest croplands to lands that are
3 entered on the tax roll as managed forest lands.

Analysis by the Legislative Reference Bureau

Certain lands are designated as forest croplands under a program administered by the department of natural resources (DNR). Under this program, the owner of the designated land makes an annual payment per acre that is designated instead of the property taxes that would normally be payable. In exchange, the owner must comply with certain forestry practices and must allow hunting and fishing on all of the designated land. Beginning on January 1, 1986, DNR has not been able to designate any additional land as forest cropland.

Under a similar program that has been in effect after December 31, 1985, DNR may designate certain land as managed forest land. Under this program, the owner may close part of the land to public use such as hunting and fishing. The owner makes a higher annual payment on the acres that are closed than on the acres that are open. Both programs impose a withdrawal tax if the designated land is withdrawn before the period of the designation expires.

Before, January 1, 1998, an owner of forest croplands was able to file a petition with DNR to convert the land to managed forest land. The land to be converted had to be in a single town or village, and the petition had to include all forest croplands owned by the petitioner in that town or village. The owner had to submit the petition after September 1, 1994, and before January 1, 1998.

BILL

at any time after the effective date of this bill

Current law prohibits the imposition of withdrawal taxes for the conversion of these forest croplands to managed forest lands. However, under current law, for converted land that is withdrawn from the managed forest land program within ten years after its being converted, the withdrawal tax is the higher of the following: 1) the withdrawal tax that would have been imposed on the land under the forest cropland program at the time of the conversion; or 2) the withdrawal tax calculated under the formula used for managed forest lands that have not been converted.

~~This~~ The bill again allows an owner of forest croplands to file a petition to convert forest croplands into managed forest lands. ~~The petition must be filed after the date when this bill becomes law and before January 1, 2006.~~ The same location and ownership requirements and the same provisions concerning the imposition and calculation of withdrawal taxes that apply to forest croplands subject to the earlier conversion process apply to forest croplands for which a petition is filed as authorized under this bill.

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. 77.82 (4m) (c) of the statutes is ^{*repealed.*} amended to read:

2 ~~77.82 (4m) (c)~~ A petition under this subsection ^{*may*} ~~must~~ be submitted after

3 September 1, 1994, and before January 1, 1998, ^{*at any time*} ~~or after the effective date of this~~

4 ~~paragraph [revisor inserts date], and before January 1, 2006.~~

5 (END)

Gibson-Glass, Mary

To: Engelbert, Steve
Subject: LRB 01-4783

Steve:

I neglected to write a drafter's note on this draft regarding whether you wanted to change s. 77.82 (7) (d). If it is not amended, DNR will have 3 years to process these conversion petitions. Secondly, do you want a delayed effective date to give DNR some time to reestablish this conversion procedure? If so, let me know what date you would want.

Mary Gibson-Glass
Senior Legislative Attorney
Legislative Reference Bureau
608 267 3215

Gibson-Glass, Mary

From: Engelbert, Steve
Sent: Friday, February 01, 2002 3:12 PM
To: Gibson-Glass, Mary
Subject: LRB-4783\1 forest croplands bill



Forest cropland
conversion mem...

Mary Gibson-Glass:

Representative Hubler worked out these changes with Kenneth Hujanen, Forest Tax Section Chief, Bureau of Forestry, DNR.

Please call with other comments or questions.

Steve Engelbert
office of Representative Mary Hubler
266-2528

can contact

Chapter 77, Subchapter VI Managed Forest Law

Those parts of the Manged Forest Law that cover the conversion of lands from the Forest Crop Law:

77.82 (1)(c) – Remains unchanged...

77.82...

(4m) CONVERSION OF FOREST CROPLANDS TO MANAGED FOREST LAND (a)

An owner of land that is entered as forest croplands under s.77.02 may petition the department under sub. (2) to convert all ~~or a portion of the land~~, eligible by legal description to managed forest land, subject to sub. (1)(c)

*qualifies
as managed*

(4m)(b) Remains as is...

(4m)(bn) A petition under this subsection shall be accompanied by a nonrefundable \$100 \$20 application fee which shall be deposited in the conservation fund and credited to the appropriation under s.20.370(1)(cr).

(4m)(c) Strike all of it...

(7)(d) Replace with...

(d) If a petition submitted under sub. (4m) is received on or before January 31 of any year from a petitioner who owns less than 1,000 acres in this state or on or before March 31 of any year from any other petitioner, the department shall investigate and shall either approve the petition and issue an order under sub. (8) or deny the petition on or before the November 21 of the following year.

(11g) Remains unchanged...

77.88(5)

(5)(am) and (b) Remain unchanged...

*all the land in municipality
had to be converted*



State of Wisconsin
2001 - 2002 LEGISLATURE

RMR
LRB-4783/M 2

MGG:rs&kmg:jf

T
keel

Thus

2001 BILL

Gen

1 AN ACT to repeal 77.82 (4m) (c) of the statutes; relating to: the conversion of
2 lands that are entered on the tax roll as forest croplands to lands that are
3 entered on the tax roll as managed forest lands.

Analysis by the Legislative Reference Bureau

Certain lands are designated as forest croplands under a program administered by the department of natural resources (DNR). Under this program, the owner of the designated land makes an annual payment per acre that is designated instead of the property taxes that would normally be payable. In exchange, the owner must comply with certain forestry practices and must allow hunting and fishing on all of the designated land. Beginning on January 1, 1986, DNR has not been able to designate any additional land as forest cropland.

Under a similar program that has been in effect after December 31, 1985, DNR may designate certain land as managed forest land. Under this program, the owner may close part of the land to public use such as hunting and fishing. The owner makes a higher annual payment on the acres that are closed than on the acres that are open. Both programs impose a withdrawal tax if the designated land is withdrawn before the period of the designation expires.

Before, January 1, 1998, an owner of forest croplands was able to file a petition with DNR to convert the land to managed forest land. The land to be converted had to be in a single town or village, and the petition had to include all forest croplands owned by the petitioner in that town or village. The owner had to submit the petition after September 1, 1994, and before January 1, 1998. DNR had ~~three years~~ to approve or disapprove the petition with three years after its submittal.

within

BILL

INSERT ani

Current law prohibits the imposition of withdrawal taxes for the conversion of these forest croplands to managed forest lands. However, under current law, for converted land that is withdrawn from the managed forest land program within ten years after its being converted, the withdrawal tax is the higher of the following: 1) the withdrawal tax that would have been imposed on the land under the forest cropland program at the time of the conversion; or 2) the withdrawal tax calculated under the formula used for managed forest lands that have not been converted.

This bill allows an owner of forest croplands to file a petition to convert forest croplands into managed forest lands at any time. ~~The same location and ownership requirements and~~ the same provisions concerning the imposition and calculation of withdrawal taxes that apply to forest croplands subject to the earlier conversion process apply to forest croplands for which a petition is filed as authorized under this bill.

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:

← INSERT 1-1

1 SECTION 1. 77.82 (4m) (c) of the statutes is repealed.

← INSERT 1-2

2 (END)

2001-2002 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-4783/lins
MGG:rs&king:jf

to

is
not

Insert and ✓

Under the bill, all of the forest croplands owned by the petitioner in a single town or village need not be converted. However, if only a portion of the forest crop lands are to be converted, the converted land must consist of one or more quarter-quarter sections or a government or fractional lot, as determined by the U.S. government survey plat, or must consist of a combination of these sections or lots. The bill also reduces the fee for a conversion petition. In addition, the bill shortens the period of time given DNR to approve or disapprove conversion petitions to approximately 20 months for petitions submitted by petitioners who own 1,000 or more acres of land in the state and to approximately 22 months for petitions submitted by petitioners who own less than 1,000 acres in the state.

and
no
and

SECTION 1. 77.82 (1) (c) of the statutes is renumbered 77.82 (1) (c) (intro.) and amended to read:

INSERT
1-1

77.82 (1) (c) In addition to the requirements under pars. (a) and (b), for land subject to a petition under sub. (4m), all the forest croplands owned by the petitioner on the date on for which the petition is submitted that are located in the municipality for which the petition is submitted shall be included in the petition. shall consist of one or a combination of any ~~two~~² or more of the following:

~~History: 1985 a. 29, 1989 a. 31, 1993 a. 16, 131, 301, 491, 1995 a. 27, 1997 a. 27, 35, 237.~~

SECTION 2. 77.82 (1) (c) 1. of the statutes is created to read:

77.82 (1) (c) 1. A quarter-quarter section.

SECTION 3. 77.82 (1) (c) 2. of the statutes is created to read:

77.82 (1) (c) 2. A government lot as determined by the U.S. government survey plat.

SECTION 4. 77.82 (1) (c) 3. of the statutes is created to read:

77.82 (1) (c) 3. A fractional lot as determined by the U.S. government survey plat.

SECTION 5. 77.82 (4m) (bn) of the statutes is amended to read:

↓

77.82 (4m) (bn) A petition under this subsection shall be accompanied by a nonrefundable \$100 \$20 application fee which shall be deposited in the conservation fund and credited to the appropriation under s. 20.370 (1) (cr).

end
INS
1-1

History: 1985 a. 29; 1989 a. 31; 1993 a. 16, 131, 301, 491; 1995 a. 27; 1997 a. 27, 35, 237.

~~SECTION 6. 77.82 (4m) (c) of the statutes is repealed.~~

SECTION 7. 77.82 (7) (d) of the statutes is repealed and recreated to read:

77.82 (7) (d) If a petition that is submitted under sub. (4m) is received on or before January 31 of any year from a petitioner who owns less than 1,000 acres in this state or on or before March 31 of any year from any other petitioner, the department shall investigate and shall either approve the petition and issue the order under sub. (8) or deny the petition on or before the following November 21 of the following year.

INSERT
1-2

the following
e



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

February 13, 2002

MEMORANDUM

To: Representative Hubler

From: Mary Gibson-Glass, Senior Legislative Attorney

Re: LRB-4783/2 Conversion of forest croplands to managed forest lands

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.