

2001 Jr2 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-AB1)

Received: **03/12/2002**

Received By: **gibsom**

Wanted: **Soon**

Identical to LRB:

For: **Legislative Fiscal Bureau 68742**

By/Representing: **Hotynski**

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:

LFB:.....Hotynski -

Topic:

Conversion of forest croplands to manage forest lands

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 03/12/2002	hhagen 03/12/2002	rschluet 03/12/2002	_____	lrb_docadmin 03/12/2002		
/2	gibsom 03/13/2002	hhagen 03/13/2002	rschluet 03/13/2002	_____	lrb_docadmin 03/13/2002		
/3	gibsom 03/13/2002	hhagen 03/13/2002	kfollet 03/13/2002	_____	lrb_docadmin 03/13/2002		

FE Sent For:

<END>

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/2	gibsom 03/13/2002	hhagen 03/13/2002	rschluet 03/13/2002	_____	lrb_docadmin 03/13/2002		

FE Sent For:

13 hmh
3/13

KJL
3/13

KJL
3/13
<END>

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/1	gibsom 03/12/2002	hhagen 03/12/2002 <i>12/13/02</i>	rschluet 03/12/2002		lrb_docadmin 03/12/2002		

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3413-2 <END>

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LFB:.....Hotynski -

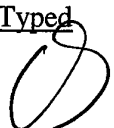
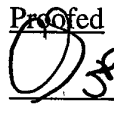
Topic:

Conversion of forest croplands to manage forest lands

Instructions:

See Attached

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/1	gibsom	lhmb 3/12/02					

3-12-2

FE Sent For:

<END>

Budget Amendments 2002

Legislator

Ainsworth

Statement of Intent

Conversion of forest crop lands to managed forest lands

Legislator

Legislator

Legislator

Staff Contact

Kristina Boardman

Agency

Natural Resources

Amendment

Pass or Fail

Call

Withdrawal

Package

-
-
-

Summary

This amendment allows an owner of forest croplands to file a petition to convert forest croplands into managed forest lands at any time.

This amendment would be similar to AB864, except there would not be the 4 year window for conversion. Instead the conversion process would be open-ended.

Fiscal Impact

A fiscal estimate prepared for AB864, indicates no state fiscal effect. There would be a change in annual acreage share payments for those landowners that choose to switch to the MFL program. For FCL land owners currently paying \$0.10 per acre, payments would increase by \$0.64 per acre on open land and \$1.64 per acre on closed land. For FCL land owners currently paying \$0.20 per acre, payments would increase by \$0.54 per acre on open land and \$1.54 per acre on closed land. For FCL land owners currently paying \$0.83 per acre, payments would decrease by \$0.09 per acre on open land and increase \$0.91 per acre on closed land.

It is unclear how many of the current FCL owners will choose to convert to MFL - thus it is not possible to give reasonable estimates of the changes in acreage share payments.

all 3 scenarios

Staff Analysis

Request #

141

Working Group Recommendation: Adopt provision. In addition, require anyone petitioning for entry of forestland under the managed forest law program or conversion from FCL to MFL to pay a \$100 fee unless the application is accompanied by a DNR approved forest management plan. Revenue from this fee would be deposited in the forestry account of the conservation fund.

redraft apply fee waiver to new petitioner where proposed plan done by certified forester

10 leave in \$10 x mil. lang. in all 3 scenarios to cover recording costs \$10

Thursday, March 07, 2002



State of Wisconsin
2001 - 2002 LEGISLATURE

LRBb2482/1
MGG:hmk

January 2002 Special Session

D-N

2001

LFB:.....Hotynski – Conversion of forest croplands to manage forest lands

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

ASSEMBLY AMENDMENT ,

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO ASSEMBLY BILL 1

Please give this priority.
May need to be totally
redrafted.

MGG

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 14, line 15: after that line insert:

3 "SECTION 35m. 20.370 (1) (cr) of the statutes is amended to read:

4 20.370 (1) (cr) *Forestry — recording fees.* All moneys received under ss. 77.82

5 (2) (intro.) ^{and} (4) ^{plans & acc} and (4m) (bn) and 77.88 (2) (d) for the payment of fees to the registers

6 of deeds under s. 77.91 (5)."

History: 1971 c. 40, 95; 1971 c. 125 ss. 101 to 121, 522 (1); 1971 c. 211, 215, 277, 330, 336; 1973 c. 12 s. 37; 1973 c. 90, 100; 1973 c. 243 s. 82; 1973 c. 296, 298, 301, 318, 333, 336; 1975 c. 8, 39, 51, 91, 198; 1975 c. 224 ss. 7d, 7f, 7m, 17 to 19p; 1977 c. 29 ss. 181 to 234, 1657 (34); 1977 c. 274, 370, 374, 376, 377; 1977 c. 418 ss. 95 to 110, 929 (37); 1977 c. 421, 432; 1977 c. 447 ss. 42 to 44, 210; 1979 c. 34 ss. 199 to 322, 2102 (39) (a); 1979 c. 221; 1979 c. 361 s. 113; 1981 c. 1, 20, 86, 95, 131, 294, 330; 1981 c. 374 ss. 6, 7, 148, 150; 1983 a. 27 ss. 216m to 269, 2202 (23); 1983 a. 75, 181, 243, 397; 1983 a. 410 ss. 5m to 11, 2202 (38); 1983 a. 413; 1983 a. 416 ss. 1, 19; 1983 a. 426; 1985 a. 16, 22; 1985 a. 29 ss. 282d to 356, 3202 (26) (a), (39) (a), (c), (dm), (l); 1985 a. 46, 60, 65, 120, 202, 296; 1987 a. 27, 98, 110, 290, 295, 298, 305; 1987 a. 312 s. 17; 1987 a. 384, 397, 399, 403, 418; 1989 a. 31, 128, 284, 288, 326; 1989 a. 335 ss. 22nn to 30g, 89; 1989 a. 336, 350, 359, 366; 1991 a. 32; 1991 a. 39 ss. 326b to 394, 594c; 1991 a. 254, 269, 300, 309, 315; 1993 a. 16, 75, 166; 213, 343, 349, 415, 421, 453, 464; 1993 a. 490 ss. 18, 271; 1995 a. 27, 201, 225, 227, 296, 378, 459; 1997 a. 27, 35; 1997 a. 237 ss. 33 to 38d, 727g; 1997 a. 248; 1999 a. 9, 32, 74, 92; 1999 a. 150 s. 672; 1999 a. 185; 2001 a. 16.

7 2. Page 139, line 16: after that line insert:

1 "SECTION 232~~ar.~~ 77.82 (4m) (bn) of the statutes is renumbered 77.82 (4m) (bn)

2 1. and amended to read: ✓

3 77.82 (4m) (bn) 1. ~~A~~ Except as provided in subd. 2., a petition under this
4 subsection shall be accompanied by a nonrefundable \$100 application fee, which
5 shall be deposited in the conservation fund and credited to the appropriation under
6 s. 20.370 (1) (cr).

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

7 SECTION 232~~r.~~ 77.82 (4m) (bn) 2. of the statutes is created to read:

8 ✓ 77.82 (4m) (bn) 2. An owner is exempt from paying the fee specified in subd.
9 1. if the owner submits a management plan that was approved by the department
10 for the forest cropland that is subject to the conversion petition under this subsection.

11 SECTION 232t. 77.82 (4m) (c) of the statutes is repealed."

12 (END)

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

LRBb2482/1dn
MGG: *[Signature]*

Date

Attention: Rebecca Hotynski

As I read s. 77.82 (2) and (3), the land owner submits a proposed management plan with the application and the fee. The plan is not approved until after the application is submitted. Under the administrative rules for the forest cropland program, the department does approve management plans. See NR 46.10 (1) (e). However, the statutes do not mention these plans. I have drafted this so that it conforms with the rule.

plan space

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

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

LRBb2482/1dn
MGG:hmh:rs

March 12, 2002

Attention: Rebecca Hotynski

1. As I read s. 77.82 (2) and (3), the land owner submits a proposed management plan with the application and the fee. The plan is not approved until after the application is submitted. Under the administrative rules for the forest cropland program, the department does approve management plans. See NR 46.10 (1) (e). However, the statutes do not mention these plans. I have drafted this so that it conforms with the rule.
2. Note the 3-year time frame in s. 77.82 (7) (d). Do you want to still keep this. Why should it not be the same time frame for regular petitions since there is no limitation on when they can be submitted?

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



State of Wisconsin

2001 - 2002 LEGISLATURE

January 2002 Special Session

LRBb2482/2

MGG:hmh:rs

Stays

very soon

d

LFB:.....Hotynski - Conversion of forest croplands to manage forest lands

FOR 2001-03 BUDGET - NOT READY FOR INTRODUCTION

ASSEMBLY AMENDMENT,

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO ASSEMBLY BILL 1

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 14, line 15: after that line insert:

3 "SECTION 35m. 20.370 (1) (cr) of the statutes is amended to read:

4 20.370 (1) (cr) *Forestry - recording fees.* All moneys received under ss. 77.82
5 (2) (intro.), and (4) and (4m) (bn) and 77.88 (2) (d) for the payment of fees to the
6 registers of deeds under s. 77.91 (5)."

7 2. Page 139, line 16: after that line insert:

8 "SECTION 232r. 77.82 (4m) (bn) of the statutes is renumbered 77.82 (4m) (bn)

9 1. and amended to read:

1 77.82 (4m) (bn) 1. ~~A~~ Except as provided in subd. 2., a petition under this
2 subsection shall be accompanied by a nonrefundable \$100 application fee, which
3 shall be deposited in the conservation fund and credited to the appropriation under
4 s. 20.370 (1) (er).

5 **SECTION 232s.** 77.82 (4m) (bn) 2. of the statutes is created to read:

6 77.82 (4m) (bn) 2. An owner is exempt from paying the fee specified in subd.
7 1. if the owner submits a management plan that was approved by the department
8 for the forest cropland that is subject to the conversion petition under this subsection.

9 **SECTION 232t.** 77.82 (4m) (c) of the statutes is repealed.”

10 ~~END~~



2001-2002 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb2482/lins
MGG:hmlh:rs

14 15

1. Page ~~8~~ line ~~8~~ after that line insert:

A) SECTION ^{35m} ~~22~~ 20.370 (1) (cr) of the statutes is amended to read:

20.370 (1) (cr) *Forestry — recording fees.* All moneys received under ss. 77.82 (2) (intro.), (4) and (4m) (bn) ² 77.82 (4r) ² and 77.88 (2) (d) for the payment of fees to the registers of deeds under s. ² 77.91 (5). ² //

History: 1971 c. 40, 95; 1971 c. 125 ss. 101 to 121, 522 (1); 1971 c. 211, 215, 277, 330, 336; 1973 c. 12 s. 37, 1973 c. 90, 100; 1973 c. 243 s. 82; 1973 c. 296, 298, 301, 318, 333, 336; 1975 c. 8, 39, 51, 91, 198; 1975 c. 224 ss. 7d, 7f, 7m, 17 to 19p; 1977 c. 29 ss. 181 to 234, 1657 (34); 1977 c. 274, 370, 374, 376, 377; 1977 c. 418 ss. 95 to 110, 929 (37); 1977 c. 421, 432; 1977 c. 447 ss. 42 to 44, 210; 1979 c. 34 ss. 199 to 322, 2102 (39) (a); 1979 c. 221; 1979 c. 361 s. 113; 1981 c. 1, 20, 86, 95, 131, 294, 330; 1981 c. 374 ss. 6, 7, 148, 150; 1983 a. 27 ss. 216m to 269, 2202 (23); 1983 a. 75, 181, 243, 397; 1983 a. 410 ss. 5m to 11, 2202 (38); 1983 a. 413; 1983 a. 416 ss. 1, 19; 1983 a. 426; 1985 a. 16, 22; 1985 a. 29 ss. 282d to 356, 3202 (26) (a), (39) (a), (c), (dm), (i); 1985 a. 46, 60, 65, 120, 202, 296; 1987 a. 27, 98, 110, 290, 295, 298, 305; 1987 a. 312 s. 17; 1987 a. 384, 397, 399, 403, 418; 1989 a. 31, 128, 284, 288, 326; 1989 a. 335 ss. 22nn to 30g, 89; 1989 a. 336, 350, 359, 366; 1991 a. 32; 1991 a. 39 ss. 326b to 394, 594c; 1991 a. 254, 269, 300, 309, 315; 1993 a. 16, 75, 166, 213, 343, 349, 415, 421, 453, 464; 1993 a. 490 ss. 18, 271; 1995 a. 27, 201, 225, 227, 296, 378, 459; 1997 a. 27, 35; 1997 a. 237 ss. 33 to 38d, 727g; 1997 a. 248; 1999 a. 9, 32, 74, 92; 1999 a. 150 s. 672; 1999 a. 185; 2001 a. 16.

2. Page ~~8~~ line ~~8~~ after that line insert:

SECTION ^{139 16} ~~22~~ 77.82 (2) (intro.) of the statutes is amended to read:

77.82 (2) PETITION. (intro.) Any owner of land may petition the department to designate any eligible parcel of land as managed forest land. A petition may include any number of eligible parcels under the same ownership in a single municipality. ~~Each petition shall be submitted on a form provided by the department and shall be accompanied by a nonrefundable \$10 application fee unless a different amount of the fee is established by the department by rule at an amount equal to the average expense to the department of recording an order issued under this subchapter. The fee shall be deposited in the conservation fund and credited to the appropriation under s. 20.370 (1) (cr).~~ Each petition shall include all 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 ^{233m} ~~22~~ 77.82 (3) (a) of the statutes is amended to read:

77.82 (3) (a) The petitioner may submit a proposed management plan for the entire acreage of each parcel with the petition. The department, after considering the owner's forest management objectives as stated under sub. (2) (e), shall review

and either approve or disapprove the proposed plan. If the department disapproves a plan, it shall inform the petitioner of the changes necessary to qualify the plan for approval upon subsequent review.

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

~~SECTION 77.82~~ ²²³³ 77.82 (4) of the statutes is amended to read:

77.82 (4) ADDITIONS TO MANAGED FOREST LAND. An owner may petition the department to designate as managed forest land an additional parcel of land in the same municipality if the additional parcel is at least 3 acres in size and is contiguous to any of the owner's designated land. ~~The petition shall be accompanied by a nonrefundable \$10 application fee unless a different amount of the fee is established in the same manner as the fee under sub. (2). The fee shall be deposited in the conservation fund and credited to the appropriation under s. 20.370 (1) (er).~~ The petition shall be submitted on a department form and shall contain any additional information required by the department.

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

~~SECTION 77.82~~ ²²³³ 77.82 (4m) (bn) of the statutes is repealed.

~~SECTION 77.82~~ ²²³³ 77.82 (4m) (c) of the statutes is repealed.

~~SECTION 77.82~~ ²²³³ 77.82 (4r) of the statutes is created to read:

77.82 (4r) FEES FOR PETITIONS. (a) Except as provided in par. (b), a petition under sub. (2), (4), or (4m) shall be accompanied by a nonrefundable application fee of \$100.

(b) If the petition is accompanied by ^a proposed management plan as provided in par. (c), the nonrefundable application fee shall be \$10 ^{LA} unless a different amount for the fee is established by the department by rule at an amount equal to the average expense to the department of recording an order issued under this subchapter. ○

✓ (c) A proposed management plan that qualifies for the reduced fee under par. (b) shall be one of the following:

1. A management plan prepared by a qualified forester, as defined by rule by the department.

2. For petitions under sub. (4m), a management plan that was approved by the department for the forest cropland that is subject to the conversion petition under sub. (4m).

→ (e) If the proposed management plan is not approved by the department under its initial review under sub. (3) (a) ~~■~~, the department shall collect from the petitioner a fee in an amount equal to \$100 less the amount the petitioner paid under par. (c).
↓ ✓

→ (d) All the fees collected under this subsection shall be deposited in the conservation fund. The fees collected under par. (b) and ~~par. (a)~~ ^{\$10} of each \$100 fee collected under par. (a) shall be credited to the appropriation under s. 20.370 (1) (cr).".

(END)



State of Wisconsin
 2001 - 2002 LEGISLATURE
 January 2002 Special Session

RMR
 LRBB2482/3
 MGG:hmh:rs
 Stays

LFB:.....Hotynski – Conversion of forest croplands to managed forest lands
 FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION
ASSEMBLY AMENDMENT ,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO ASSEMBLY BILL 1

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 14, line 15: after that line insert:

3 ~~SECTION 35m. 20.370 (1) (cr) of the statutes is amended to read:~~
 4 ~~20.370 (1) (cr) Forestry — recording fees. All moneys received under ss. 77.82~~
 5 ~~(2) (intro.), (4) and (4m) (bn), 77.82 (4r), and 77.88 (2) (d) for the payment of fees to~~
 6 ~~the registers of deeds under s. 77.91 (5).".~~

7 **2.** Page 139, line 16: after that line insert:

8 **SECTION 233L. 77.82 (2) (intro.) of the statutes is amended to read:**

9 **77.82 (2) PETITION.** (intro.) Any owner of land may petition the department to
 10 designate any eligible parcel of land as managed forest land. A petition may include

→ IWS 2-6

1 any number of eligible parcels under the same ownership in a single municipality.
2 ~~Each petition shall be submitted on a form provided by the department and shall be~~
3 ~~accompanied by a nonrefundable \$10 application fee unless a different amount of the~~
4 ~~fee is established by the department by rule at an amount equal to the average~~
5 ~~expense to the department of recording an order issued under this subchapter. The~~
6 ~~fee shall be deposited in the conservation fund and credited to the appropriation~~
7 ~~under s. 20.370 (1) (cr). Each petition shall include all of the following:~~

8 ⁿ
SECTION 233~~m~~ⁿ. 77.82 (3) (a) of the statutes is amended to read:

material from p 3

9 77.82 (3) (a) The petitioner may submit a proposed management plan for the
10 entire acreage of each parcel with the petition. The department, after considering
11 the owner's forest management objectives as stated under sub. (2) (e), shall review
12 and either approve or disapprove the proposed plan. If the department disapproves
13 a plan, it shall inform the petitioner of the changes necessary to qualify the plan for
14 approval upon subsequent review.

15 SECTION 233~~n~~. 77.82 (4) of the statutes is amended to read:

16 77.82 (4) ADDITIONS TO MANAGED FOREST LAND. An owner may petition the
17 department to designate as managed forest land an additional parcel of land in the
18 ~~same municipality if the additional parcel is at least 3 acres in size and is contiguous~~
19 ~~to any of the owner's designated land. The petition shall be accompanied by a~~
20 ~~nonrefundable \$10 application fee unless a different amount of the fee is established~~
21 ~~in the same manner as the fee under sub. (2). The fee shall be deposited in the~~
22 ~~conservation fund and credited to the appropriation under s. 20.370 (1) (cr). The~~
23 ~~petition shall be submitted on a department form and shall contain any additional~~
24 ~~information required by the department.~~

PLAN

PLAN

25 SECTION 233~~o~~. 77.82 (4m) (bn) of the statutes is repealed.

INSERT 2-24

1 SECTION 233p. 77.82 (4m) (c) of the statutes is repealed.)

2 SECTION 233q. 77.82 (4n) of the statutes is created to read:

3 77.82 (4r) FEES FOR PETITIONS. (a) Except as provided in par. (b), a petition
4 under sub. (2) ~~(4)~~ or (4m) shall be accompanied by a nonrefundable application fee
5 of \$100.

6 (b) If the petition is accompanied by a proposed management plan as provided
7 in par. (c), the nonrefundable application fee shall be \$10 unless a different amount
8 for the fee is established by the department by rule at an amount equal to the average
9 expense to the department of recording an order issued under this subchapter.

10 (c) A proposed management plan that qualifies for the reduced fee under par.
11 (b) shall be one of the following:

- 12 1. A management plan prepared by a qualified forester, as defined by rule by
13 the department. ^{Any other}
14 2. ~~A~~ management plan approved by the department.
15 3. ~~For~~ petitions under sub. (4m), a management plan that was approved by the
16 department for the forest cropland that is subject to the conversion petition under
17 sub. (4m).

17 (d) All the fees collected under this subsection shall be deposited in the
18 conservation fund. The fees collected under par. (b) and \$10 of each \$100 fee collected
19 under par. (a) shall be credited to the appropriation under s. 20.370 (1) (cr).

20 (e) If the proposed management plan is not approved by the department under
21 its initial review under sub. (3) (a), the department shall collect from the petitioner
22 a fee in an amount equal to \$100 less the amount the petitioner paid under par. (c). ~~1~~ ~~2~~ ~~3~~

23 (END)

MOVE
to P 2
after
line

11 Section # 20.370 (1) (cr) of the statutes is amended to read:

L 35m

20.370 (1) (cr) *Forestry — recording fees*. All moneys received under ss. 77.82 (2) ~~(intro)~~ ^{(2m) and} (4) and ~~(4m) (bn)~~ and 77.88 (2) (d) for the payment of fees to the registers of deeds under s. 77.91 (5). //

History: 1971 c. 40, 95; 1971 c. 125 ss. 101 to 121, 522 (1); 1971 c. 211, 215, 277, 330, 336; 1973 c. 12 s. 37; 1973 c. 90, 100; 1973 c. 243 s. 82; 1973 c. 296, 298, 301, 318, 333, 336; 1975 c. 8, 39, 51, 91, 198; 1975 c. 224 ss. 7d, 7f, 7m, 17 to 19p; 1977 c. 29 ss. 181 to 234, 1657 (34); 1977 c. 274, 370, 374, 376, 377; 1977 c. 418 ss. 95 to 110, 929 (37); 1977 c. 421, 432; 1977 c. 447 ss. 42 to 44, 210; 1979 c. 34 ss. 199 to 322, 2102 (39) (a); 1979 c. 221; 1979 c. 361 s. 113; 1981 c. 1, 20, 86, 95, 131, 294, 330; 1981 c. 374 ss. 6, 7, 148, 150; 1983 a. 27 ss. 216m to 269, 2202 (23); 1983 a. 75, 181, 243, 397; 1983 a. 410 ss. 5m to 11, 2202 (38); 1983 a. 413; 1983 a. 416 ss. 1, 19; 1983 a. 426; 1985 a. 16, 22; 1985 a. 29 ss. 282d to 356, 3202 (26) (a), (39) (a), (c), (dm), (i); 1985 a. 46, 60, 65, 120, 202, 296; 1987 a. 27, 98, 110, 290, 295, 298, 305; 1987 a. 312 s. 17; 1987 a. 384, 397, 399, 403, 418; 1989 a. 31, 128, 284, 288, 326; 1989 a. 335 ss. 22nn to 30g, 89; 1989 a. 336, 350, 359, 366; 1991 a. 32; 1991 a. 39 ss. 326b to 394, 594c; 1991 a. 254, 269, 300, 309, 315; 1993 a. 16, 75, 166, 213, 343, 349, 415, 421, 453, 464; 1993 a. 490 ss. 18, 271; 1995 a. 27, 201, 225, 227, 296, 378, 459; 1997 a. 27, 35; 1997 a. 237 ss. 33 to 38d, 727g; 1997 a. 248; 1999 a. 9, 32, 74, 92; 1999 a. 150 s. 672; 1999 a. 185; 2001 a. 16.

INS
2-24

233nm ✓
Section #. 77.82 (4) of the statutes is amended to read:

77.82 (4) ADDITIONS TO MANAGED FOREST LAND. An owner may petition the department to designate as managed forest land an additional parcel of land in the same municipality if the additional parcel is at least 3 acres in size and is contiguous to any of the owner's designated land. The petition shall be accompanied by a nonrefundable \$10 application fee unless a different amount of the fee is established in the same manner as the fee under sub. (2). ^{(2m)(b)} The fee shall be deposited in the conservation fund and credited to the appropriation under s. 20.370 (1) (cr). The petition shall be submitted on a department form and shall contain any additional information required by the department.

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



State of Wisconsin
2001 - 2002 LEGISLATURE
January 2002 Special Session

LRBb2482/3
MGG:hmh:kjf

LFB:.....Hotynski – Conversion of forest croplands to manage forest lands
FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION
ASSEMBLY AMENDMENT ,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO ASSEMBLY BILL 1

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 14, line 15: after that line insert:

3 “SECTION 35m. 20.370 (1) (cr) of the statutes is amended to read:

4 20.370 (1) (cr) *Forestry — recording fees.* All moneys received under ss. 77.82
5 ~~(2) (intro.), (2m) and (4) and (4m) (bn)~~ and 77.88 (2) (d) for the payment of fees to the
6 registers of deeds under s. 77.91 (5).”.

7 **2.** Page 139, line 16: after that line insert:

8 “SECTION 233L. 77.82 (2) (intro.) of the statutes is amended to read:

9 77.82 (2) PETITION. (intro.) Any owner of land may petition the department to
10 designate any eligible parcel of land as managed forest land. A petition may include

1 any number of eligible parcels under the same ownership in a single municipality.
2 ~~Each petition shall be submitted on a form provided by the department and shall be~~
3 ~~accompanied by a nonrefundable \$10 application fee unless a different amount of the~~
4 ~~fee is established by the department by rule at an amount equal to the average~~
5 ~~expense to the department of recording an order issued under this subchapter. The~~
6 ~~fee shall be deposited in the conservation fund and credited to the appropriation~~
7 ~~under s. 20.370 (1) (cr).~~ Each petition shall include all of the following:

8 **SECTION 233m.** 77.82 (2m) of the statutes is created to read:

9 **77.82 (2m) FEES FOR PETITIONS.** (a) Except as provided in par. (b), a petition
10 under sub. (2) or (4m) shall be accompanied by a nonrefundable application fee of
11 \$100.

12 (b) If the petition is accompanied by a proposed management plan as provided
13 in par. (c), the nonrefundable application fee shall be \$10 unless a different amount
14 for the fee is established by the department by rule at an amount equal to the average
15 expense to the department of recording an order issued under this subchapter.

16 (c) A proposed management plan that qualifies for the reduced fee under par.
17 (b) shall be one of the following:

18 1. A management plan prepared by a qualified forester, as defined by rule by
19 the department.

20 2. Any other management plan approved by the department.

21 3. For petitions under sub. (4m), a recent management plan that was approved
22 by the department for the forest cropland that is subject to the conversion petition
23 under sub. (4m).

1 (d) All the fees collected under this subsection shall be deposited in the
2 conservation fund. The fees collected under par. (b) and \$10 of each \$100 fee collected
3 under par. (a) shall be credited to the appropriation under s. 20.370 (1) (cr).

4 (e) If the proposed management plan is not approved by the department under
5 its initial review under sub. (3) (a), the department shall collect from the petitioner
6 a fee in an amount equal to \$100 less the amount the petitioner paid under par. (c).

7 **SECTION 233n.** 77.82 (3) (a) of the statutes is amended to read:

8 77.82 (3) (a) The petitioner may submit a proposed management plan for the
9 entire acreage of each parcel with the petition. The department, after considering
10 the owner's forest management objectives as stated under sub. (2) (e), shall review
11 and either approve or disapprove the proposed plan. If the department disapproves
12 a plan, it shall inform the petitioner of the changes necessary to qualify the plan for
13 approval upon subsequent review.

14 **SECTION 233nm.** 77.82 (4) of the statutes is amended to read:

15 77.82 (4) ADDITIONS TO MANAGED FOREST LAND. An owner may petition the
16 department to designate as managed forest land an additional parcel of land in the
17 same municipality if the additional parcel is at least 3 acres in size and is contiguous
18 to any of the owner's designated land. The petition shall be accompanied by a
19 nonrefundable \$10 application fee unless a different amount of the fee is established
20 in the same manner as the fee under sub. ~~(2)~~ (2m) (b). The fee shall be deposited in
21 the conservation fund and credited to the appropriation under s. 20.370 (1) (cr). The
22 petition shall be submitted on a department form and shall contain any additional
23 information required by the department.

24 **SECTION 233o.** 77.82 (4m) (bn) of the statutes is repealed.

