

Committee Name:

**Assembly Committee – Rural Affairs and Forestry
(AC–RAF)**

Appointments

01hr_AC–RAF_Appt_pt00

Committee Hearings

01hr_AC–RAF_CH_pt00

Committee Reports

01hr_AC–RAF_CR_pt00

Clearinghouse Rules

01hr_AC–RAF_CRule_01–

Executive Sessions

01hr_AC–RAF_ES_pt00

Hearing Records

01hr_ab0047

01hr_sb0000

Misc.

01hr_AC–RAF_Misc_pt00

Record of Committee Proceedings

01hr_AC–RAF_RCP_pt00

04-05-01

P.H. AB47, AB114

Committee Meeting Attendance Sheet

Assembly Committee on Rural Affairs and Forestry

Date: April 5, 2001 Meeting Type: Public Hearing
Location: North Hearing Room - State Capitol

<u>Committee Member</u>	<u>Present</u>	<u>Absent</u>	<u>Excused</u>
Rep. John Ainsworth, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Donald Friske	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Stephen Freese	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Gabe Loeffelholz	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Tom Sykora	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Barbara Gronemus	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Mary Hubler	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Marlin Schneider	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Totals:	<u>8</u>	<u>0</u>	<u>0</u>



Kristina Boardman, Committee Clerk

Vote Record

Assembly - Committee on Rural Affairs and Forestry

Date: 4/5/01
 Moved by: Freese Seconded by: Hubler
 AB: 47 SB: _____
 AJR: _____ SJR: _____
 AR: _____ SR: _____

A/S Amdt: _____
 A/S Amdt: _____ to A/S Amdt: _____
 A/S Sub Amdt: _____
 A/S Amdt: _____ to A/S Sub Amdt: _____
 A/S Amdt: _____ to A/S Amdt: _____ to A/S Sub Amdt: _____

- Be recommended for:
- Passage
 - Introduction
 - Adoption
 - Rejection
 - Indefinite Postponement
 - Tabling
 - Concurrence
 - Nonconcurrence
 - Confirmation

Committee Member	Aye	No	Absent	Not Voting
Rep. John Ainsworth, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Donald Friske	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Stephen Freese	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Gabe Loeffelholz	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Tom Sykora	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Barbara Gronemus	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Mary Hubler	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Marlin Schneider	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Totals:	7	1	_____	_____

Committee Meeting Attendance Sheet

Assembly Committee on Rural Affairs and Forestry

Date: April 5, 2001 Meeting Type: Executive Session
Location: North Hearing Room - State Capitol

<u>Committee Member</u>	<u>Present</u>	<u>Absent</u>	<u>Excused</u>
Rep. John Ainsworth, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Donald Friske	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Stephen Freese	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Gabe Loeffelholz	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Tom Sykora	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Barbara Gronemus	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Mary Hubler	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Marlin Schneider	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Totals:	<u>8</u>	<u>0</u>	<u>0</u>



Kristina Boardman, Committee Clerk



The State of Wisconsin
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AB-47

Kristina -

Here's the amendment -
pretty simple, huh?

Don expects to introduce it
on Monday, but not before his
boss gets a chance to look at
it (sounds reasonable!).

David

AB 47

★ Send Hujanen
testimony to
David Lobell

① Pethis

② Rick Bucklew - DNR
Forest Fire suppression / Law Enforcement Specialist

clear means for reimbursement
↳ this has been

increased workload (budget effect
2 FTE persons needed (statewide
equivalent),
\$5000 increased operational costs

③ Phil Stromberg - DNR

AB 114

① Skindrud

~~Sam~~ Sylora - Does this bill create
an incentive for cities to annex
property only to enroll it
in MFL?

Ken Hujanen - DNR
Forest Tax Section Chief

①

MFL requires land be held open
for recreation, including hunting.

Hunting within city limits does
not comply w/ ordinances



**WISCONSIN LEGISLATIVE COUNCIL
AMENDMENT MEMO**

2001 Assembly Bill 47

**Assembly
Amendment 1**

Memo published: April 23, 2001

Contact: David L. Lovell, Senior Analyst (266-1537)

Current Law

Under current law, it is prohibited to cut, remove or transport or direct the cutting, removal or transportation of raw forest products (timber) without the consent of the owner. A person who violates this prohibition is subject to a forfeiture of \$100 to \$10,000. Instead of this civil forfeiture, a person who *intentionally* violates this prohibition may be prosecuted for criminal theft, the penalty for which varies based on the value of the property stolen. In addition to any other penalty, a violator is liable for the reasonable costs incurred to establish the volume and value of the stolen timber.

Assembly Bill 47

Assembly Bill 47 establishes that it is further prohibited to fail to pay the owner of timber for timber cut, removed or transported under a contract with the owner. The same civil penalties apply to violators and the same option exists to prosecute intentional violators under the criminal theft statute. In addition, the bill directs a court to award court costs to the successful party in a civil action to recover the amount of compensation due under such a contract if the unsuccessful party had unreasonably refused to pay a demand for damages or to accept an offer of payment for damages before commencement of the action.

In an apparent drafting error, the bill is inconsistent in the circumstances under which a violator is liable for the reasonable costs incurred to establish the volume and value of the timber. Specifically, it applies this provision of current law to violations of both prohibitions--the current prohibition on removal of timber without the owner's consent and the new prohibition on the failure to pay the owner for timber cut under contract. However, it applies the provision to rules promulgated under the current prohibition, but not to rules promulgated under the new prohibition.

Assembly Amendment 1

Assembly Amendment 1 deletes the language that amends the provision of current law establishing a violator's liability for the reasonable costs incurred to establish the volume and value of the timber cut, removed or transported. The result of this deletion is that violators of either prohibition or of rules promulgated under either prohibition will be liable for the reasonable costs incurred to establish the volume and value of the timber.

Assembly Amendment 1 was introduced after the Assembly Committee on Rural Affairs and Forestry had voted to recommend passage of the bill. Consequently, there is no committee recommendation regarding the amendment.

DLL:rv;wu