

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1310/P1dn
MGG:wlj:rs

February 13, 2003

1. Please review this draft carefully to make sure that it achieves your intent and that it includes all of the requested changes.
2. The drafting instructions indicate that you want to delay the effective date until 2005 for the changes relating to certified plan writers. I made it January 1, 2005. OK?
3. Denying an owner a hearing under s. 77.88 (3m) may be subject to a court challenge that not allowing such a hearing is an unconstitutional denial of due process. Please have DNR's legal counsel review this provision.
4. The draft treats the collection of the withdrawal fee in the same manner that withdrawal taxes are treated under ss. 75.35 (2) (f) 3., 75.36 (3) (b), 77.84 (3) (b) and 77.88 (7). OK?
5. Do you want a delayed effective date for the provisions without the January 1, 2005, effective date to allow DNR to implement administratively these changes?
6. The instructions did not specify whether the formula for calculating payments beginning in 2008 under s. 77.84 (2) (am), as created in the bill, should refer to the definitions of productive forest land and swampland or wasteland under current law or under the law as it existed in the 1993 statutes. Therefore, because current law refers to the definitions that existed in the 1993 statutes, s. 77.84 (2) (am), as created in the bill, also refers to the definitions that existed in the 1993 statutes.

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