

**2005 DRAFTING REQUEST**

**Assembly Amendment (AA-AB7)**

Received: 03/24/2005

Received By: **mglass**

Wanted: **Today**

Identical to LRB:

For: **Sheryl Albers (608) 266-8531**

By/Representing: **Ryan Gruber**

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

Drafter: **mglass**

May Contact:

Addl. Drafters:

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

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Albers@legis.state.wi.us**

Carbon copy (CC:) to:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Closed areas and property tax withdrawals under managed forest land program

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**Instructions:**

See Attached, conversation with Carol Nielsen, maximum of 160 acres per owner per municipality, dnoes not need to be in same parcel

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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	mglass 03/24/2005	wjackson 03/24/2005	pgreensl 03/24/2005	_____	mbarman 03/24/2005	mbarman 03/24/2005	

FE Sent For:

<END>

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/?	mglass	1 wj 3/24	3/24 PS	3/24 self			

FE Sent For:

<END>

## **Gibson-Glass, Mary**

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**From:** Gruber, Ryan  
**Sent:** Monday, March 21, 2005 11:31 AM  
**To:** Gibson-Glass, Mary  
**Subject:** Amendment to AB 7

Hi Mary,

We're looking to have an amendment drafted to Assembly Bill 7 that addresses the first two numbered concerns in the DNR testimony submitted on the bill. A copy of the testimony can be found at <http://www.legis.state.wi.us/assembly/asm35/news/Committee/CommitteeHearings/Previous/05Mar01/05AB007DNRTestimony.pdf>.

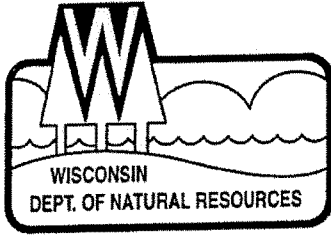
The two effects the DNR discusses are unintended and are not integral to our intent. We would like to see language drafted that would eliminate these unintended consequences.

The Forestry Committee is holding a hearing on March 30th and we would like to be able to exec this bill on that date. If we could get an amendment in the next few days, that would be great. It would give us enough time to run it by the DNR and get it to committee members.

Please let me know if you have any questions.

**Ryan Gruber**  
**Research Assistant**  
**Office of Rep. Sheryl Albers**

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15 North, State Capitol  
Madison, WI 53708-8952  
608.266.8531  
877.947.0050 (in Wisconsin)  
608.282.3650 (fax)



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor  
Scott Hassett, Secretary

101 S. Webster St.  
Box 7921  
Madison, Wisconsin 53707-7921  
Telephone 608-266-2621  
FAX 608-267-3579  
TTY 608-267-6897

*each  
municipality  
where the  
forest*  
Assembly Bill 7

Assembly Committee on Rural Affairs & Forestry

Department of Natural Resources Testimony  
Kathryn Nelson, Acting Forest Tax Section Chief  
Division of Forestry  
March 1, 2005

*160 acres  
per owner/  
in each  
municipality  
not the  
same  
parcel*

Mr. Chairman and Committee Members:

Good morning. My name is Kathy Nelson and I am the Acting Forest Tax Section Chief of the Department of Natural Resources' Division of Forestry. I appreciate this opportunity to appear before you to discuss AB 7.

The Department of Natural Resources supports the intent of AB 7 but has three major concerns about it.

- per owner*
1. Changes in the bill will limit the number of acres that can be closed to public access to 160 statewide instead of 160 acres per municipality.

This bill allows for a landowner in multiple municipalities to enter land into the MFL program as long as it met the minimum eligibility requirements, i.e. 10 acres in size and 80% productive. To do this, AB 7 eliminated all references referring to each municipality. This change will effectively open more land open to public use, but will reduce the privilege MFL participants currently enjoy in being allowed to close up to 160 acres per municipality. Allowing an owner to close to public access up to 160 acres per municipality was a component of the compromise resulting from the negotiations on 2003 Act 228.

2. Changes in the bill will require that an entire parcel of managed forest land be withdrawn when personal property taxes are delinquent.

Currently, the smallest unit in which managed forest lands can be withdrawn is all of the owner's acreage in a quarter-quarter section, government lot or fractional lot. All remaining acreage in the Managed Forest Law Order of Entry must meet the minimum eligibility requirements, i.e. 10 acres in size and 80% productive. If the remaining acreage failed to meet the eligibility requirement, it would also be withdrawn. AB 7 inserted the words "the entire parcel of land" into the law. In some instances, managed forest land parcels may cover several legal descriptions, unintentionally forcing more land to be withdrawn than what is needed to gain compliance with the law.

3. The internal costs to change the computer record keeping system may exceed the benefits that will be derived from the small number of landowners who would benefit from the proposed changes in AB 7.

We anticipate a large one-time cost in revising the computer software programs to record and track managed forest law entries with multiple municipalities. Some of the changes would be:

- Create a new system to identify managed forest law orders. The computer software programs use county prefix codes and municipality names (town, village, city) to track managed forest law orders now. The county prefix code is called a "unique identifier" because it identifies only one county in the state. Records are further tracked by municipality. Changes in AB 7 would necessitate a new system to identify land in multiple municipalities so that aids payments can be made accurately and adjacent lands can be found quickly. Transfers or withdrawals in one municipality may have a large impact on land eligibility in another municipality in case of transfers, withdrawals, % productive, etc.
- Revise all legal documents and reports to show multiple counties and municipalities.
- Record the same Order of Entry in multiple counties.

Based on the cost to revise computer software programs after the changes in 2003 Act 228, we expect that the cost to change the computer software programs for AB 7 to be approximately \$150,000. This cost needs to be weighed against the benefit of having a small amount of additional acreage (estimated to be 150-200 acres annually) under the MFL. If you make the determination that the benefits of the bill exceed the costs to implement it, the department requests that you support funding for implementation. We will also work with you on creating language to AB 7 to address the first two concerns.

In closing, the Department strongly believes that the Managed Forest Law is a very effective tool to encourage and implement sustainable forestry on private forest lands, the practice of which generates an array of economic, ecological and social benefits to all Wisconsin citizens. We believe that AB 7 is well intentioned but will benefit a very few forest landowners and result in a sizable administrative cost to implement.

I appreciate this opportunity to express the Department's concerns with AB 7 and would be glad to answer any questions you might have.

## Gibson-Glass, Mary

---

**From:** Gibson-Glass, Mary  
**Sent:** Thursday, March 24, 2005 8:56 AM  
**To:** Nielsen, Carol K  
**Subject:** Assembly Bill 7



05a0351/?ins

Carol,

These are two approaches. Please call me to discuss which one you prefer.

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

2005-2006 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRBa0351/?ins  
.....

**Option number one**

SECTION ?? 77.83 (1) (a) of the statutes is amended to read:

77.83 (1) (a) (intro.) An owner may designate one area ~~in a parcel~~ of managed forest land as closed to public access. A closed area may consist of either:

1. ~~A maximum~~ Up to of 160 acres in the each municipality, of which not more than 80 acres in each municipality may be land designated as managed forest land before April 28, 2004.

2. One or a combination of any 2 of the following:

a. A quarter quarter section.

b. A government lot as determined by the U.S. government survey plat.

c. A fractional lot as determined by the U.S. government survey plat.

SECTION ?? 77.83 (1) (b) of the statutes is amended to read:

77.83 (1) (b) If any area of an owner's managed forest land is already designated as closed, an addition to the ~~parcel~~ land approved under s. 77.82 (7) (b) may be designated as closed only under the following conditions:

1. The addition does not result in increasing the closed portion of the land to an area greater than that permitted under par. (a).

2. The additional area is contiguous to the area that is already designated as closed.

**Option number 2**

SECTION ?? 77.83 (1) (a) of the statutes is amended to read:

77.83 (1) (a) An owner may designate ~~one area in a parcel~~ of land subject to a managed forest land order as closed to public access. ~~A~~ The closed area may consist of either:

1. ~~A maximum of~~ Up to 160 acres in the each municipality, of which not more than 80 acres in each municipality may be land designated as managed forest land before April 28, 2004.

2. One or a combination of any 2 of the following:

*in each municipality*

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State of Wisconsin  
2005 - 2006 LEGISLATURE

LRBa0351/1  
MGG:1:....

now RMR NJ

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~  
**ASSEMBLY AMENDMENT ,**  
**TO 2005 ASSEMBLY BILL 7**

1 At the locations indicated, amend the bill as follows:

2 1. Page 5, line 7: delete lines 7 to 9 and substitute:

3 "SECTION 12g. 77.83 (1) (a) (intro.)<sup>✓</sup>, 1.<sup>✓</sup> and 2. (intro.)<sup>✓</sup> of the statutes are amended  
4 to read:

5 77.83 (1) (a) An owner may designate ~~one area in a parcel~~ of land subject to  
6 a managed forest land order as closed to public access. ~~A~~ The closed area may consist  
7 of either:  
8 <sup>(intro.)</sup>

1. ~~A maximum of~~ Up to 160 acres in the each municipality, of which not more  
9 than 80 acres in each municipality may be land designated as managed forest land  
10 before April 28, 2004.

2. (intro.) One or a combination of any 2 of the following in each municipality:

12 SECTION 12r. 77.83 (1) (b) (intro.) of the statutes is amended to read:



