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## WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

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**2009 Assembly Bill 531**

**Assembly  
Amendment 1**

*Memo published:* January 12, 2010

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### **Current Law**

Under the Managed Forest Land (MFL) program, the Department of Natural Resources (DNR) is prohibited from assessing a withdrawal tax or withdrawal fee against an MFL owner who transfers ownership of MFL for a public road, railroad, or utility right-of way; or transfers ownership of MFL land to the federal, state or a local government for a park, recreational trail, wildlife or fish habitat area or public forest. The DNR is further prohibited from ordering the withdrawal of the remainder of the land from the MFL program unless the remainder fails to meet the eligibility requirements of the MFL program.

### **Assembly Bill 531**

Assembly Bill 531 provides that the DNR may not assess a withdrawal tax or a withdrawal fee against an owner of MFL who transfers ownership of the MFL to a county, city, village, or town for siting a public safety communications tower if DNR orders the land withdrawn from the MFL program on or after September 22, 2009. The DNR may not order the withdrawal of the land remaining after a transfer of ownership unless the remainder fails to meet the eligibility requirements of the MFL program.

### **Assembly Amendment 1**

Assembly Amendment 1 specifies that the DNR may not assess a withdrawal tax or a withdrawal fee against an owner of MFL land who transfers ownership of or *leases* the MFL land to a county, city, village, or town for siting a public safety communications tower if DNR orders the land withdrawn from the MFL program on or after September 22, 2009. The DNR may not order the withdrawal of the land remaining after a transfer of ownership *or a lease is entered into* unless the remainder fails to meet the eligibility requirements of the MFL program.

**Legislative History**

Assembly Amendment 1 was offered by Representative Hubler on November 24, 2009. On December 15, 2009, the Assembly Committee on Forestry recommended adoption of Assembly Amendment 1 on a vote of Ayes, 3; Noes, 0 and recommended passage of the bill, as amended, by the same vote.

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