

2013 DRAFTING REQUEST

Senate Substitute Amendment (SSA-SB575)

Received: 2/17/2014 Received By: rkite
Wanted: As time permits Same as LRB:
For: Thomas Tiffany (608) 266-2509 By/Representing: Jen Esser
May Contact: Drafter: rkite
Subject: Nat. Res. - parks and forestry Addl. Drafters:
Extra Copies: MGG

Submit via email: YES
Requester's email: Sen.Tiffany@legis.wi.gov
Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Distribution of payments for closed managed forest lands and county forest payments

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>
/?	rkite 2/18/2014	wjackson 2/18/2014		_____			
/1			jmurphy 2/18/2014	_____	sbasford 2/18/2014	sbasford 2/18/2014	

FE Sent For:

<END>

2013 DRAFTING REQUEST

Senate Substitute Amendment (SSA-SB575)

Received: 2/17/2014 Received By: rkite
Wanted: As time permits Same as LRB:
For: Thomas Tiffany (608) 266-2509 By/Representing: Jen Esser
May Contact: Drafter: rkite
Subject: Nat. Res. - parks and forestry Addl. Drafters:
Extra Copies: MGG

Submit via email: YES
Requester's email: Sen.Tiffany@legis.wi.gov
Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Distribution of payments for closed managed forest lands and county forest payments

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>
--------------	----------------	-----------------	--------------	----------------	------------------	-----------------	-----------------

/? rkite

1 wlj 2/18

Jen
2/18

FE Sent For:

<END>

Kite, Robin

From: Esser, Jennifer
Sent: Friday, February 14, 2014 2:40 PM
To: Kite, Robin; Gibson-Glass, Mary
Cc: Gary, Tim; Konopacki, Larry; Henning, Anna
Subject: FW: Act 81 question

Hi,

Larry tipped me off to the Act 81 inconsistency.

I spoke with Tim, and we'd appreciate an amendment be drafted to correct this. We feel the proper vehicles to do this will be our legislation on the Forestry Account surplus. Those bills are SB 575/AB 732 both of which are in Joint Finance Committee.

You have our permission to draft the amendment to each bill.

Best for a great weekend.

Jen

From: Esser, Jennifer
Sent: Thursday, February 13, 2014 3:51 PM
To: Konopacki, Larry
Cc: Henning, Anna
Subject: RE: Act 81 question

20% county and 80% muni is what was intended. It's also highlighted in the Council memo on Senate Sub Amendment 2

How does this work now...law revision bill?

From: Konopacki, Larry
Sent: Thursday, February 13, 2014 3:25 PM
To: Esser, Jennifer
Cc: Henning, Anna
Subject: Act 81 question

Hi Jen,

The DNR found an inconsistency in the MFL/Ferrous Mining bill (Act 81). In one provision, the Act directs that all of the money raised by the municipality from the new closed acreage payment under the Act be paid to the county, while another provision specifies that 20% of this money should be paid to the county and the remaining 80% kept by the municipality. The latter is consistent with what I remember of Senator Tiffany's intent. Mary and Robin at the LRB are interested in whether you would like a correction on this point prepared as an amendment to the MFL bill. If so, do you agree with my memory of the Senator's intent?

Thanks,
Larry

Larry A. Konopacki
Wisconsin Legislative Council
(608) 267-0683
larry.konopacki@legis.wisconsin.gov



Today

State of Wisconsin
2013 - 2014 LEGISLATURE



Rm
not run
50318/1

LRB-4187/1

RNK&JK:eev:jm

TWJ

SENATE SUBSTITUTE AMENDMENT

TO ~~2013~~ SENATE BILL 575

February 7, 2014 - Introduced by Senators TIFFANY, PETROWSKI, COWLES, JAUCH, HARSDORF, LASSA, SCHULTZ, VINEHOUT and MOULTON, cosponsored by Representatives MERSAU, KRUG, CZAJA, SPIROS, NERISON, BROOKS, MARKLEIN, SWEARINGEN, WILLIAMS, BEWLEY, DANOU, CLARK and MILROY. Referred to Joint Committee on Finance.

regen cat

1 AN ACT *to renumber and amend* 28.11 (8) (a); *to amend* 74.25 (1) (a) 6., 74.30
2 (1) (f) and 77.89 (2) (b); and *to create* 28.11 (8) (a) 2. and 77.89 (2) (c) of the
3 statutes; **relating to:** payments to counties for designated county forest lands
4 and distribution of amounts paid to municipalities by owners of closed managed
5 forest lands.

Analysis by the Legislative Reference Bureau

Under the Managed Forest Land Program administered by the Department of Natural Resources (DNR), the owner of a parcel of land designated as managed forest land (MFL) makes an annual acreage share payment that is lower than, and in lieu of, the property taxes that normally would be payable on the land. In exchange, the owner must comply with certain forestry practices. The owner may keep a specific area of the MFL closed to public access, but the owner must keep the remainder of the MFL open for recreational activities such as hunting, fishing, and cross-country skiing. For MFL that is closed to the public, the MFL owner must make a payment that is in addition to the acreage share payment (closed acreage fees).

Under current law, the entire amount that is collected as closed acreage fees is collected by the applicable taxation district and transferred to an applicable county, which in turn transfers the payments to DNR for deposit into the conservation fund. Under this bill, in 2014 only, the taxation district is required to pay 75 percent of the closed acreage fees to DNR. The bill provides that of the remaining 25 percent collected by the taxation district, the taxation district must pay 20 percent to the county.

SENATE BILL 575

Current law also requires DNR to pay each town treasurer 30 cents per acre of land in that town that is designated as county forest land. This bill increases those payments to 55 cents per acre beginning with payments made in 2014 for land designated as county forest land as of June 30, 2013.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 28.11 (8) (a) of the statutes is renumbered 28.11 (8) (a) 1. and
2 amended to read:

3 28.11 (8) (a) 1. ~~As Except as provided in subd. 2., as~~ soon after April 20 of each
4 year as feasible, the department shall pay to each town treasurer 30 cents per acre,
5 based on the acreage of such lands as of the preceding June 30, as a grant out of the
6 appropriation made by s. 20.370 (5) (bv) on each acre of county lands entered under
7 this section. This subdivision does not apply to payments required to be paid by the
8 department after 2013.

9 **SECTION 2.** 28.11 (8) (a) 2. of the statutes is created to read:

10 28.11 (8) (a) 2. As soon after April 20, 2014, as feasible, and as soon after April
11 20 of each year thereafter as feasible, the department shall pay to each town
12 treasurer 55 cents per acre, based on the acreage of such lands as of the preceding
13 June 30, as a grant out of the appropriation made by s. 20.370 (5) (bv) on each acre
14 of county lands entered under this section.

15 **SECTION 3.** 74.25 (1) (a) 6. of the statutes, as affected by 2013 Wisconsin Act 81,
16 is amended to read:

17 74.25 (1) (a) 6. Pay to the county treasurer 20% of collections of occupational
18 taxes on coal docks, 20% of collections of the taxes imposed under ss. 77.04 and 77.84

SENATE BILL 575

1

(2) (a) ~~and (am)~~ ^{and (bp)} and all collections of payments for lands under s. 77.84 (2) (b), ~~(bm),~~ ^{and}

2

~~and (bp), except as provided in s. 77.89 (2) (c).~~

3

SECTION 4. 74.30 (1) (f) of the statutes, as affected by 2013 Wisconsin Act 81,

4

is amended to read:

5

74.30 (1) (f) Pay to the county treasurer 20% of collections of occupational taxes

6

on coal docks, 20% of collections of the taxes imposed under ss. 77.04 and 77.84 (2)

7

(a) ~~and (am)~~ ^{and (bp)} and all collections of payments for lands under s. 77.84 (2) (b), ~~(bm),~~ ^{and}

8

~~(bp), except as provided in s. 77.89 (2) (c).~~

9

SECTION 5. 77.89 (2) (b) of the statutes is amended to read:

10

77.89 (2) (b) The Except as provided in par. (c), the municipal treasurer shall

11

pay all amounts received under s. 77.84 (2) (b) and (bm) to the county treasurer, as

12

provided under ss. 74.25 and 74.30. The county treasurer shall, by June 30 of each

13

year, pay all amounts received under this paragraph to the department. All amounts

14

received by the department shall be credited to the conservation fund and shall be

15

reserved for land acquisition, resource management activities, and grants under s.

16

77.895.

17

SECTION 6. 77.89 (2) (c) of the statutes is created to read:

18

77.89 (2) (c) 1. In 2014, of the amounts received under s. 77.84 (2) (b) and (bm)

19

the municipal treasurer shall, by June 30, 2014, pay 75 percent of the amounts

20

received under s. 77.84 (2) (b) and (bm) to the department.

21

2. The municipal treasurer shall, by June 30, 2014, pay to the county treasurer

22

an amount equal to 20 percent of the balance remaining after payment is made to the

23

department under subd. 1., for deposit in the county treasury.

SENATE BILL 575

SECTION 6

1 3. All amounts received by the department under subd. 1. shall be credited to
2 the conservation fund and shall be reserved for land acquisition and resource
3 management activities.

(END)

4

INS
4-3



State of Wisconsin
2013 - 2014 LEGISLATURE



LRBa1726/1
RNK:jld:rs

~~SENATE AMENDMENT 1,
TO SENATE BILL 575~~

February 13, 2014 - Offered by Senator ~~TIFFANY~~

INSERT 4-3

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

2 **1.** Page 2, line 15: delete the material beginning with that line and ending with
3 page 4, line 3, and substitute:

4 ~~SECTION 2m.~~ [#] **Nonstatutory provisions.**

5 (1) Notwithstanding section 77.89 (2) (b) of the statutes, of the amounts
6 received by the county treasurer under section 77.89 (2) (b) of the statutes in 2014,
7 the county treasurer shall do all of the following:

8 (a) Pay to the department of natural resources, by June 30, 2014, 75 percent
9 of the amounts received under section 77.89 (2) (b) of the statutes. All amounts
10 received by the department of natural resources under this paragraph shall be
11 credited to the conservation fund and shall be reserved for land acquisition and
12 resource management activities.

1 (b) Refund to the municipal treasurer, by June 30, 2014, 20 percent of the
2 amounts received from the municipal treasurer under section 77.89 (2) (b) of the
3 statutes.

4

(END)