

2013 DRAFTING REQUEST

Assembly Substitute Amendment (ASA-SB278)

Received: 11/13/2013 Received By: rkite  
 Wanted: As time permits Same as LRB:  
 For: Janet Bewley (608) 266-7690 By/Representing: Joe Hoey  
 May Contact: Drafter: rkite  
 Subject: Nat. Res. - parks and forestry Addl. Drafters:  
 Extra Copies: MGG

Submit via email: YES  
 Requester's email: Rep.Bewley@legis.wisconsin.gov  
 Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Public access to managed forest land near certain mining sites

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 11/13/2013	kfollett 11/13/2013		_____			
/1			rschluet 11/13/2013	_____	lparisi 11/13/2013	lparisi 11/13/2013	

FE Sent For:

<END>

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/?	rkite	11/5f 11/13	11/5f 11/13	_____	_____		
FE Sent For:							
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11/13/13

Per Joe Hoey in Rep. Bewley's office

Wants sub. amendment to SB 278 -  
wants it to be the same as LRB-3201 but  
take out the provision allowing restrictions  
to public access w/in 50 feet of a road

#

Called Joe & told him his request  
was the same as Sen. ~~Bill~~ Sub 1 - he  
reviewed it & agreed that he wanted the  
SSA1 version - asked for an analysis



Today  
State of Wisconsin  
2013 - 2014 LEGISLATURE

RM  
not  
rec'd  
50193/1

LRB0108/1  
RNK:eev&kjf:rs  
stays

Assembly  
~~SENATE~~ SUBSTITUTE AMENDMENT (1)  
TO SENATE BILL 278

September 5, 2013 - Offered by COMMITTEE ON WORKFORCE DEVELOPMENT, FORESTRY,  
MINING, AND REVENUE.

Reger

1 AN ACT to ~~renumber~~ 77.83 (2) (a); to **renumber and amend** 77.83 (2) (b); to  
2 **amend** 77.83 (4) (a); and to **create** 77.83 (2) (ad), 77.83 (2) (b) 3., 77.83 (2) (b)  
3 3m. and 77.83 (2) (b) 4. of the statutes; **relating to:** public access to open  
4 managed forest land near certain mining sites.

INS  
Analysis



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

5 SECTION 1. 77.83 (2) (a) of the statutes is renumbered 77.83 (2) (ag).

6 SECTION 2. 77.83 (2) (ad) of the statutes is created to read:

7 77.83 (2) (ad) In this subsection:

8 1. "Bulk sampling" has the meaning given in s. 295.41 (7).

9 2. "Drilling site" has the meaning given in s. 295.44 (1) (e).

10 SECTION 3. 77.83 (2) (b) of the statutes is renumbered 77.83 (2) (b) (intro.) and  
11 amended to read:





**2013 BILL**

1 **AN ACT to renumber 77.83 (2) (a); to renumber and amend 77.83 (2) (b); to**  
2 **amend 77.83 (4) (a); and to create 77.83 (2) (ad), 77.83 (2) (b) 3., 77.83 (2) (b)**  
3 **3m., 77.83 (2) (b) 4. and 77.83 (2) (b) 5. of the statutes; relating to: public access**  
4 **to open managed forest land near certain mining sites.**

***Analysis by the Legislative Reference Bureau***

Under the Managed Forest Land (MFL) Program, the owner of land that meets certain requirements as to size and the amount of timber on the land may apply to have the Department of Natural Resources (DNR) designate the land as MFL. The owner of such land then makes an annual 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 and may keep a specific area closed to public access. The remainder of the land must be kept open for recreational activities consisting of hunting, fishing, hiking, sight-seeing, and cross-country skiing, with certain exceptions. Under current law, an owner may restrict public access to open MFL within 300 feet of a commercial logging operation and may prohibit the use of certain vehicles on open MFL.

This bill establishes additional conditions under which an owner of open MFL may restrict public access. Under the bill, these additional conditions apply only with respect to certain iron mining activities such as bulk sampling. Bulk sampling is excavating in a potential mining site to assess the quality and quantity of iron ore deposits and to collect and analyze data to prepare an application for a mining permit.

INS  
ANALYSIS



substitute amendment

**BILL**

*substitute amendment*

This ~~bill~~ authorizes an owner of open MFL to restrict public access to any area that is within 300 feet of an iron mining drilling site or bulk sampling site or within 300 feet of a site where a well is being constructed by a person conducting certain iron mining activities. The bill also authorizes the owner of open MFL to restrict public access to any road used in connection with bulk sampling, or to land adjacent to and within 50 feet from either side of that road, if DNR determines that this restriction is necessary to protect public safety. The ~~bill~~ also allows DNR to authorize an owner to restrict public access within a greater distance than 300 feet from a bulk sampling site during blasting activities if DNR, another state agency, or the federal government determines that the restriction is necessary to protect public safety.

*END  
INS.  
ANALYSIS*

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

- 1            **SECTION 1.** 77.83 (2) (a) of the statutes is renumbered 77.83 (2) (ag).
- 2            **SECTION 2.** 77.83 (2) (ad) of the statutes is created to read:
- 3            77.83 (2) (ad) In this subsection:
- 4            1. "Bulk sampling" has the meaning given in s. 295.41 (7).
- 5            2. "Drilling site" has the meaning given in s. 295.44 (1) (e).
- 6            **SECTION 3.** 77.83 (2) (b) of the statutes is renumbered 77.83 (2) (b) (intro.) and
- 7            amended to read:
- 8            77.83 (2) (b) (intro.) An owner may restrict public access to any area of open
- 9            managed forest land which ~~that is within 300~~ any of the following:
- 10           1. Within 300 feet of any building or within 300,
- 11           2. Within 300 feet of a commercial logging operation that conforms to the
- 12           management plan.
- 13           **SECTION 4.** 77.83 (2) (b) 3. of the statutes is created to read:
- 14           77.83 (2) (b) 3. Within 300 feet of a drilling site operated by a person licensed
- 15           to engage in exploration under s. 295.44 (2).
- 16           **SECTION 5.** 77.83 (2) (b) 3m. of the statutes is created to read: