

**2015 DRAFTING REQUEST**

**Senate Amendment (SA-SB434)**

Received: 1/28/2016 Received By: zwyatt  
For: Thomas Tiffany (608) 266-2509 Same as LRB:  
May Contact: LFB By/Representing: Tyler  
Subject: Nat. Res. - parks and forestry Drafter: zwyatt  
Addl. Drafters:  
Extra Copies:

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

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Appropriation for distribution of closed acreage fees

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**Instructions:**

See attached

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	zwyatt 1/28/2016	wjackson 1/28/2016	_____			
/P1	zwyatt 2/1/2016	wjackson 1/30/2016	_____	srose 1/30/2016		
/1		wjackson 2/1/2016	_____	srose 2/1/2016	srose 2/1/2016	

FE Sent For:

<END>

## Wyatt, Zachary

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**From:** Wenzlaff, Tyler  
**Sent:** Thursday, January 28, 2016 10:48 AM  
**To:** Wyatt, Zachary  
**Cc:** Probst, Erin; Hinz, Daryl  
**Subject:** MFL Amendment

Zach,

Hoping this is the last MFL amendment. LFB discovered that the severance and yield taxes will be eliminated this year but the closed acreage fees being returned to the towns and counties don't kick in till the following year. This, along with the hold harmless provision, leaves a gap making DNR liable for the entire \$1.4 million the towns and counties would have received in the severance and yield taxes. Sen. Tiffany needs an amendment that would address the gap and specify from which account DNR would have to pay this money to.

The amendment should specify that the DNR has the authority to expend funds from the Forestry account in the amount necessary to meet its obligations under section 23 of Amendment 1. If you have any questions, Erin and Daryl at LFB should be able to help. Thanks.

Tyler

Tyler Wenzlaff  
Office of Wisconsin State Senator Tom Tiffany  
12<sup>th</sup> Senate District  
608-266-2509  
[facebook.com/WISenateSenTomTiffany](https://www.facebook.com/WISenateSenTomTiffany)

via phone, 1/28

- use 20.370(1) as base
- create appropriation in 20.370(5) to make payments for closed acreage fee [27.89(1)(e)] and "hold harmless provision" [SECTION 89(2)]
- change 20.370(1)(a) reference in SECTION 89M to new appropriation
- remove SECTION 89M
- schedule entry: SE6 A -0- 6,000,000

-ZWL



STAYS  
PI  
LRBa1788?  
ZDW:..  
Wlj

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION  
SENATE AMENDMENT,  
TO SENATE BILL 434**

# Page 2, line 9: "delete "and granting rule-making authority" and substitute "granting rule-making authority, and making an appropriation" see

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

2 1. Page 6, line 1: before that line insert:

3 "SECTION 1. 20.005 (3) (schedule) of the statutes: at the appropriate place,  
4 insert the following amounts for the purposes indicated:

5 2015-16 2016-17

6 ✓ 20.370 Natural resources, department of

7 ✓ (5) CONSERVATION AIDS

8 (dy) Resource aids - Distribution of

9 closed acreage fees, SEG A -0- 6,000,000 ✓

10 ".  
11

12 2. Page 6, line 4: after that line insert:

"SECTION 1m. 20.370 (5) (dy) of the statutes is created to read:

=em

1 20.370 (5) (dy) ~~Resource aids~~ <sup>Distribution of closed acreage fees</sup>. The amounts  
2 in the schedule for the payments to municipalities under under s. 77.89 (1) (c) and the STET  
3 payments to counties and municipalities under 2015 Wisconsin Act .... (this act),  
4 section 89 (2).  
*m (2m)*  
*4...*  
*(M)*

5 **3.** Page 25, line 14: delete lines 14 to 21 and substitute:

6 STET "SECTION ~~84m~~ <sup>84m</sup> 77.89 (1) (c) of the statutes is created to read:

7 STET 77.89 (1) (c) The department shall distribute from the appropriation under s.  
8 20.370 (5) (dy) of the statutes \$4,600,000 in fiscal year 2016-17, \$6,000,000 in fiscal  
9 year 2017-18, and \$7,000,000 in fiscal year 2018-19 among treasurers of each  
10 municipality in which is located land subject to a managed forest land order that is  
11 designated as closed to public access under s. 77.83 (1). The department shall  
12 distribute to each municipal treasurer an amount in proportion to the number of  
13 acres of closed land in that municipality.

14 **SECTION 84q.** 77.89 (2) (a) of the statutes is amended to read:

15 77.89 (2) (a) Each municipal treasurer shall pay 20% of each payment received  
16 STET under sub. (1) (a) ~~and~~, (b), and (c) <sup>(c)</sup> and under ss. 77.84 (2) (a), (am), and (bp), 77.85,  
17 and 77.876 to the county treasurer and shall deposit the remainder in the municipal  
18 treasury. The payment to the county treasurer for money received before November  
19 1 of any year shall be made on or before the November 15 after its receipt. For money  
20 received on or after November 1 of any year, the payment to the county treasurer  
21 shall be made on or before November 15 of the following year."

(END)

# Page 27, line 6: after that line insert:  
"SECTION [insert x]"

INS 2-21  
22

2015-2016 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRBa1788/P1ins  
ZDW:wlj

1           **INS 2-21**

2           **1.** Page 27, line 6: after that line insert:

3           <sup>M</sup>  
4           “(2) PAYMENTS TO COUNTIES AND MUNICIPALITIES. The department of natural  
5 resources shall determine whether the amount payable to each county and  
6 municipality in 2016 under section 77.84<sup>9</sup> (2) of the statutes, as affected by this act,  
7 is less than the amount received by the respective counties and municipalities in  
8 2015 under section 77.07<sup>of the statutes, 2013 stats.</sup> and section 77.87, 2013 stats. For each county and  
9 municipality for which the department of natural resources determines that the  
10 amount payable in 2016 is less than the amount received in 2015, the department  
11 of natural resources shall pay to each of those counties and municipalities an amount  
12 equal to the difference between the amount payable in 2016 and the amount received  
13 in 2015. The department of natural resources shall pay the amounts required under  
this subsection not later than December 1, 2016.”.

## Wyatt, Zachary

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**From:** Wenzlaff, Tyler  
**Sent:** Monday, February 01, 2016 12:30 PM  
**To:** Wyatt, Zachary  
**Subject:** RE: Amendment 3 to sb 434

Ok sounds good. We would take the stripes then. Thanks.

Tyler

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**From:** Wyatt, Zachary  
**Sent:** Monday, February 01, 2016 12:28 PM  
**To:** Wenzlaff, Tyler <Tyler.Wenzlaff@legis.wisconsin.gov>  
**Subject:** RE: Amendment 3 to sb 434

What's on the first page is the schedule entry, which just reflects the amounts for each year of the biennium (so, 15-16 and 16-17). The actual payment language for all of the years, including 18-19, is on page 2, lines 9-11.

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**From:** Wenzlaff, Tyler  
**Sent:** Monday, February 01, 2016 12:02 PM  
**To:** Wyatt, Zachary <Zachary.Wyatt@legis.wisconsin.gov>  
**Subject:** Amendment 3 to sb 434

Zach,

Did the formatting of I think lrb 1788 on the first page come out a little weird? I didn't see the closed acreage payment schedule for the final year, 18-19.

Tyler

Sent from my U.S. Cellular® Smartphone



NO CHANGES

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION  
SENATE AMENDMENT,  
TO SENATE BILL 434**

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

2 **1.** Page 2, line 9: delete “and granting rule-making authority” and substitute  
3 “granting rule-making authority, and making an appropriation”.

4 **2.** Page 6, line 1: before that line insert:

5 “SECTION 1c. 20.005 (3) (schedule) of the statutes: at the appropriate place,  
6 insert the following amounts for the purposes indicated:

7 2015-16      2016-17

8 **20.370 Natural resources, department of**

9 (5) CONSERVATION AIDS

10 (dy) Resource aids — distribution of

11 closed acreage fees                      SEG      A                      -0-      6,000,000”.



1           **3.** Page 6, line 4: after that line insert:

2           “**SECTION 1m.** 20.370 (5) (dy) of the statutes is created to read:

3           20.370 (5) (dy) *Resource aids — distribution of closed acreage fees.* The  
4 amounts in the schedule for the payments to municipalities under s. 77.89 (1) (c) and  
5 the payments to counties and municipalities under 2015 Wisconsin Act ... (this act),  
6 section 89 (2m).”.

7           **4.** Page 25, line 14: delete lines 14 to 21 and substitute:

8           “**SECTION 84m.** 77.89 (1) (c) of the statutes is created to read:

9           77.89 (1) (c) The department shall distribute from the appropriation under s.  
10 20.370 (5) (dy) \$4,600,000 in fiscal year 2016–17, \$6,000,000 in fiscal year 2017–18,  
11 and \$7,000,000 in fiscal year 2018–19 among treasurers of each municipality in  
12 which is located land subject to a managed forest land order that is designated as  
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14 municipal treasurer an amount in proportion to the number of acres of closed land  
15 in that municipality.

16           **SECTION 84q.** 77.89 (2) (a) of the statutes is amended to read:

17           77.89 (2) (a) Each municipal treasurer shall pay 20% of each payment received  
18 under sub. (1) (a) ~~and, (b), and (c)~~ and under ss. 77.84 (2) (a), (am), and (bp), 77.85,  
19 and 77.876 to the county treasurer and shall deposit the remainder in the municipal  
20 treasury. The payment to the county treasurer for money received before November  
21 1 of any year shall be made on or before the November 15 after its receipt. For money  
22 received on or after November 1 of any year, the payment to the county treasurer  
23 shall be made on or before November 15 of the following year.”.

24           **5.** Page 27, line 6: after that line insert:

1           “(2m) PAYMENTS TO COUNTIES AND MUNICIPALITIES. The department of natural  
2 resources shall determine whether the amount payable to each county and  
3 municipality in 2016 under section 77.89 (2) of the statutes, as affected by this act,  
4 is less than the amount received by the respective counties and municipalities in  
5 2015 under section 77.07, 2013 stats., and section 77.87, 2013 stats. For each county  
6 and municipality for which the department of natural resources determines that the  
7 amount payable in 2016 is less than the amount received in 2015, the department  
8 of natural resources shall pay to each of those counties and municipalities an amount  
9 equal to the difference between the amount payable in 2016 and the amount received  
10 in 2015. The department of natural resources shall pay the amounts required under  
11 this subsection not later than December 1, 2016.”.

12

(END)