

CR 93-229



George E. Meyer
Secretary

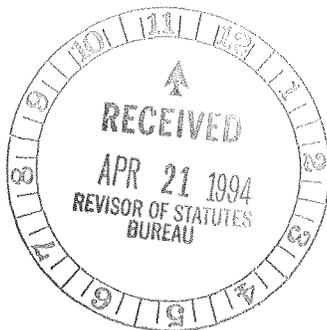
State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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STATE OF WISCONSIN)
)
DEPARTMENT OF NATURAL RESOURCES) SS

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, George E. Meyer, Secretary of the Department of Natural Resources and custodian of the official records of said Department, do hereby certify that the annexed copy of Natural Resources Board Order No. FR-42-93 was duly approved and adopted by this Department on February 24, 1994. I further certify that said copy has been compared by me with the original on file in this Department and that the same is a true copy thereof, and of the whole of such original.



IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department at the Natural Resources Building in the City of Madison, this 19th day of April, 1994.

George E. Meyer
George E. Meyer, Secretary

(SEAL)

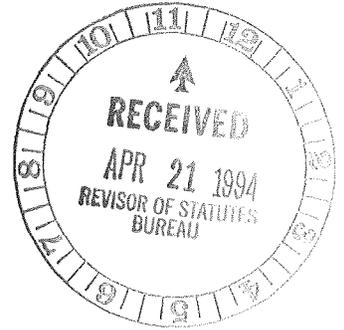
7-1-94



ORDER OF THE STATE OF WISCONSIN NATURAL RESOURCES BOARD
CREATING RULES

IN THE MATTER of creating s. NR 47.70 of the Wis. Adm. Code pertaining to the county forest administrator grant program.

FR-42-93



Analysis Prepared by Department of Natural Resources

Authorizing statute: s. 227.11(2)(a), Stats.

Statute interpreted: s. 28.11(5m), Stats., as created by 1993 Wisconsin Act 16.

Chapter NR 47, Wis. Adm. Code, establishes rules for the administration of grant programs. Section NR 47.70, Wis. Adm. Code, establishes provisions to implement the County Forest Administrator Grant program.

The proposed rule provides for up to a 50% grant for the purpose of assistance in funding the salary of a professional forester in the position of County Forest Administrator or Assistant County Forest Administrator to counties that have lands entered under the county forest law. The payment of any grant will require Department and County Board approval of an annual plan of work. Positions funded through this grant will be county employees. The grant shall be up to half the annual salary of the position not to exceed the amounts established in the rule.

SECTION 1. NR 47.70 is created to read:

NR 47.70 COUNTY FOREST ADMINISTRATOR GRANT PROGRAM. (1) PURPOSE. The purpose of this section is to establish standards and procedures for implementation of a grant program to contribute funds toward payment of the salary of a professional forester in the position of administrator or assistant administrator of a county forest.

(2) **DEFINITIONS.** As used in this section:

(a) "Annual plan of work" means a listing of work projects and activities agreed to by the department and the county to be performed in the upcoming calendar year in the county which involves the management of the forest resources and its attributes.

(b) "Annual salary" means the total annualized compensation paid to a county employee excluding the cost of any fringe benefits.

(c) "Cost shared administrator" means any department employee who is presently performing the duties of county forest administrator by mutual agreement of the county and the department.

(d) "County" means a county that has entered county-owned land under the county forest law, ss. 28.10 and 28.11, Stats.

(e) "Forester" has the meaning given in s. NR 1.21(2)(d) or who is employed as a county forest administrator or assistant county forest administrator in the administration of county forests as of August 12, 1993.

(f) "Grant year" means the calendar year to which the grant payment applies.

(g) "Independent consulting forester" means a forester as described in par. (e), who provides a variety of professional forestry services on a contract or fee basis and is employed by a county.

(3) APPLICATION AND GRANT PROCEDURE. (a) A county may apply for a grant under the county forest administrator grant program. A county shall include in an application a county board resolution authorizing the application. A county shall file the application with the department no later than November 30th of the year preceding the grant year, except for the grant year the rule becomes effective which the application shall be filed no later than May 1, 1994.

(b) A county that has received an initial grant under par. (a), shall file an application and resolution, as set forth in par. (a), to obtain a grant for each succeeding year unless the county has entered into a written agreement with the department.

(c) Except as provided in par. (d), a grant shall be limited to funding annual salary for a forester employed by a county.

(d) A grant under this section may be awarded to a county to contribute to the funding of an independent consulting forester or the salary of a forester shared between 2 counties.

(e) A grant may not be awarded to any county receiving services from a department cost shared administrator.

(f) Grants shall be distributed no later than April 15 of the grant year, except for the grant year the rule becomes effective when the grants shall be distributed no later than August 1, 1994.

(4) GENERAL PROVISIONS. (a) An annual grant award to a county may not exceed the lesser of 50% of the position's annual salary or the maximum grant amounts established in par. (b).

(b) The maximum grant which may be awarded each county forest shall be based upon the acreage of the county forest and is:

| Acres of County Forest | Maximum Grant Amount |
|---------------------------|----------------------|
| 0 - less than 10,000 | \$7,000 |
| 10,000 - less than 20,000 | \$12,000 |
| 20,000 - less than 50,000 | \$14,000 |
| 50,000 and larger | \$16,000 |

Note: The department intends to review the grant amounts and consider change by rule modification every 4 years.

(c) If the total amount of grants which the counties are eligible for under this section exceed funds available, the grants shall be prorated prior to distribution.

(d) The department may not make a grant to a county under this section unless all the following apply:

1. An annual plan of work is jointly developed by the department's district forestry supervisor, the county forest administrator, department's liaison forester and the county forestry committee.

2. The annual plan of work is consistent with the county forest 10-year comprehensive land use plan for the county.

3. The annual plan of work is approved by the county and the department prior to the beginning of the grant year.

The foregoing rule was approved and adopted by the State of Wisconsin Natural Resources Board on February 24, 1994.

The rules shall take effect on the first day of the month following publication in the Wisconsin administrative register as provided in s. 227.22(2) (intro.), Stats.

Dated at Madison, Wisconsin

April 19, 1994
STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

By

George E. Meyer
George E. Meyer, Secretary

(SEAL)

