



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2009 Assembly Bill 715

**Assembly
Amendment 2**

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Contact: Rachel E. Letzing, Senior Staff Attorney (266-3370)

Current Law

Under the Managed Forest Land (MFL) program administered by the Department of Natural Resources, an owner of land designated as MFL may close up to 160 acres of land to public access in a single municipality (town, city, or village).

Assembly Bill 715

Under Assembly Bill 715, an area of land 160 acres in size or less that is subject to an MFL order dated January 1, 2010 or later may not be closed to public access if the land was, on January 1, 2009, part of a contiguous parcel to which all of the following applied on January 1, 2009:

- The parcel exceeded 1,000 acres in size;
- The parcel was located in a single municipality and was under single ownership; and
- The parcel was not subject to a contract under the Forest Cropland Program or the Woodland Tax Law under subch. I of ch. 77, Stats., or to an order under the MFL program under subch. VI of ch. 77.

Assembly Amendment 2

Assembly Amendment 2 provides that closed acreage restrictions in the bill apply to an MFL order that is effective on or after January 1, 2010, instead of an MFL order that is dated January 1, 2010 or later.

The MFL statutes distinguish between an MFL order issue date and an MFL order effective date. Under s. 77.82 (9), Stats., an MFL order issued before November 21 takes effect on the January 1 after

the date of issuance and an order issued on or after November 21 takes effect on the second January 1 after the date of issuance. By changing “order dated January 1, 2010 or later” to “order effective on or after January 1, 2010,” the amendment has the effect of applying the closed acreage restrictions in the bill to MFL orders that became effective on January 1, 2010 instead of MFL orders that will become effective on January 1, 2011.

Legislative History

Assembly Amendment 2 was offered by Representative Clark on February 23, 2010. On February 24, 2010, the Assembly Committee on Forestry recommended adoption of Assembly Amendment 2 on a vote of Ayes, 4; Noes, 1 and recommended passage of the bill, as amended, by the same vote.

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