

1       **AN ACT** *to create* 77.82 (3e), 77.82 (3m) and 77.82 (3r) of the statutes; **relating to:**  
 2           annual allowable timber harvests, modification of management plans for large  
 3           ownerships of managed forest land and group enrollments, and requiring the exercise  
 4           of rule-making authority.

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

**JOINT LEGISLATIVE COUNCIL PREFATORY NOTE:** This draft was prepared for the Joint Legislative Council’s Special Committee on Review of the Managed Forest Land Program.

Under current law, s. NR 46.18 (4), Wis. adm. code, permits the department of natural resources (DNR) to modify the requirements of management plans under the managed forest land program for ownerships exceeding 1,000 acres. Management plans may be modified after consideration of the following:

- Other land of the owner entered as managed forest land, forest crop land and woodland tax law land.
- The number of counties in which lands proposed for entry or renewal or the owner’s existing managed forest land and forest crop land and woodland tax law lands lie.
- The existence and availability for review of a management plan prepared by or for the owner and acceptable to the department.
- Submission of a written commitment from an owner to provide, upon department request, information from the management plan for review or audit. The commitment shall describe the management plan and outline the procedure used to update and amend the management plan.
- An owner’s demonstrated consistent accessibility to competent technical forest management assistance through staff or consultant services.

This draft shifts the contents of the s. NR 46.18 (4), Wis. adm. code, to the managed forest land subchapter of ch. 77, stats. Additionally, the draft directs the DNR to promulgate rules to permit the management

plans of groups of owners of managed forest land to be modified in the same manner as permitted for large ownerships. The draft directs the department to submit its proposed rules on this topic to the administrative rules clearinghouse no later than the first day of the 12th month after the effective date of the draft.

Under current law, s. 28.025, stats., directs the DNR to establish annual allowable timber harvests for forested property owned by this state and forest property under the jurisdiction of the DNR from which timber is harvested.

This draft requires modified management plans for ownerships that exceed 1,000 acres to include the establishment of an annual allowable harvest. This requirement would not apply to ownerships exceeding 1,000 acres whose lands are certified by an independent third party. The draft directs the DNR to promulgate rules to establish an annual allowable timber harvests in modified management plans.

Finally, this draft directs DNR to write rules to allow all managed forest land owners a 3-year period in which to harvest timber.

1           **SECTION 1.** 77.82 (3e) of the statutes is created to read:

2           77.82 (3e) (a) *Large ownerships.* The requirements of this section for management  
3 plans may be modified by the department for ownerships exceeding 1,000 acres after  
4 consideration of the following:

5           1. Other land of the owner entered as managed forest land, forest crop land and  
6 woodland tax law land.

7           2. The number of counties in which lands proposed for entry or renewal or the owner's  
8 existing managed forest land and forest crop land and woodland tax law lands lie.

9           3. The existence and availability for review of a management plan prepared by or for  
10 the owner and acceptable to the department.

11           4. Submission of a written commitment from an owner to provide, upon department  
12 request, information from the management plan for review or audit. The commitment shall

1 describe the management plan and outline the procedure used to update and amend the  
2 management plan.

3 5. An owner's demonstrated consistent accessibility to competent technical forest  
4 management assistance through staff or consultant services.

5 (b) *Annual allowable timber harvests.* 1. Each management plan modified under this  
6 subsection shall include the establishment of an annual allowable timber harvest. This  
7 requirement does not apply to ownerships exceeding 1,000 acres whose lands are certified by  
8 an independent 3rd party.

9 2. The department shall promulgate rules to establish annual allowable timber harvests  
10 in management plans modified under this subsection.

**NOTE:** This SECTION shifts the contents of s. NR 46.18 (4), Wis. adm. code, relating to modification of management plans, to the managed forest land subchapter of ch. 77, stats. The SECTION also requires modified management plans to include the establishment of an annual allowable harvest unless the lands are certified by an independent third party.

11 **SECTION 2.** 77.82 (3m) of the statutes is created to read:

12 77.82 (3m) GROUP ENROLLMENTS. The department shall promulgate rules to permit the  
13 management plans of groups of owners of land that is designated as managed forest land to  
14 be modified in a manner substantially similar to the modifications permitted under sub. (3e)  
15 if the aggregate group ownership of land designated as managed forest land exceeds 1,000  
16 acres. The rules shall clarify that groups of owners have one management plan per group and  
17 must operate together.

18 **SECTION 3.** 77.82 (3r) of the statutes is created to read:

