

Report to
Legislative Council Rules Clearinghouse
NR 46, Wis. Adm. Code
Natural Resources Board Order No. FR-03-08

Wisconsin Statutory Authority

ss. 77.06(2), 77.82(3)(c), 77.91(1) and 227.11, Stats., interpreting ss. 77.06(2) and subch. VI, ch. 77, Stats.

Federal Authority

N/A

Court Decisions Directly Relevant

None

Analysis of the Rule - Rule Effect - Reason for the Rule

The proposed changes to ch. NR 46, include:

- Annual stumpage rate adjustments. Sections 77.06(2) and 77.91(1), Stats., require that the Department establish stumpage rates used in calculating severance and yield taxes on timber harvested from land enrolled in the Forest Crop Law (FCL) and Managed Forest Law (MFL). This rule would repeal and recreate s. NR 46.30(2)(a) to (d) to revise the stumpage rates used in calculating severance taxes and yield taxes for timber harvested during the period of November 1, 2008 and October 31, 2009. Thirteen separate zones reflect varying stumpage rates for different species and products across the state. The average change from current rates is a 0.10% increase for pulpwood and a 0.14% decrease for piece products. Private timber sales were used in calculating the proposed stumpage rates.
- Definitions used the MFL program in s. NR 46.15 are being changed to streamline administration and processing of MFL orders, transfer and withdrawals
- Changes to ss. NR 46.16(1)(b) and (6) relate to the processing of petitions and orders of designation. One change will allow landowners to amend their initial petition prior to submission of the management plan packet. As a result of this change it will be easier for landowners to enter lands under the MFL program
- NR 46.16(1)(b) clarifies that a management plan packet for the May 15 deadline must be submitted with the petition.

Agency Procedures for Promulgation

Public hearings, Natural Resources Board final adoption, followed by legislative review.

Description of any Forms (attach copies if available)

None

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