

Report to
Legislative Council Rules Clearinghouse
NR 1.21 and 1.26, Wis. Adm. Code
Natural Resources Board Order No. FR-02-07

Wisconsin Statutory Authority

ss. 28.025 and 227.11(2)(a), Stats., interpreting s. 28.025, Stats.

Federal Authority

N/A

Court Decisions Directly Relevant

None

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

Section 28.025, Stats., created by 2005 Wisconsin Act 166, directs the Department to establish an annual allowable timber harvest for state forest lands. The Act instructs the Department to develop a timber sale contracting program with private "cooperating foresters" for assistance in meeting the allowable harvest goals. Proposed s. NR 1.26 would identify timber sale related tasks that could be contracted and a method for calculating the portion of timber sale revenue that would pay for the services. Section NR 1.21(2)(e) would also be revised to make the educational requirements for cooperating foresters consistent with those for Department foresters under s. 28.045(1), Stats.

Act 166 provides that the rules shall be initially adopted through the emergency rule process followed by promulgation of the permanent rule. Natural Resources Board Emergency Order No. FR-02-07(E) became effective on February 6, 2007. The Act also provides the emergency rule shall not lapse prior to promulgation of the permanent rule and required no finding of emergency.

Agency Procedures for Promulgation

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

Description of any Forms (attach copies if available)

None

Name and Telephone Number of Agency Contacts

Paul Pingrey, Division of Forestry – 267-7595
Quinn Williams, Bureau of Legal Services – 266-1318
Carol Turner, Bureau of Legal Services - 266-1959

Submitted on February 7, 2007