

## Protecting A Multiple-Use Forest For Future Generations

*Henry Schienebeck*

Executive Director

715-282-5828

# United States Capitol

Washington DC





## Youth Careers in Logging

The American Loggers Council (ALC) is a non-profit organization representing professional timber harvesters in 30 states. It is our goal to ensure the health of the industry and in so doing support entrance of youth into this important economic sector of our country, opening up opportunity that is already afforded to farmers and ranchers to professional timber harvesters. Like farming and ranching, the timber harvesting profession is often a family run business where the practice and techniques of harvesting and transporting forest products from the forest to receiving mills is passed down from one generation to the next.

Timber harvesting operations are labor intensive, highly mechanized and technical careers that require on-the-ground training to promote efficiencies and expertise in performing those operations. Today's current mechanical logging machines are enclosed with safety cages that protect the occupant from many of the hazards previously experienced in conventional chain saw harvesting operations. The workman's comp. claims history bears this out – logging in today's enclosed machines is as safe as many other professions where sixteen to eighteen year olds are allowed to work.

In many respects, timber harvesting operations are very similar to family farms with sophisticated and expensive harvesting equipment that requires young men and women to learn how to run the business, including equipment operation and maintenance, prior to obtaining the age of eighteen.

Currently, there are no on-the-ground programs in place to facilitate that training and ensure the sustainability of the timber harvesting industry's next generation of family members who choose to enter the profession.

Other agricultural businesses, including farmers and ranchers, enjoy exemptions to existing child labor laws that permit family members between the ages of sixteen and seventeen to participate in and learn the operations of the family businesses under the direction and supervision of their parents. However, young men and women under the age of eighteen who are members of families that own and operate timber harvesting companies are denied the opportunity to work and learn the family business because of current child labor laws.

The American Loggers Council (ALC) supports extending the agricultural exemption now enjoyed by family farmers and ranchers to train their sixteen and seventeen year old sons and daughters to carry on the family business to mechanical timber harvesters as introduced in the 114<sup>th</sup> Congress as HR. 1215 and S. 694. The exemption would ensure that the next generation of mechanical timber harvesters can gain the needed on-the-ground training and experience under the close supervision of their parents who have a vested interest in their children's safety and in passing down the profession to the next generation of timber harvesters. For more information, please contact the American Loggers Council at 409-625-0206.

# Youth Careers in Logging



# State-Legal Loads on the Interstate System

## The Right to Haul Act



### State-legal Loads On the Interstate System

#### The Right to Haul Act

Individual states have long set weight limits for their roads and highways. With the advent of the Dwight D. Eisenhower System of Interstate and Defense Highways (Interstate system) the Federal Government established its own weight limits for this system. Thirteen states have received various exemptions from these limits. Transit buses and fire and other disaster response vehicles have temporary exemptions pending studies of their weight and use, and many “new” sections of the federal Interstate Highway system have been “grandfathered” in to allow the existing state legal load limits prior to the roadway becoming a portion of the Federal Interstate Highway System.

Generally, Title 23, Section 127(a), U.S. Code sets Interstate System weight limits at 20,000 pounds on a single axle; 34,000 pounds on tandems and a gross weight of 80,000 pounds on a 36 foot tandem spread. A bridge formula is used to recognize different axle spreads. These maximums include enforcement tolerances.

Based on safety considerations, the American Loggers Council (ALC) is proposing an additional exemption for agricultural (including forest) commodity loads that meet state-legal requirements and tolerances. The exemption is expected to result in a shift of a substantial amount of existing trip mileage from two-lane secondary roads and highways to the Interstate System and result in nominally fewer trips – and improves safety for the motoring public, including the trucks themselves. This proposal would also “fix” the issue with the addition of “newly” designated federal interstate highways having to receive piecemeal exemptions based on existing State weight tolerances.

Language introduced in the 113<sup>th</sup> Congress titled the “Right to Haul Act of 2014, H.R. 5201” included:

Amending Title 23, Chapter 1, Subchapter I, Section 127(a), United States Code, by adding the following final paragraph:

**“(j) State Agricultural Exemptions. –**

**“(1) IN GENERAL. – Notwithstanding subsection (a), individual State weight limitations for an agricultural commodity that are applicable to State highways shall be applicable to the Interstate System within the State’s borders for vehicles carrying an agricultural commodity.**

**“(2) AGRICULTURAL COMMODITY DEFINED.—The term ‘agricultural commodity’ means any agricultural commodity (including horticulture, aquaculture, and floriculture), food, feed, fiber, forestry products, livestock (including elk, reindeer, bison, horses, or deer), or insects, and any other product thereof.”.**

For assistance regarding this proposal, please contact Danny Dructor, American Loggers Council, (409) 625-0206.

# Secure Rural Schools Funding

County	2013				2014***				2015****		
	Secure Rural Schools	PILT	Total		Secure Rural Schools	PILT	Total		Secure Rural Schools	PILT	Total
<b>Chequamegon</b>											
Ashland	\$ 189,915.89	\$ 233,009.00	\$ 422,924.89		\$ 182,889.37	\$ 250,704.00	\$ 433,593.37		\$ 201,980.86	\$ 459,926.00	\$ 661,906.86
Bayfield	\$ 272,338.56	\$ 216,678.00	\$ 489,016.56		\$ 253,573.12	\$ 255,185.00	\$ 508,758.12		\$ 223,268.87	\$ 550,256.00	\$ 773,524.87
Price	\$ 146,454.52	\$ 141,539.00	\$ 287,993.52		\$ 136,963.44	\$ 161,743.00	\$ 298,706.44		\$ 126,458.94	\$ 318,082.00	\$ 444,540.94
Sawyer	\$ 121,669.20	\$ 131,582.00	\$ 253,251.20		\$ 113,766.37	\$ 159,247.00	\$ 273,013.37		\$ 114,543.12	\$ 294,316.00	\$ 408,859.12
Taylor	\$ 182,578.24	\$ 20,806.00	\$ 203,384.24		\$ 178,470.20	\$ 22,219.00	\$ 200,689.20		\$ 149,631.74	\$ 143,883.00	\$ 293,514.74
Vilas	\$ 6,886.86	\$ 29,731.00	\$ 36,617.86		\$ 6,735.30	\$ 37,586.00	\$ 44,321.30		\$ 6,204.23	\$ 107,716.00	\$ 113,920.23
<b>Nicolet</b>											
Florence	\$ 85,121.12	\$ 22,474.00	\$ 107,595.12		\$ 83,161.06	\$ 45,734.00	\$ 128,895.06		\$ 77,895.63	\$ 139,610.00	\$ 217,505.63
Forest	\$ 461,520.45	\$ 139,678.00	\$ 601,198.45		\$ 423,998.64	\$ 258,126.00	\$ 682,124.64		\$ 458,002.44	\$ 739,270.00	\$ 1,197,272.44
Langlade	\$ 39,885.62	\$ 18,031.00	\$ 57,916.62		\$ 37,040.11	\$ 25,728.00	\$ 62,768.11		\$ 36,399.02	\$ 70,106.00	\$ 106,505.02
Oconto	\$ 144,131.06	\$ 90,886.00	\$ 235,017.06		\$ 135,646.10	\$ 120,085.00	\$ 255,731.10		\$ 139,042.57	\$ 264,373.00	\$ 403,415.57
Oneida	\$ 11,716.60	\$ 10,792.00	\$ 22,508.60		\$ 11,208.00	\$ 11,802.00	\$ 23,010.00		\$ 11,705.59	\$ 24,181.00	\$ 35,886.59
Vilas**	\$ 50,454.93		\$ 50,454.93		\$ 49,344.52		\$ 49,344.52		\$ 45,447.15		\$ 45,447.15

\*The Secure Rural Schools Act State (SRS) Payment calculation uses multiple factors, including acres of Federal land within an eligible county, the county's share of the state's average of the 3 highest 25-percent and safety net payments during fiscal year 1968 through fiscal year 1999, and an income adjustment based on the per capita personal income for each county.

\*\*Vilas County PILT payment is a single county payment, while SRS payment is split by Proclaimed Unit Chequamegon/Nicolet. Vilas County is the only county with land in both proclaimed units.

\*\*\*2014 was the first year in which SRS payments were directed to School Districts. The State of Wisconsin made a one time "bridge" payment to fund Town Road Maintenance this year. Prior years total of SRS and PILT went 100% to road maintenance.

\*\*\*\*2015 was the first year in which PILT payments were not reduced due to SRS payments. This reduction no longer occurs due to Wisconsin State Legislation directing SRS payments directly to School Districts.

\*\*\*\*\*The PILT Act specifically prohibits payments for tax exempt lands (but not donated lands) acquired from State or local governments



# Wisconsin State Budget





# Joint Committee on Finance


- Forestry Mill Tax





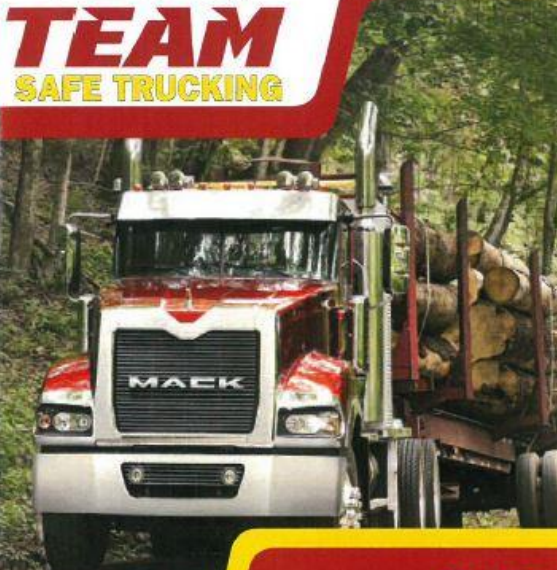
# Joint Committee on Finance

## ► Transportation Funding



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March 27, 2017

Dear Representative Kooyenga,

Wisconsin's sustainable forest products industry faces many challenges. Due to weather and distance to mills, transportation costs put the lake state's regional businesses at a competitive disadvantage compared to southern states.<sup>1</sup> One way the Wisconsin legislature can help industry is by controlling transportation costs through a well maintained infrastructure.

Many of our cost increases come in the form of added mileage. Wisconsin truckers have to haul further to get their products to market. Some of the increased mileage is due to local governments posting roads and bridges for weight.

Wisconsin log trucks are allowed to apply for special permits, including the RS permit that allows 98,000 pounds on six axles. This is our industry's most used permit.

Issues arise when a local unit of government posts a road restriction due to weight, known as listing the highway as Class B or Class II highway. Local authorities may designate any and all of their roads as Class B highways under Wisconsin statutes sections 349.15 and 349.16. This reduces the permitted weight to exceed 60% of the legal load limits. Local authorities may implement a posting at any time. The state doesn't typically get involved with local transportation issues, as the state believes local authorities are in a better position to judge the condition of their roads and bridges. However, local governments might not have access to resources that allow them to make the most informed decisions.

Local authorities sometimes post roads or bridges for weight that the industry believes should not be restricted. Currently, the state statutes are drafted so broadly that the maintaining authorities are allowed to use their best judgment to restrict travel. The Wisconsin Attorney General opined that under Wis. Stat. 349.15, the maintaining authority's police power need not even be based on the condition of the roadbed, but may instead rest on promoting the general welfare of the public.<sup>23</sup> In

<sup>1</sup> Wisconsin Forest Practices Study, Project Reports, "Update: Wood Supply Chain Cost Component Analysis: A Comparison of WI and U.S. Regional Cost," available at <http://www.wisconsinforestry.org/initiatives/current/forestry-practices-study/>.

<sup>2</sup> Wisconsin 66 Atty. Gen. 110.

<sup>3</sup> Promoting the health, safety, or welfare of the public is generally referred to as police powers. In Wisconsin, this authority commonly known as "home rule" is granted under article XI, section 3 of the Constitution that states in part, "Cities and villages organized pursuant to state law may determine their local affairs and government, subject only to this constitution and to such enactments of the legislature of statewide concern as with uniformity shall affect every city or every village. The method of such determination shall be prescribed by the legislature." Authority is also given to common councils under Wis. State 62.11(5), which states, "Powers. Except as elsewhere in the statutes specifically provided, the council shall have the management and control of the city property, finances, highways, navigable waters, and the public service, and shall have power to act for the government and good order of the city, for its commercial



our experience, the general welfare of the public  
have on the local industry

seem to include the impacts restrictions will  
age a posting is likely to face an uphill  
ment decisions.

at complete information. Government  
e dark either because they don't have  
e government units are required to get  
ing whether to post a road or bridge for  
nger allows logging trucks could cost the  
gh most of the traffic they see continues

udy, we know that one bridge in  
has had a disproportionately negative  
\$ million in increased transportation

The cost (and potential savings) to  
ting has cost the local government in  
tain. It also increased large truck

ge rating system. The bridge rating  
ridge is in very good shape.

apply for additional funding to  
priority since the county would  
bridge for freight.

strictions have looked for new  
Cooperative, or WACCO,  
rbine expertise and save

me vendor in bulk, members  
\$ millions of dollars.<sup>4</sup>

es that allow one truck at a time.  
ommodate two fully-loaded  
aded truck and posted than

vers by license, regulation,  
ation, and other necessary or  
, and shall be limited only by

at

er WI 54501  
www.gltpa.org



project and

#### for Input

o give more opportunity for input. Currently, local  
edges for weight without seeking any input from industry.  
opportunities for public input if any are provided. We  
irement any time a local unit of government is going to  
d involve a public notice and time to comment before the

#### ing

it an engineering report before posting a road or  
report on every project could be very costly, so

one week before a local government intends to  
earing on the posting; (2) if the condition of  
believes the road to be at risk of damage but

ngineering report that would provide data on  
ent was incorrect, the route remains open to  
its integrity, there could be an

ustry understand the full costs and

#### Partnerships

uld support local government  
ide these support services through

provided small amounts of funding  
n 2002, even though locals  
menting a board to help

more resources available from

er WI 54501  
www.gltpa.org



any other freight must wait until the first load clears the bridge. This cuts down on construction  
costs while maintaining crucial routes for industry.<sup>5</sup>

#### ogram

ve any programs to assist bridges specifically as freight routes.  
open to the idea of a freight bridge program, but the issue will  
we see with the highway B example, providing state funding up  
ment money on the back end.

#### ne Loaded Truck at a Time Freight Postings

other states implement allowing one truck on bridges at a time  
ould look to Iowa and Minnesota for guidance.

ustry that certain culverts must be built to bridge standards  
bridge. DOT should reexamine the definitions of bridges and  
nd safety are the key decision makers, not outdated definitions.

st options, DOT and local governments can look at lower cost  
es. They have been used in Michigan with success, sometimes  
of a traditional, concrete bridge.

verments typically do not have the funding to start large  
option is Public Private Partnerships (PPPs). PPPs typically  
A, providing upfront funding to a government unit for a special

versations GLTPA had with Minnesota and Iowa state Department of  
3243 Golf Course Road P.O. Box 1278, Rhinelander WI 54501  
Phone (715)-282-5828 Fax (715)-282-4941 [www.gltpa.org](http://www.gltpa.org)



#### Shared Increased Costs

DOT and local governments may exhaust all reasonable, cost saving measures  
up short for funding. If this happens, GLTPA is willing to pay its share of increased costs  
benefit for industry and the public in general. We would like some guarantees that the m  
collected from industry continues to benefit industry.

Sincerely,

Henry Schienebeck  
Henry Schienebeck, GLTPA Executive Director

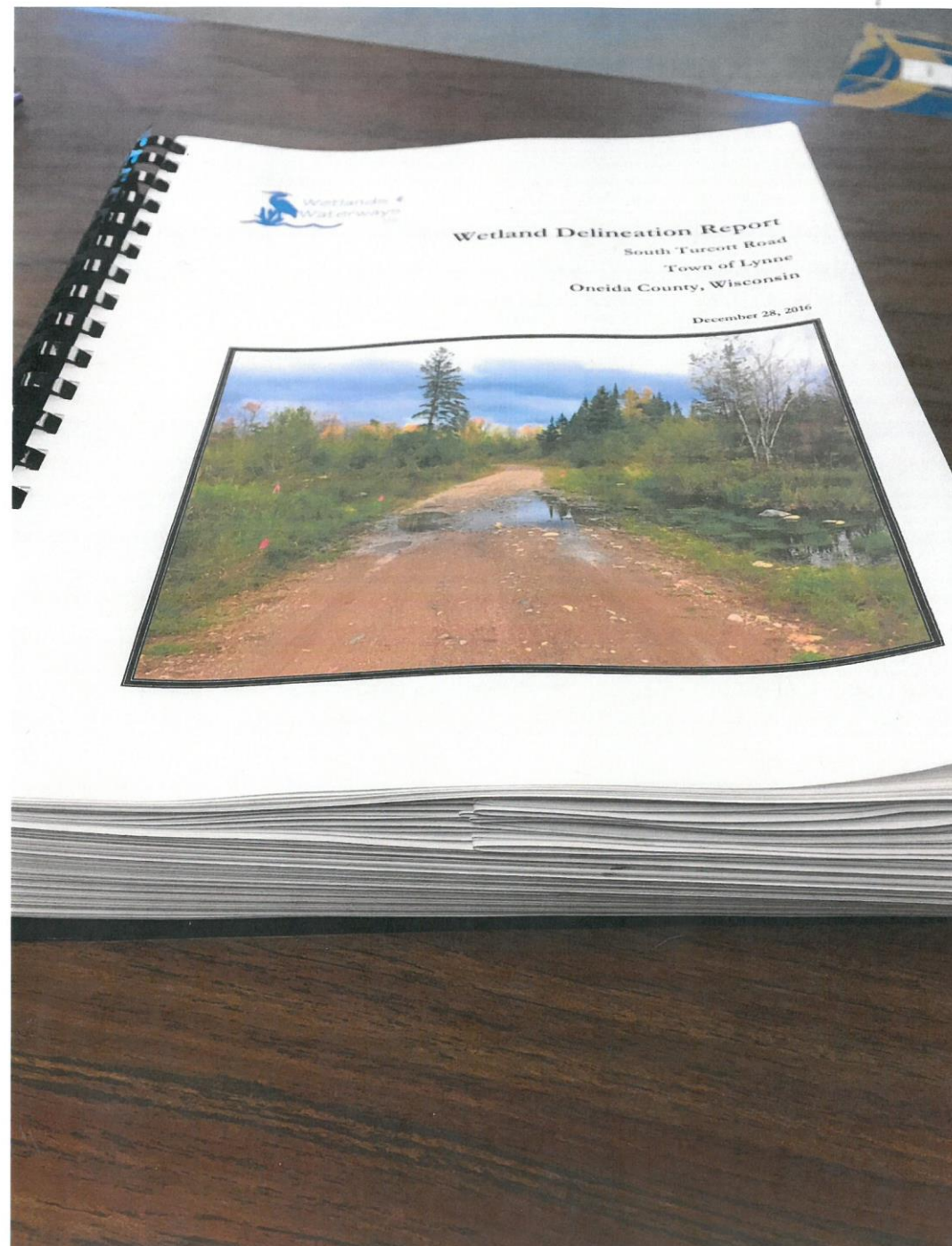
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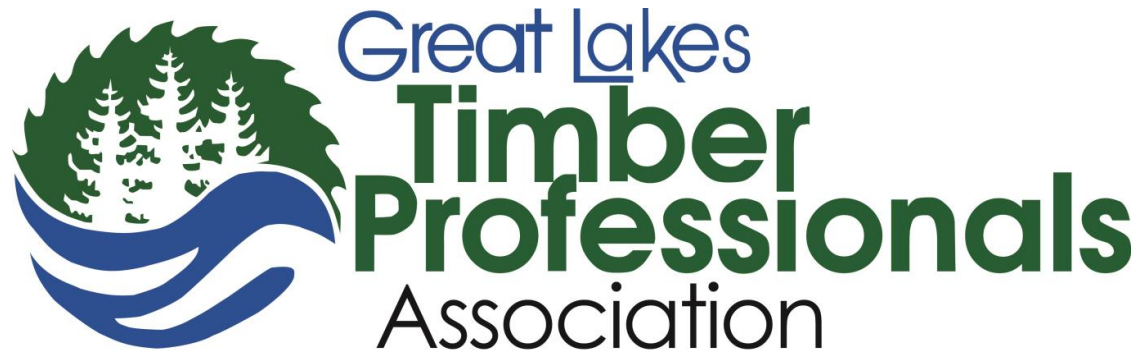
# A Bill to Amend 1949 PA300 Entitled “Michigan Vehicle Code - Multiple Trip Permit”





# Wetland Delineation





[www.gltpa.org](http://www.gltpa.org)

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