

**1983 Assembly Bill 1016**

Date of enactment: **May 8, 1984**  
Date of publication: **May 14, 1984**

**1983 Wisconsin Act 424**

AN ACT *to renumber 28.11 (9) (c); to amend 26.03 (1) (a) and 28.11 (6) (a); and to create 28.11 (3) (j) and 28.11 (9) (c) of the statutes, relating to various changes in the forestry laws.*

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

SECTION 1. 26.03 (1) (a) of the statutes is amended to read:

26.03 (1) (a) Before any person cuts, or causes to be cut any logs, piling, poles, posts, pulpwood, Christmas trees or other forest products, except fuel wood for personal home consumption, in, upon or adjoining any forest or wild land area the person shall pay all delinquent taxes on the land and each year shall mail a notice in the English language giving his or her name and post-office address, and listing all the lands upon which cutting is to be done, designating the lands upon which cutting is to be done by each 40 acre governmental subdivision or fraction of a 40 acre governmental subdivision with the proper section, town and range, by registered letter addressed to the county clerk of each county in which the land is located. The county clerk shall mail a copy of the notice to the ~~area forest ranger and the~~ town chairman of each town in which lands upon which forest products are to be cut under this paragraph are located, and to the county treasurer, who shall forthwith determine whether the county holds tax certificates or tax deeds to any of the land listed in the notice, and if the county treasurer so finds, the county treasurer shall take action to collect the unpaid taxes represented by county-owned tax certificates or to prevent cutting on land to which the county holds a tax deed or tax certificate. This section shall not apply to cutting on public lands, as defined under s. 70.13 (7), or to cutting for the purpose of clearing the land for agricultural use or to a person who may cut up to 5 Christmas trees on the person's own property for his or her own use, providing that he or she can prove that his or her real estate taxes for the previous calendar year have been paid.

SECTION 2. 28.11 (3) (j) of the statutes is created to read:

28.11 (3) (j) Establish energy conservation projects which permit individual members of the public to remove up to 10 standard cords of wood without charge from county forest lands for individual home heating purposes. The county board shall limit removal of wood for energy conservation projects to wood that is unsuitable for commercial sale. The county board may require a permit to remove wood for energy conservation projects and may charge a fee for the permit to administer projects established under this paragraph. A county board shall restrict participation in projects established under this paragraph to residents, as defined under s. 29.01 (12), but may not restrict participation to residents of the county.

SECTION 2m. 28.11 (6) (a) of the statutes is amended to read:

28.11 (6) (a) *Limitations.* The county forestry committee is authorized to sell merchantable timber designated in timber sale contracts and products removed in cultural or salvage cuttings. No timber sale contract is required for wood removed under sub. (3) (j). All timber sales shall be based on tree scale or on the scale, measure or count of the cut products; the Scribner Decimal C log rule shall be used in log scaling. All cuttings shall be limited to trees marked or designated for cutting by qualified personnel recognized as such by the department.

SECTION 3. 28.11 (9) (c) of the statutes is renumbered 28.11 (9) (d).

SECTION 4. 28.11 (9) (c) of the statutes is created to read:

28.11 (9) (c) No severance share payment is required for wood removed from county forest lands for energy conservation projects established under sub. (3) (j).

SECTION 5. **Cross-reference changes.** In the sections of the statutes listed in Column A, the cross-references shown in Column B are changed to the cross-references shown in Column C:

A	B	C
Statute Sections	Old Cross-References	New Cross-References
28.11 (9)(a)	par. (b)	pars. (b) and (c)