



2007 ASSEMBLY BILL 785

February 8, 2008 - Introduced by Representatives BIES, ALBERS, HAHN, MURSAU, MUSSER, A. OTT, OWENS, TOWNSEND and WOOD, cosponsored by Senators A. LASEE and OLSEN. Referred to Committee on Forestry.

1 **AN ACT to amend** 26.03 (1m), 26.03 (1m) (a) 2. and 26.03 (1m) (b) (intro.); and
2 **to create** 26.03 (1m) (a) 1g. of the statutes; **relating to:** notification to counties
3 of the harvesting of raw forest products.

Analysis by the Legislative Reference Bureau

Under current law, with certain exceptions, no person may harvest any raw forest products without giving the clerk of the county in which the land is located 14 days' notice of the intention to harvest the products. The clerk must then give notice to the town chairperson of each town in which the land is located and to the county treasurer. If the county treasurer determines that there are unpaid taxes on the land, the county treasurer must take action to collect the unpaid taxes or prevent the harvesting of the raw forest products. A person who fails to give this notice is subject to a forfeiture.

Under this bill, a person is considered to not be in violation of this notification requirement if the person notifies the county clerk of the harvesting within seven days after being informed by the Department of Natural Resources or by the county of the notification requirement.

For further information see the *local* fiscal estimate, which will be printed as an appendix to this bill.

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

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

2 26.03 **(1m)** HARVESTING UPON NOTIFICATION. (a) 1. Unless otherwise authorized
3 to do so by the county and subject to subd. 1g., no person may harvest any raw forest
4 products, or direct the harvesting of any raw forest products, from any land until 14
5 days after the clerk of the county in which the land is located is notified of the person's
6 proposal to harvest. The person shall notify the county clerk each year and may do
7 so in any manner acceptable to the county.

8 1r. Each time the person notifies the county under this paragraph, the person
9 shall describe the land upon which the harvesting will occur by quarter-quarter
10 section, government lot or fractional lot, unless the county requires a different
11 method for describing the land.

12 3. Notification required under ~~this subdivision~~ subd. 1. expires on the
13 December 31 immediately following the notification, and no person may harvest, or
14 direct the harvesting of, any additional raw forest products from the land until
15 further notification that complies with this subdivision is provided to the county.

16 **SECTION 2.** 26.03 (1m) (a) 1g. of the statutes is created to read:

17 26.03 **(1m)** (a) 1g. A person who has never previously given notice under subd.
18 1. and who harvested raw forest products or who directed the harvesting of raw forest
19 products without giving the notice required under subd 1. shall be considered to not
20 be in violation of subd. 1. if the person notifies the county clerk of the harvesting
21 within 7 days after being informed by the department or by the county of the
22 notification requirement.

23 **SECTION 3.** 26.03 (1m) (a) 2. of the statutes is amended to read:

24 26.03 **(1m)** (a) 2. Upon receipt of notifications under subd. 1. or 1g., the county
25 clerk shall provide notice to the town chairperson of each town in which the land from

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1 which raw forest products will be or were harvested is located and to the county
2 treasurer. The county treasurer shall determine whether the county holds a tax
3 certificate or tax deeds to any of the land involved. If the county holds a tax
4 certificate, the county treasurer shall take action to collect the unpaid taxes
5 represented by county-owned tax certificates or to prevent the harvesting of raw
6 forest products from the land. If the county holds a tax deed, the county treasurer
7 shall take action to prevent the harvesting of raw forest products from the land.

8 **SECTION 4.** 26.03 (1m) (b) (intro.) of the statutes is amended to read:

9 26.03 (**1m**) (b) (intro.) Paragraph (a) 1. and 1g. does not apply to a person
10 harvesting raw forest products on public lands, as defined in s. 70.13 (7), to a person
11 harvesting raw forest products for fuel wood for his or her home consumption, to a
12 person harvesting for the purpose of clearing the land for agricultural use or to a
13 person harvesting from the person's own land, any of the following:

14 **(END)**