

1999 ASSEMBLY BILL 104

February 9, 1999 – Introduced by Representatives SKINDRUD, ALBERS, FREESE, GOETSCH, GUNDERSON, JOHNSRUD, MUSSER, OWENS, PORTER and WARD, cosponsored by Senator BAUMGART. Referred to Committee on Rural Affairs and Forestry.

1 **AN ACT** *to amend* 77.81 (4) and 77.88 (1) (a); and *to create* 77.82 (5) (c), 77.82
2 (7) (bm) and 77.88 (1) (am) of the statutes; **relating to:** allowing managed forest
3 land to be located in cities.

Analysis by the Legislative Reference Bureau

Certain lands are designated as managed forest land under a program administered by the department of natural resources (DNR). Under this program, the owner of land designated as managed forest land pays an annual acreage share instead of the property taxes that normally would be payable.

Under current law, the owner of a parcel of land may petition to have the parcel designated as managed forest land if the parcel consists of at least ten contiguous acres and is located in a town or village. Also at least 80% of the parcel must be capable of producing a minimum of 20 cubic feet of timber per acre per year. Under the bill, the land may also be located in a city.

Under current law, DNR may approve or deny a petition depending on whether the land meets certain requirements. The bill allows the governing body of a city to request that DNR deny a petition for land in the city if the use of the land as managed forest land is not compatible with existing or planned uses by the city for the land. If the governing board makes the request, DNR must deny the petition. Under current law, a village or town does not have the authority to use this procedure.

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For further information see the *state and 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:

1 **SECTION 1.** 77.81 (4) of the statutes is amended to read:

2 77.81 **(4)** “Municipality” means a town ~~or~~, village or city.

3 **SECTION 2.** 77.82 (5) (c) of the statutes is created to read:

4 77.82 **(5)** (c) In addition to its authority to act under par. (b), the governing body
5 of the city in which proposed managed forest land is located may, within 30 days after
6 the notice under par. (a) is provided, by the affirmative vote of a majority of all of its
7 members, request the department to deny a petition submitted under sub. (2) or (4)
8 for land located in the city if the use of the land as managed forest land is not
9 compatible with the existing or planned uses of the land as determined by the city.

10 **SECTION 3.** 77.82 (7) (bm) of the statutes is created to read:

11 77.82 **(7)** (bm) Notwithstanding pars. (a) and (b), the department shall deny
12 a petition submitted under sub. (2) or (4) for land located in a city if the governing
13 body of the city requests denial of the petition under sub. (5) (c).

14 **SECTION 4.** 77.88 (1) (a) of the statutes is amended to read:

15 77.88 **(1)** (a) The department may, at the request of the owner of managed forest
16 land or of the governing body of the municipality in which any managed forest land
17 is located, or at its own discretion, investigate to determine whether the designation
18 as managed forest land should be withdrawn. ~~The~~ Except as provided in par. (am).
19 the department shall notify the owner of the land and the mayor of the city. the
20 chairperson of the town or the president of the village in which the land is located
21 of the investigation.

