

2001 ASSEMBLY BILL 888

March 4, 2002 – Introduced by Representatives HUBLER, AINSWORTH, MUSSER, RYBA, HAHN, ALBERS, SERATTI and GRONEMUS, cosponsored by Senator JAUCH. Referred to Committee on Rural Affairs and Forestry.

1 **AN ACT to repeal 77.82 (4m) (c); to renumber and amend 77.82 (1) (c); to**
2 **amend 77.82 (4m) (bn); to repeal and recreate 77.82 (7) (d); and to create**
3 **77.82 (1) (c) 1., 77.82 (1) (c) 2. and 77.82 (1) (c) 3. of the statutes; relating to:**
4 the conversion of lands that are entered on the tax roll as forest croplands to
5 lands that are entered on the tax roll as managed forest lands.

Analysis by the Legislative Reference Bureau

Certain lands are designated as forest croplands under a program administered by the department of natural resources (DNR). Under this program, the owner of the designated land makes an annual payment per acre that is designated instead of the property taxes that would normally be payable. In exchange, the owner must comply with certain forestry practices and must allow hunting and fishing on all of the designated land. Beginning on January 1, 1986, DNR has not been able to designate any additional land as forest cropland.

Under a similar program that has been in effect after December 31, 1985, DNR may designate certain land as managed forest land. Under this program, the owner may close part of the land to public use such as hunting and fishing. The owner makes a higher annual payment on the acres that are closed than on the acres that are open. Both programs impose a withdrawal tax if the designated land is withdrawn before the period of the designation expires.

Before, January 1, 1998, an owner of forest croplands was able to file a petition with DNR to convert the land to managed forest land. The land to be converted had

ASSEMBLY BILL 888

to be in a single town or village, and the petition had to include all forest croplands owned by the petitioner in that town or village. The owner had to submit the petition after September 1, 1994, and before January 1, 1998. DNR had to approve or disapprove the petition within three years after its submittal.

Current law prohibits the imposition of withdrawal taxes for the conversion of these forest croplands to managed forest lands. However, under current law, for converted land that is withdrawn from the managed forest land program within ten years after its being converted, the withdrawal tax is the higher of the following: 1) the withdrawal tax that would have been imposed on the land under the forest cropland program at the time of the conversion; or 2) the withdrawal tax calculated under the formula used for managed forest lands that have not been converted.

This bill allows an owner of forest croplands to file a petition to convert forest croplands into managed forest lands at any time. Under the bill, all of the forest croplands owned by the petitioner in a single town or village need not be converted. However, if only a portion of the forest crop lands are to be converted, the converted land must consist of one or more quarter-quarter sections or a government or fractional lot, as determined by the U.S. government survey plat, or must consist of a combination of these sections or lots. The bill also reduces the fee for a conversion petition. In addition, the bill shortens the period of time given to DNR to approve or disapprove conversion petitions to approximately 20 months for petitions submitted by petitioners who own 1,000 or more acres of land in the state and to approximately 22 months for petitions submitted by petitioners who own less than 1,000 acres in the state. The same provisions concerning the imposition and calculation of withdrawal taxes that apply to forest croplands subject to the earlier conversion process apply to forest croplands for which a petition is filed as authorized under this bill.

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.** 77.82 (1) (c) of the statutes is renumbered 77.82 (1) (c) (intro.) and
2 amended to read:

3 77.82 **(1)** (c) (intro.) In addition to the requirements under pars. (a) and (b), for
4 land subject to a petition under sub. (4m), ~~all the forest croplands owned by the~~
5 ~~petitioner on the date on for which the petition is submitted that are located in the~~
6 ~~municipality for which the petition is submitted shall be included in the petition.~~
7 shall consist of one or a combination of any 2 or more of the following:

