

2003 Assembly Bill 13

Date of enactment: **April 13, 2004**
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2003 WISCONSIN ACT 242

AN ACT *to amend* 26.22, 28.11 (3) (k) and 28.11 (6) (a); and *to create* 28.11 (6) (c) of the statutes; **relating to:** sales of damaged timber by the department of natural resources and by counties from county forest lands.

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

SECTION 1. 26.22 of the statutes is amended to read:

26.22 Sales, etc. The department may sell any timber on ~~the state park or state forest lands~~ land under the department's jurisdiction which has been damaged by fire, snow, hail, ice, insects, disease, or wind, on such terms and in such manner as ~~it shall deem~~ the department determines is in the best for the interest of the state.

SECTION 2. 28.11 (3) (k) of the statutes is amended to read:

28.11 (3) (k) 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. 29.001 (69),

but may not restrict participation to residents of the county. No timber sale contract is required for wood removed under this paragraph.

SECTION 3. 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) (k).~~ 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 4. 28.11 (6) (c) of the statutes is created to read:

28.11 (6) (c) *Exception.* Paragraph (b) 1. does not apply to any sale of timber that has been damaged by fire, snow, hail, ice, insects, disease, or wind. Timber damaged in that manner that is located in a county forest may be sold by the county forestry committee for that county on such terms and in such manner as the committee determines is in the best interest of the county.

* Section 991.11, WISCONSIN STATUTES 2001-02 : Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].