

CHAPTER 88

DIVISION OF LANDS AND FORESTRY

88.04 Firebreaks; prevention of fires.
 88.51 Auxiliary forests; tax rate, special taxes.

88.80 Aspen recycling program.

88.04 FIREBREAKS; PREVENTION OF FIRES.

[For text of subds 1 and 2, see M.S.1988]

Subd. 3. All towns and cities shall take necessary precautions to prevent the starting and spreading of forest or prairie fires and to extinguish them. They may levy a tax not more than 0.08059 percent of taxable market value annually. The tax in any municipality shall not exceed \$3,000 in any year. The tax when collected shall be known as the fire fund and kept separate from all other funds and used only to pay all necessary and incidental expenses incurred in enforcing the provisions of sections 88.03 to 88.21. Up to \$500 shall be expended in any one year from any such fire fund for the support of any municipal fire department. No municipality shall make any levy for its fire fund at any time when the fund contains \$5,000 or more, including cash on hand and uncollected taxes that are not delinquent.

[For text of subd 4, see M.S.1988]

History: 1989 c 277 art 4 s 5

88.51 AUXILIARY FORESTS; TAX RATE, SPECIAL TAXES.

[For text of subds 1 and 2, see M.S.1988]

Subd. 3. **Determination of market value.** In determining the net tax capacity of property within any taxing district the value of the surface of lands within any auxiliary forest therein, as determined by the county board under the provisions of section 88.48, subdivision 3, shall, for all purposes except the levying of taxes on lands within any such forest, be deemed the market value thereof.

History: 1989 c 329 art 13 s 20

88.80 ASPEN RECYCLING PROGRAM.

Subdivision 1. **Establishment.** The commissioner must establish and accelerate an aspen recycling program providing for the betterment of public lands owned by the state by clearing trees which because of age, disease, pests, or other cause are unmarketable or increase the hazard of forest fires or infestation, permitting the regeneration of stands of healthy aspen capable of economic management, harvesting, and marketing. The financing of this program is determined to be a necessary and proper public purpose for the issuance of state bonds under the provisions of article XI, section 5 of the constitution relating to the betterment of public land, the promotion of reforestation, and prevention and abatement of forest fires and the clearing and improving of wild lands. The program shall designate priority areas on state lands for aspen recycling.

Subd. 2. **Pilot project.** The commissioner shall establish an aspen recycling program pilot project in the highest priority area on state lands in order to develop effective program procedures and practices. With respect to the pilot project, the commissioner may restrict bidding on contracts for the cutting, removal, and disposal of aspens, and for related activities, to loggers and others residing in the pilot project area designated under the program that are financially distressed. The commissioner may establish standards and procedures for awarding logging contracts, notwithstanding chapter 14, relating to eligibility for employment for conservation work projects.

Subd. 3. **Report.** The commissioner shall report to the legislature by January 1, 1987 the results of the pilot project and a plan to recycle the overmature aspen stands of the state.

History: *1Sp1985 c 13 s 218; 1986 c 383 s 11; 1988 c 609 art 1 s 3*