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## WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

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**2009 Wisconsin Act 231**  
[2009 Senate Bill 287]

**American Indian Tribe: Transfer  
Ownership and Jurisdiction of a  
Highway**

**2009 Wisconsin Act 231** authorizes a city, village, town, or county (political subdivision) or the Department of Transportation (DOT) to transfer jurisdiction and ownership of, or other property interest in, a highway that is under the jurisdiction of the political subdivision or DOT to a federally recognized American Indian tribe or band in this state (tribe or band) or an agency of the United States government acting on behalf of a tribe or band (agency). The political subdivision or DOT would be required to enter into a jurisdictional transfer agreement with the tribe or band or agency that must contain:

- A dispute resolution procedure.
- A provision requiring that the highway remain open to vehicular traffic unless the tribe or band or agency conducts a highway discontinuation proceeding similar to the proceeding that would occur if the city, village, or town in which the highway is located were discontinuing the highway.

**Effective date:** 2009 Wisconsin Act 231 takes effect on May 20, 2010.

**Prepared by:** Don Salm, Senior Staff Attorney

May 10, 2010

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This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature's Web site at: <http://www.legis.state.wi.us/>.