



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRB-4837/2  
PJD:kmg:hmh

## 1999 ASSEMBLY RESOLUTION 35

March 28, 2000 – Introduced by Representative ALBERS. Referred to Committee on Rules.

1     **Relating to:** urging the Congress of the United States and the U.S. Department of  
2           the Interior to include a requirement in the revisions to CFR section 151  
3           relating to Tribal Land Acquisition Areas that states and affected local  
4           governments be able to review tribal submissions and evidence, just as tribes  
5           are able to review state submissions.

6           Whereas, the assembly recognizes and respects the sovereignty of tribal  
7           governments and supports economic advancement and independence for tribes; and

8           Whereas, the U.S. Department of the Interior has proposed revisions to 25 CFR  
9           section 151 that would allow tribes without reservations to designate “Tribal Land  
10          Acquisition Areas” (TLAA) — geographic boundaries designated by a reservationless  
11          tribe within which the tribe plans to acquire land within a specific period of time  
12          under the less restrictive on-reservation provisions of the proposed rule; and

13          Whereas, the establishment of a TLAA would facilitate the removal of property  
14          from the tax rolls of local municipalities, thereby leading to higher property taxes for

1 Wisconsin’s nontribal residents who must support a larger share of municipal  
2 infrastructure and services costs; and

3       Whereas, the proposed revisions to 25 CFR section 151 allow the interests of  
4 state and local units of government to be ignored by failing to provide an adequate  
5 mechanism to address local government concerns during the decision-making  
6 process, or an unbiased and reasonable appeal mechanism; and

7       Whereas, state, local and tribal governments must work cooperatively to  
8 provide for and address local issues; and

9       Whereas, the TLAA proposal includes vague and insufficient standards for  
10 approving a tribe’s request for TLAA designation; and

11       Whereas, the TLAA proposal provides the secretary of the Interior with broad  
12 power to approve these de facto reservations for Wisconsin’s sovereign tribes,  
13 creating an unconstitutional grant of power to the federal government without state  
14 approval, and forcing the state of Wisconsin to effectively divest sovereignty over  
15 potentially large portions of state land; now, therefore, be it

16       ***Resolved by the assembly, That*** the Wisconsin assembly hereby urges the  
17 Congress of the United States and the U.S. Department of the Interior to delete the  
18 TLAA provisions proposed in 25 CFR section 151, and to work with local units of  
19 government and tribes to develop modifications to federal rules to encourage and  
20 foster cooperation between municipalities and the tribes; and, be it further

21       ***Resolved, That*** the assembly urges the Congress of the United States and the  
22 U.S. Department of the Interior to provide safeguards to the TLAA provision if not  
23 deleted, which include allowing the states and affected local governments to be able  
24 to review tribal submissions and evidence, just as tribes are able to review state  
25 submissions; and, be it further

