

1999 DRAFTING REQUEST

Bill

Received: **12/30/98**

Received By: **shoveme**

Wanted: **As time permits**

Identical to LRB:

For: **Lorraine Seratti (608) 266-3780**

By/Representing: **Rep. Seratti**

This file may be shown to any legislator: **NO**

Drafter: **shoveme**

May Contact:

Alt. Drafters:

Subject: **Counties
Munis - miscellaneous**

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Notification to town, county of Indian trust status for land

Instructions:

See Attached. If federal gov't notifies a town or county that land is being put into trust for Indians, town and county boards must hold a public hearing about the issue and notify town and county residents of such action.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	shoveme 02/24/99	ygeller 02/24/99	ismith 02/25/99	_____	lrb_docadmin 02/25/99	gretskl 02/26/99	Local
				_____		lrb_docadmin 02/26/99	

FE Sent For:

03-25-99

<END>

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1?	shoveme	1 2/24 JG	IS 2/25/99	IS/KM 2/25/99			

11 MES 2/24/99

FE Sent For:

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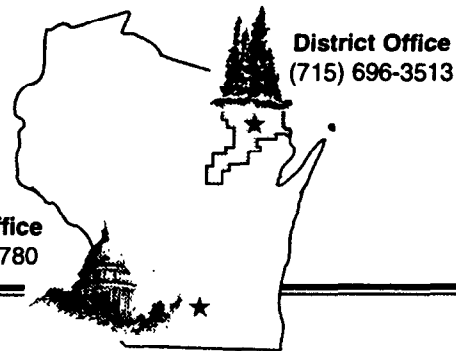
**LORRAINE M.
SERATTI**

STATE REPRESENTATIVE
36TH ASSEMBLY DISTRICT

P.O. Box 8953, State Capitol • Madison, Wisconsin 53708-8953
Toll-Free: (888) 534-0036 • Fax: (608) 282-3636 • Rep.Seratti@legis.state.wi.us

MES
2

Madison Office
(608) 266-3780



District Office
(715) 696-3513

TO: Legislative Reference Bureau, Bill Drafting

FROM: Rep. Lorraine Seratti, 36th Assembly District

DATE: December 28, 1998

RE: Legislation for the 1999-2000 session

Enclosed please find a copy of the August 3, 1998, Legislator Drafting Status Report distributed by your office.

I would appreciate the following highlighted LRB drafts to be re-drafted for possible introduction in the 1999-2000 legislative session.

Should you have any questions please feel free to contact my office at 266-3780.

Legislator Drafting Status Report
(sorted by LRB No): Page 6

August 3, 1998

18:14:47

Subject	Topic	LRB No.	Introduced As	LRB received initial request	Most recent draft sent to requester	Date placed on hold or cancelled	Attorney -- Phone No.
Memorials - Congress to	Memorializing Congress to pass H.R. 1168	-4682/1		01/07/98	01/08/98		Jack Stark 266-7291
Gambling - racetracks	Pari-mutuel wagering on automobile races	-4684/P1		01/08/98	01/09/98		Richard A. Champagne 266-9930
Environment - solid haz. waste Environment - mining	Proof of financial responsibility for mining waste sites	-4735/1		01/13/98	01/13/98	01/22/98	Rebecca C. Trade-well 266-7290
Environment - mining	Require mining trust fund for costs of remedial action	-4753/1		01/14/98	02/23/98		Rebecca C. Trade-well 266-7290
Environment - mining	Regulation of groundwater quality at mining sites	-4754/?		01/14/98			Rebecca C. Trade-well 266-7290
Beverages - miscellaneous	Allow brewers to own or give things of value to hotel Class B licensees	-4979/P1		02/13/98		02/23/98	Paul E. Nilsen 261-6926
Correctional System - jails	Home detention program for jail prisoners	-5030/1		02/24/98	03/19/98		Jefren E. Olsen 266-8906
Tax - property	Study of tax on personal property	-5060/1	AB-938	02/27/98	03/02/98		Jack Stark 266-7291
Gambling - miscellaneous	Use of funds from Indian gaming compacts	-5126/1		03/12/98	03/13/98		Richard A. Champagne 266-9930
Public Assistance - comm. aids	Reduce Menomonee County's community aids share to 5%	-5127/1		03/12/98	03/27/98		Tina A. Yacker 261-6927
Munis - miscellaneous Counties	Notification to town, county of Indian trust status for land	-5134/?		03/14/98			Marc E. Shovers 266-0129

10/0/10/01
14.40
C 000 401 0100

Del Carol

~~useful to you~~

David S. King
63/510

IRS says enties can't issue
a tax exempt bond for unfunded
retirement benefits

Scratt:

fed govt notifies towns & counties
if land is put in trust for Indians

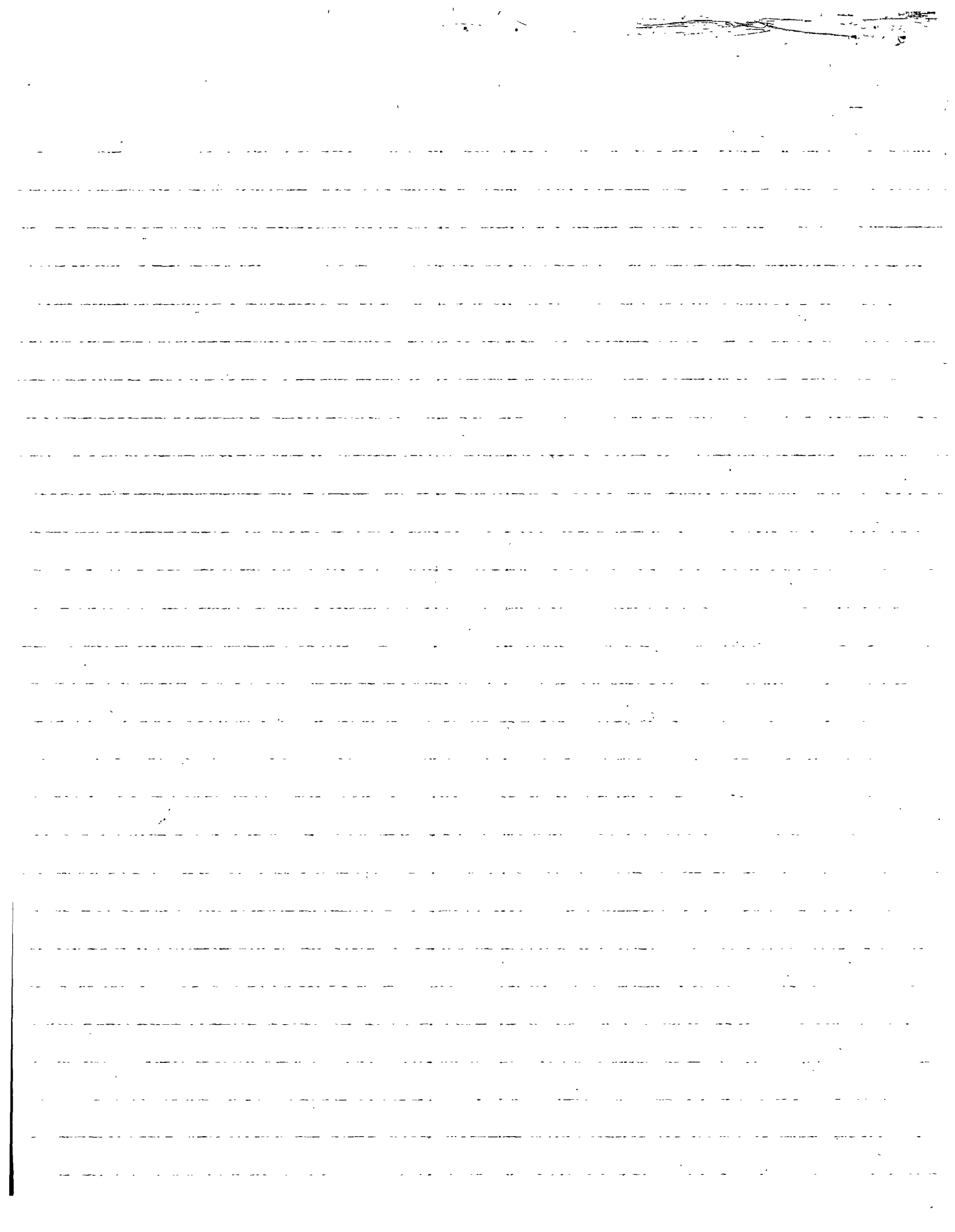
If towns or cnty get such notice,

town/ cnty bord must hold a
public hearing & notify town/ cnty
residents that such action is
taking place

Scott

can talk to
Joyce
Keel

6-3137



2/8/99 call to Joyce Keele

Indiv Indians or the tribe,

depending on whether land is on or off

res. -- can ask feds to put land into
Trust - P

can purchase land in fee simple
& hold land in fee simple

There are various implications - i.e. land
goes off tax rolls - can gaming facilities
be on the land (regardless of compacts)

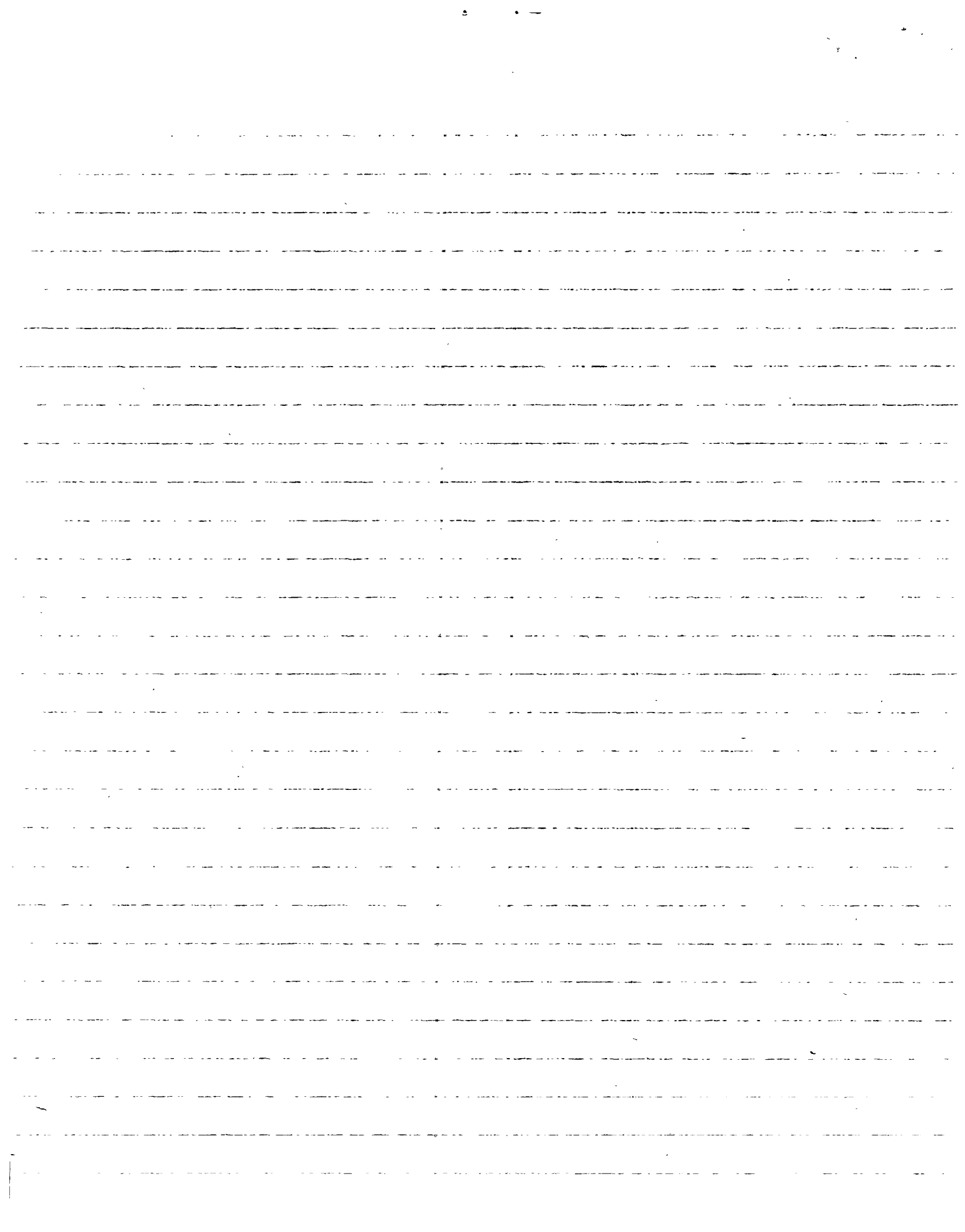
feds weigh several factors, incl.

opinion of locals is taken into
consideration by feds

in fed reg^s,

sep reg^s for gaming / non gaming
on res / off res.

Joyce said shed find out info,
fed reg^s on the issue & get me the
information by \leq 2/12/99





fmr jlg

1999 BILL

gen

1 AN ACT ...; relating to: notification of persons that land may be taken in trust
2 by the U.S. government for individual ^{American} Indians and tribes.

use twice

Analysis by the Legislative Reference Bureau on

Under current federal law, an individual ^{American} Indian or Indian tribe may request the U.S. Secretary of the Interior (secretary) to place land, which is located either on or off an Indian reservation, in trust. The title to such land is held by the U.S. government for an individual Indian or Indian tribe. In general, federal law requires the secretary to notify the state and local governments having regulatory jurisdiction over the land to be acquired that he or she has received such a trust request.

Upon receipt of notification that a trust request has been made, the state and local governments have 30 days to provide written comments to the secretary as to the proposed acquisition's potential impacts on regulatory jurisdiction, real property taxes and special assessments.

This bill requires a city, village, town or county (political subdivision) that receives such notification to hold a public meeting to let residents of the political subdivision know that a trust request has been made. Two or more political subdivisions that receive notification regarding the same trust request may hold a joint public meeting.

☆

For further information see the 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:

BILL

1 SECTION 1. 66.034 of the statutes is created to read:

2 66.034 Indian trust status land, notification. (1) DEFINITIONS. In this
3 section:

4 (a) "Governing body" means the board, council or other body in which the
5 legislative powers of the political subdivision are vested.

6 (b) "Political subdivision" means a city, village, town or county.

7 (c) "Secretary" means the U.S. Secretary of the Interior.

8 (d) "Trust request" means a request made by an individual American Indian,
9 as defined in s. 49.01 (1g), or Indian tribe, as defined in s. 49.134 (1) (a), that land
10 be placed in trust by the U.S. secretary of the interior under 25 CFR 151.

11 (2) NOTIFICATION REQUIREMENTS. If the secretary notifies a political subdivision
12 under 25 CFR 151.10 that he or she has received a trust request, the governing body
13 of the political subdivision shall hold a public meeting to let residents of the political
14 subdivision know that such a trust request has been made. The meeting may not
15 take place sooner than 7 days after the clerk of the political subdivision gives notice
16 of the meeting by causing to be published a class 1 notice, under ch. 985, in a
17 newspaper covering the political subdivision. The clerk shall cause the notice to be
18 published as soon as possible after receiving notification from the secretary of a trust
19 request. Two or more political subdivisions that receive notification regarding the
20 same trust request may hold a joint public meeting.

21 (END)

**SUBMITTAL
FORM**

**LEGISLATIVE REFERENCE BUREAU
Legal Section Telephone: 266-3561
5th Floor, 100 N. Hamilton Street**

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and **sign** on the appropriate line(s) below.

Date: 2/25/99

To: Representative Seratti

Relating to LRB drafting number: LRB-1528


Topic

Notification to town, county of Indian trust status for land

Subject(s)

Counties, Munis - miscellaneous

1. **JACKET** the draft for introduction



in the **Senate** ____ or the **Assembly** (check only one). Only the requester under whose name the drafting request is entered in the LRB's drafting records may authorize the draft to be submitted. Please allow one day for the preparation of the required copies.

2. **REDRAFT.** See the changes indicated or attached _____.

A revised draft will be submitted for your approval with changes incorporated.

3. Obtain **FISCAL ESTIMATE NOW**, prior to introduction _____.

If the analysis indicates that a fiscal estimate is required because the proposal makes an appropriation or increases or decreases existing appropriations or state or general local government fiscal liability or revenues, you have the option to request the fiscal estimate prior to introduction. If you choose to introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon introduction. It takes about 10 days to obtain a fiscal estimate. Requesting the fiscal estimate prior to introduction retains your flexibility for possible redrafting of the proposal.

If you have any questions regarding the above procedures, please call 266-3561. If you have any questions relating to the attached draft, please feel free to call me.

Marc E. Shovers, Senior Legislative Attorney
Telephone: (608) 266-0129