

**1999 DRAFTING REQUEST**

**Assembly Substitute Amendment (ASA-AB251)**

Received: 12/07/1999

Received By: **shoveme**

Wanted: **As time permits**

Identical to LRB:

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

By/Representing:

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

Drafter: **shoveme**

May Contact:

Alt. Drafters:

Subject: **Munis - miscellaneous  
Counties**

Extra Copies:

**Pre Topic:**

No specific pre topic given

**Topic:**

Notification to town, county, of Indian trust status for land

**Instructions:**

See Attached. Require a public "hearing" instead of a meeting. Require that the written comments at the hearing be submitted to the Secretary of the Interior.

**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>
/?	shoveme 12/07/1999	ygeller 12/08/1999		_____			
/1			kfollet 12/08/1999	_____	lrb_docadmin 12/08/1999	lrb_docadmin 12/08/1999	

FE Sent For:

<END>

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1/?	shoveme	11/12/8 JG	12/8 KJF	KJF/ljf 12/8			
11 MES 12/7/99							

FE Sent For:

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-1528  
sub to AB 251 for Senate

- 1) req public hearing instead of a meeting
- 2) req written comments at hearing submitted to gov. body must be forwarded to Sec of ~~the~~ interest

50224/1

ASA

Stays  
RMNR

to 1999 ASSEMBLY BILL 251

March 25, 1999 - Introduced by Representatives SERATTI, FREESE, SYKORA, F. LASEE, OWENS, GUNDERSON, ALBERS, KELSO, PETROWSKI, GROTHMAN, HANDRICK, PETTIS and NASS, cosponsored by Senator FARROW. Referred to Committee on Government Operations.

*[Handwritten signature]*

- 1 AN ACT to create 68.034 of the statutes; relating to: notification of persons that
- 2 land may be taken in trust by the U.S. government for individual American
- 3 Indians and tribes.

**Analysis by the Legislative Reference Bureau**

Under current federal law, an individual American Indian or an 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 American Indian or an 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.

**ASSEMBLY BILL 251**

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:*

1 SECTION 1. 66.03<sup>8</sup> of the statutes is created to read:

2 **66.03<sup>8</sup> 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 secretary under 25 CFR 151.

11 (2) NOTIFICATION REQUIREMENTS. If the secretary notifies a political subdivision  
12 under 25 CFR 151.10 or 151.11 that he or she has received a trust request, the  
13 governing body of the political subdivision shall hold a public <sup>hearing</sup> ~~meeting~~ to let residents  
14 of the political subdivision know that such a trust request has been made. The  
15 ~~meeting~~ <sup>hearing</sup> may not take place sooner than 7 days after the clerk of the political  
16 subdivision gives notice of the ~~meeting~~ <sup>hearing</sup> by causing to be published a class 1 notice,  
17 under ch. 985, in a newspaper covering the political subdivision. The clerk shall  
18 cause the notice to be published as soon as possible after receiving notification from  
19 the secretary of a trust request. Two or more political subdivisions that receive

20 notification regarding the same trust request may hold a joint public ~~meeting~~ <sup>hearing</sup>. If any person  
21 ~~submits written comments to a political subdivision at the~~ <sup>hearing,</sup> the political subdivision shall forward the comments to  
the secretary.

(END)