

1999 DRAFTING REQUEST

Assembly Resolution

Received: **03/28/2000**

Received By: **dykmapj**

Wanted: **Today**

Identical to LRB:

For: **Sheryl Albers (608) 266-8531**

By/Representing: **Amy**

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

Drafter: **dykmapj**

May Contact:

Alt. Drafters:

Subject: **Memorials - Congress to**

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Tribal Land Acquisition Areas

Instructions:

See Attached

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	dykmapj 03/28/2000	gilfokm 03/28/2000	hhagen 03/28/2000	_____	lrb_docadmin 03/28/2000	lrb_docadmin 03/28/2000	
/2	dykmapj 03/28/2000	gilfokm 03/28/2000	hhagen 03/28/2000	_____	lrb_docadmin 03/28/2000	lrb_docadmin 03/28/2000	

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FE Sent For:

*12-3-28
Kmg
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hh/lf 3/28

<END>

*Re/act
for assembly
AS APJ*

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/1	dykmapj 03/28/2000	lrb_editor <i>dkmf</i>	<i>Wk</i> 3/28	<i>sub</i> 03/28 _____ _____		<i>for</i> <i>ce assembly</i> <i>NAU</i>	

FE Sent For:

<END>



1999 ASSEMBLY RESOLUTION

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
11 reservation^{less} tribe within which the tribe plans to acquire land within a specific
12 period of time under the less restrictive on-reservation provisions of the proposed
13 rule; and

14 Whereas, the establishment of a TLAA would facilitate the removal of property
15 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^x the interests of^g
4 state and local units of government by failing to provide an adequate mechanism to
5 address local government concerns during the decision-making process, or an
6 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 Congress of
17 the United States and the U.S. Department of the Interior to delete the TLAA
18 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

Dykman, Peter

From: Ferris, Amy
Sent: Tuesday, March 28, 2000 4:13 PM
To: Dykman, Peter
Subject: Re-draft of Assembly Resolution 18.

Peter-

Thank you for your quick work on the redraft of Assembly Resolution 18. Sheryl has a couple of changes that I am not sure how to deal with.

1. Page 2, line 4: insert "to be ignored" so that line 4 reads as follows: state and local units of government to be ignored by failing to provide an adequate mechanism to
2. She would like to add another "Resolved, That" clause at the bottom of page two before the "Resolved, That" clause on page three:

2A *2* *1*
Resolved, That the assembly urges the Congress of the United States and the U.S. Department of the Interior to appropriate funds to the Bureau of Indian Affairs for the specific purpose of compensating units of government for lost tax revenues when lands fall to ownership of any sovereign nation; *and, be it further*

Thanks, Peter. A page is on his or her way over with the jacket. Please let me know if you have any questions.

Amy
Office of Rep. Albers



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-4837/1
PJD:kmg:hmh

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huh

1999 ASSEMBLY RESOLUTION

huh

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 by failing to provide an adequate mechanism to
5 address local government concerns during the decision-making process, or an
6 unbiased and reasonable appeal mechanism; and

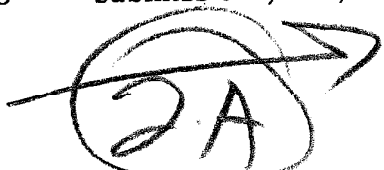
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14 approval, and forcing the state of Wisconsin to effectively divest sovereignty over
15 potentially large portions of state land; now, therefore, be it

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



to be ignored

1 **Resolved, That** the assembly chief clerk shall provide a copy of this resolution
2 to the secretary of the U.S. Department of the Interior, to the president and secretary
3 of the U.S. Senate, to the speaker and clerk of the U.S. house of representatives and
4 to each member of the congressional delegation from this state attesting to the
5 adoption of this resolution by the 1999 assembly of the state of Wisconsin.

6

(END)



1999 ASSEMBLY RESOLUTION

*Please see changes. We also went thru by e-mail.
Thank you!*

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5 adoption of this resolution by the 1999 assembly of the state of Wisconsin.

6

(END)