

2001 ASSEMBLY BILL 185

March 8, 2001 - Introduced by Representatives SERATTI, ALBERS, KREUSER, GUNDERSON, F. LASEE, FREESE, NASS, JESKEWITZ, KESTELL and TOWNSEND, cosponsored by Senator A. LASEE. Referred to Committee on Government Operations.

1 **AN ACT to create** 66.0230 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 the governor to also notify the city, village, town, or county (political subdivision) to which the trust request applies and requires the 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.

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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.** 66.0230 of the statutes is created to read:

2 **66.0230 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 the governor and a
12 political subdivision under 25 CFR 151.10 or 151.11 that he or she has received a
13 trust request, the governor shall also notify the political subdivision to which the
14 trust request applies and the governing body of the political subdivision shall hold
15 a public meeting to let residents of the political subdivision know that such a trust
16 request has been made. The meeting may not take place sooner than 7 days after
17 the date on which the clerk of the political subdivision gives notice of the meeting by
18 causing to be published a class 1 notice, under ch. 985, in a newspaper covering the
19 political subdivision. The clerk shall cause the notice to be published as soon as
20 possible after receiving notification from the secretary of a trust request. Two or

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1 more political subdivisions that receive notification regarding the same trust request
2 may hold a joint public meeting.

3 (END)