

2001 DRAFTING REQUEST

Bill

Received: **11/17/2000**

Received By: **shoveme**

Wanted: **As time permits**

Identical to LRB:

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

By/Representing: **Minette**

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

Drafter: **shoveme**

May Contact:

Alt. Drafters:

Subject: **Munis - miscellaneous
Counties - miscellaneous**

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Indian trust status for land; notification to local governments, public hearings

Instructions:

See Attached. Redraft 1999 AB 251, LRB -1528/1

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 11/17/2000	jdyer 11/20/2000		_____			Local
/1			jfrantze 11/20/2000	_____	lrb_docadmin 11/20/2000		Local
/2	shoveme 02/13/2001	jdyer 02/14/2001	pgreensl 02/14/2001	_____	lrb_docadmin 02/14/2001	lrb_docadmin 02/19/2001	

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12 MES 2/13/01

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2/14
PS

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1/?	shoveme	1 11/20 jld	1 11/20	1 11/20			

FE Sent For:

<END>

MES

Bill Request Form

Legislative Reference Bureau
100 N. Hamilton Street
Legal Section 266-3561

*Use of this form is optional. It is often better to talk directly with the LRB attorney who will draft the bill.
Use this form only for bill draft requests. Attach more pages if necessary.*

Date 11-16-2000

Legislator, agency, or other person requesting this draft Rep. Seratti

Person submitting request (name and phone number) Minette

Persons to contact for questions about this draft (names and phone numbers) " "

Describe the problem, including any helpful examples. How do you want to solve the problem?

Please attach a copy of any correspondence or other material that may help us. If you know of any statute sections that might be affected, list them or provide a marked-up copy.

You may attach a marked-up copy of any LRB draft or provide its number (e.g., 1999 LRB-2345/1 or 1997 AB-67). 1999 AB 251 -> redraft fo 2001 session

Requests are confidential unless stated otherwise. May we tell others that we are working on this for you? YES NO

If yes: Anyone who asks? YES NO
 Any legislator? YES NO

Only the following persons _____

Do you consider this request urgent? YES NO If yes, please indicate why _____

Should we give this request priority over any pending request of this legislator, agency, or person?
YES NO

over the phone MJB

2001-2002

1999-2000 LEGISLATURE

-1120/1
LRB-1528/1
MES

2001

1999 ASSEMBLY BILL 251

jd
RMNR

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.

regm

1 AN ACT to create 66.034 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:

SECTION 1. ~~66.024~~⁰²³⁰ of the statutes is created to read:

~~66.024~~⁰²³⁰ Indian trust status land, notification. (1) DEFINITIONS. In this section:

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

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

(c) "Secretary" means the U.S. secretary of the interior.

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

(2) NOTIFICATION REQUIREMENTS. If the secretary notifies a political subdivision under 25 CFR 151.10 or 151.11 that he or she has received a trust request, the governing body of the political subdivision shall hold a public meeting to let residents of the political subdivision know that such a trust request has been made. The meeting may not take place sooner than 7 days after ^{the date on which} the clerk of the political subdivision gives notice of the meeting by causing to be published a class 1 notice, under ch. 985, in a newspaper covering the political subdivision. The clerk shall cause the notice to be published as soon as possible after receiving notification from the secretary of a trust request. Two or more political subdivisions that receive notification regarding the same trust request may hold a joint public meeting.

(END)



RMR

2001 BILL

request

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 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.

the governor to also notify the ✓

to which the trust request applies and requires the political subdivision

BILL

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

21 (END)

applies and the



STEPHEN R. MILLER
CHIEF

State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

100 NORTH HAMILTON STREET
5TH FLOOR
MADISON, WI 53701-2037

LEGAL SECTION: (608) 266-3561
LEGAL FAX: (608) 264-6948

February 14, 2001

MEMORANDUM

To: Representative Seratti

From: Marc E. Shovers, Senior Legislative Attorney

Re: LRB-1120 Indian trust status for land; notification to local governments, public hearings

The attached draft was prepared at your request. Please review it carefully to ensure that it is accurate and satisfies your intent. If it does and you would like it jacketed for introduction, please indicate below for which house you would like the draft jacketed and return this memorandum to our office. If you have any questions about jacketing, please call our program assistants at 266-3561. Please allow one day for jacketing.

JACKET FOR ASSEMBLY JACKET FOR SENATE

If you have any questions concerning the attached draft, or would like to have it redrafted, please contact me at (608) 266-0129 or at the address indicated at the top of this memorandum.

If the last paragraph of the analysis states that a fiscal estimate will be prepared, the LRB will request that it be prepared after the draft is introduced. You may obtain a fiscal estimate on the attached draft before it is introduced by calling our program assistants at 266-3561. Please note that if you have previously requested that a fiscal estimate be prepared on an earlier version of this draft, you will need to call our program assistants in order to obtain a fiscal estimate on this version before it is introduced.

Please call our program assistants at 266-3561 if you have any questions regarding this memorandum.