

2003 DRAFTING REQUEST

Senate Amendment (SA-SB44)

Received: **05/12/2003**

Received By: **rnelson2**

Wanted: **As time permits**

Identical to LRB:

For: **Legislative Fiscal Bureau**

By/Representing: **Hotynski**

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

Drafter: **rnelson2**

May Contact:

Addl. Drafters:

Subject: **Nat. Res. - parks and forestry**

Extra Copies:

Submit via email: **YES**

Requester's email:

Carbon copy (CC:) to:

Pre Topic:

LFB:.....Hotynski -

Topic:

Sale of property under the control of the Department of Natural Resources

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	rnelson2 05/12/2003	kgilfoy 05/12/2003	pgreensl 05/12/2003	_____	amentkow 05/12/2003		
/2	rnelson2 05/16/2003	kgilfoy 05/16/2003	chaskett 05/19/2003	_____	sbasford 05/19/2003		
/3	rnelson2	kgilfoy	chaskett	_____	lemery		

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
	05/28/2003	05/28/2003	05/28/2003 _____		05/28/2003		

FE Sent For:

<END>

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/1	rnelson2 05/12/2003	kgilfoy 05/12/2003	pgreensl 05/12/2003	self 5/28	amentkow 05/12/2003		
/2	rnelson2 05/16/2003	kgilfoy 05/16/2003	chaskett 05/19/2003		sbasford 05/19/2003		
		1/3 - 5/28 King	1/3 5/28 Cph				

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<END>

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/1	rnelson2 05/12/2003	kgilfoy 05/12/2003	pgreensl 05/12/2003	pa/cph 5/12	amentkow 05/12/2003		

FE Sent For: *12-5/16 King* *12 5/16 cph*

<END>

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/1	rnelson2	1-5/12 krug	5/12 p8	8/12 PS/12			

FE Sent For:

<END>

Senator Welch
Representative Meyer

NATURAL RESOURCES

Warren Knowles-Gaylord Nelson Stewardship 2000 Program

Motion:

Move to require DNR to attempt to sell \$20 million worth of land currently owned by the state in each year of the 2003-05 biennium, and to lapse revenues from the sale of the land to the budget stabilization fund. Direct DNR to prioritize the sale of land that is either isolated from other publicly owned parcels, or lands that could be used for agricultural purposes. This provision would be in effect for the 2003-05 biennium only. Under this provision, DNR would not be required to find that the land to be sold was no longer needed for conservation purposes. Require DNR to submit all proposals for the sale of land under this provision to the Joint Committee on Finance for consideration under the 14-day passive review process. Specify that the Department may only complete the sale of land under this provision upon Committee approval.

If the Department is unable to sell \$20 million each year, require the Department to submit a report to the Joint Finance Committee detailing their land sale plan and the reasons why they were unable to reach \$20 million in sales.

[Change to Bill: Up to \$40,000,000 REV to Budget Stabilization Fund]

12-4
Welch/Meyer

MO#		
Darling	<input checked="" type="checkbox"/>	N
Welch	<input checked="" type="checkbox"/>	N
Fitzgrid	<input checked="" type="checkbox"/>	N
Lazich	<input checked="" type="checkbox"/>	N
Harsdorf	<input checked="" type="checkbox"/>	N
Kanavas	<input checked="" type="checkbox"/>	N
Decker	Y	<input checked="" type="checkbox"/>
Moore	Y	<input checked="" type="checkbox"/>
Kaufert	<input checked="" type="checkbox"/>	N
Huebsch	<input checked="" type="checkbox"/>	N
Ward	<input checked="" type="checkbox"/>	N
Stone	<input checked="" type="checkbox"/>	N
Rhoades	<input checked="" type="checkbox"/>	N
Meyer	<input checked="" type="checkbox"/>	N
Coggs	Y	<input checked="" type="checkbox"/>
Schooff	Y	<input checked="" type="checkbox"/>



State of Wisconsin
2003 - 2004 LEGISLATURE

LRBb0175/1

RPN:.....
Kmg

LFB:..... Sale of property under the control of the department of natural resources

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

SENATE AMENDMENT ,

TO 2003 SENATE BILL 44

1 At the locations indicated, amend the bill as follows:

2 1. Page 1085, line 13: after that line insert:

3 ~~“(10) SALE OF PROPERTY.~~ During fiscal year 2003-04 and fiscal year 2004-05,
4 the department of natural resources shall make a good faith effort to sell enough real
5 property that is owned by the state, under the jurisdiction of the department, and
6 currently used for one of the purposes specified in section 23.09 (2) (d) ^{of the statutes} to receive \$20,000,000
7 ~~million~~ annually from those sales. The department shall attempt to first sell real
8 property that is isolated from other publicly ^{gΔ} owned real property, then to sell real
9 property that is suitable for agricultural use, and finally to sell other real property
10 under its jurisdiction. Before entering into an agreement to sell real property under
11 this subsection, the secretary of the department shall submit the proposal to sell the

natural resources

nonstat.

1 real property to the joint committee on finance. If the cochairpersons of the
2 committee do not notify the secretary that the committee has scheduled a meeting
3 for the purpose of reviewing the proposed sale within 14 working days after the date
4 of the secretary's submittal, the sale may be completed. If, within 14 working days
5 after the date of the secretary's submittal of the proposed sale, the cochairpersons of
6 the committee notify the secretary that the committee has scheduled a meeting for
7 the purpose of reviewing the proposed sale, the sale may be implemented under this
8 subsection only upon approval of the committee. Any moneys received from the sale
9 of real property under this subsection shall be deposited in the budget stabilization
10 fund. If the department is unable to sell annually sufficient real property to receive
11 \$20^{,000,000}~~million~~ from those sales in either fiscal year, the department shall submit a
12 report to the members of the ~~Joint Committee on Finance~~ detailing the department's
13 plan for selling real property under this subsection and explaining why the
14 department was unable to sell \$20^{,000,000}~~million~~ worth of real property during the fiscal
15 year."

16 (END)



LFB:.....Hotynski – Sale of property under the control of the Department of Natural Resources

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

SENATE AMENDMENT,
TO 2003 SENATE BILL 44

D-NOTE

insert 1-10 ✓

after any payment to the
bond security and redemption
fund and to the
federal
government

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 1085, line 13: after that line insert:

3 “(3x) SALE OF PROPERTY. During fiscal year 2003-04 and fiscal year 2004-05,

4 the department of natural resources shall make a good faith effort to sell enough real

5 property that is owned by the state, under the jurisdiction of the department, and

6 currently used for one of the purposes specified in section 23.09 (2) (d) of the statutes

7 to receive \$20,000,000 annually from those sales. The department shall attempt to

8 first sell real property that is isolated from other publicly owned real property, then

9 to sell real property that is suitable for agricultural use, and finally to sell other real

10 property under its jurisdiction. Before entering into an agreement to sell real

11 property under this subsection, the secretary of natural resources shall submit the

1 proposal to sell the real property to the joint committee on finance. If the
 2 cochairpersons of the committee do not notify the secretary that the committee has
 3 scheduled a meeting for the purpose of reviewing the proposed sale within 14
 4 working days after the date of the secretary's submittal, the sale may be completed.
 5 If, within 14 working days after the date of the secretary's submittal of the proposed
 6 sale, the cochairpersons of the committee notify the secretary that the committee has
 7 scheduled a meeting for the purpose of reviewing the proposed sale, the sale may be
 8 implemented under this subsection only upon approval of the committee. Any
 9 moneys received from the sale of real property under this subsection shall be
 10 deposited in the budget stabilization fund. If the department is unable to sell
 11 annually sufficient real property to ~~receive~~^{net} \$20,000,000 from those sales in either
 12 fiscal year, the department shall submit a report to the members of the joint
 13 committee on finance detailing the department's plan for selling real property under
 14 this subsection and explaining why the department was unable to sell ~~\$20,000,000~~
 15 ~~worth of~~^{enough} real property during the fiscal year^{to} ~~net~~ \$20,000,000
 16

(END)

net
 ↑
 net

D-N

I added language related
 to payment of bonds and the Federal
 Government at the suggestion of
 Jeff Huesel of our office.

RPN
 ~

insert 1-10

1 jurisdiction of the department of administration, corrections, or health and family
2 services is subject to s. 16.848.

3 SECTION 9. 16.848 of the statutes is created to read:

4 **16.848 Sale or lease of certain state property.** (1) Except as provided in
5 sub. (2), the department may sell or lease any state-owned real or personal property
6 under the jurisdiction of the departments of administration, corrections, or health
7 and family services, if the department determines that the sale or lease is in the best
8 interest of the state. The sale may be either on the basis of public bids, with the
9 department reserving the right to reject any bid in the interest of the state, or
10 negotiated prices.

11 (2) (a) Subsection (1) does not authorize the closure or sale of any facility or
12 institution the operation of which is provided for by law.

13 (b) Subsection (1) does not apply to property sold by the department under s.
14 16.98 (3).

15 (c) The department shall not sell or lease any property under this section that
16 is leased by the state during the term of the lease without consent of the lessee.

17 (3) Except as provided in s. 13.48 (14) (e), ~~if there is any outstanding public debt~~
18 used to finance the acquisition, construction, or improvement of any ^{real} property that
19 is sold under ~~s. 18.09~~ ^{this subsection}, the department shall deposit a sufficient amount of the net
20 proceeds from the sale of the ^{real} property in the bond security and redemption fund
21 under ~~s. 18.09~~ ^{section of the statutes} to repay the principal and pay the interest on the debt, and any
22 premium due upon refunding any of the debt. If the ^{real} property was purchased with
23 federal financial assistance, the department shall pay to the federal government any
24 of the net proceeds required by federal law. ~~If there is no such debt outstanding and~~
25 there are no moneys payable to the federal government, or if the net proceeds exceed

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb0175/2dn
RPN:kmg:cph

May 16, 2003

I added language related to payment of bonds and the federal government at the suggestion of Jeff Kuesel of our office.

Robert P. Nelson
Senior Legislative Attorney
Phone: (608) 267-7511
E-mail: robert.nelson@legis.state.wi.us



State of Wisconsin
2003 - 2004 LEGISLATURE

3
LRBb0175/2
RPN:kmg:cph

LFB:.....Hotynski – Sale of property under the control of the Department of Natural Resources

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

SENATE AMENDMENT ,

TO 2003 SENATE BILL 44

*Notwithstanding section
23.09 of the statutes,
(1)*

1 At the locations indicated, amend the bill as follows:

2 ✓ 1. Page 1085, line 13: after that line insert:

3 “(3x) SALE OF PROPERTY. During fiscal year 2003-04 and fiscal year 2004-05,

4 the department of natural resources shall make a good faith effort to sell enough real

5 property that is owned by the state under the jurisdiction of the department and

6 *that is* currently used for one of the purposes specified in section 23.09 (2) (d) of the statutes

7 to receive \$20,000,000 annually from those sales after any payment to the bond

8 security and redemption fund and to the federal government. The department shall

9 attempt to first sell real property that is isolated from other publicly owned real

10 property, then to sell real property that is suitable for agricultural use, and finally

11 to sell other real property under its jurisdiction. If there is any outstanding public

1 debt used to finance the acquisition, construction, or improvement of any real
2 property that is sold under this subsection, the department shall deposit a sufficient
3 amount of the net proceeds from the sale of the real property in the bond security and
4 redemption fund under section 18.09 of the statutes to repay the principal and pay
5 the interest on the debt, and any premium due upon refunding any of the debt. If
6 the real property was purchased with federal financial assistance, the department
7 shall pay to the federal government any of the net proceeds required by federal law.
8 Before entering into an agreement to sell real property under this subsection, the
9 secretary of natural resources shall submit the proposal to sell the real property to
10 the joint committee on finance. If the cochairpersons of the committee do not notify
11 the secretary that the committee has scheduled a meeting for the purpose of
12 reviewing the proposed sale within 14 working days after the date of the secretary's
13 submittal, the sale may be completed. If, within 14 working days after the date of
14 the secretary's submittal of the proposed sale, the cochairpersons of the committee
15 notify the secretary that the committee has scheduled a meeting for the purpose of
16 reviewing the proposed sale, the sale may be implemented under this subsection only
17 upon approval of the committee. Any moneys received from the sale of real property
18 under this subsection shall be deposited in the budget stabilization fund. If the
19 department is unable to sell annually sufficient real property to net \$20,000,000
20 from those sales in either fiscal year, the department shall submit a report to the
21 members of the joint committee on finance detailing the department's plan for selling
22 real property under this subsection and explaining why the department was unable
23 to sell enough real property during the fiscal year to net \$20,000,000."

24 (END)



State of Wisconsin
2003 - 2004 LEGISLATURE

LRBb0175/3
RPN:kmg:cph

LFB:.....Hotynski – Sale of property under the control of the Department of
Natural Resources

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

SENATE AMENDMENT ,

TO 2003 SENATE BILL 44

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 1085, line 13: after that line insert:

3 “(3x) SALE OF PROPERTY. Notwithstanding section 23.15 (1) of the statutes,
4 during fiscal year 2003-04 and fiscal year 2004-05, the department of natural
5 resources shall make a good faith effort to sell enough real property that is owned
6 by the state under the jurisdiction of the department and that is currently used for
7 one of the purposes specified in section 23.09 (2) (d) of the statutes to receive
8 \$20,000,000 annually from those sales after any payment to the bond security and
9 redemption fund and to the federal government. The department shall attempt to
10 first sell real property that is isolated from other publicly owned real property, then
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1 property under its jurisdiction. If there is any outstanding public debt used to
2 finance the acquisition, construction, or improvement of any real property that is
3 sold under this subsection, the department shall deposit a sufficient amount of the
4 net proceeds from the sale of the real property in the bond security and redemption
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8 to the federal government any of the net proceeds required by federal law. Before
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10 of natural resources shall submit the proposal to sell the real property to the joint
11 committee on finance. If the cochairpersons of the committee do not notify the
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22 committee on finance detailing the department's plan for selling real property under
23 this subsection and explaining why the department was unable to sell enough real
24 property during the fiscal year to net \$20,000,000."

25 (END)