

**2005 DRAFTING REQUEST**

**Assembly Amendment (AA-ASA1-AB100)**

Received: 06/20/2005

Received By: rchampag

Wanted: Today

Identical to LRB:

For: James Kreuser (608) 266-5504

By/Representing: A.J.

This file may be shown to any legislator: NO

Drafter: rchampag

May Contact:

Addl. Drafters: rkite

Subject: State Finance - bonding

Extra Copies:

Submit via email: YES

Requester's email: Rep.Kreuser@legis.state.wi.us

Carbon copy (CC:) to:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

BCPL Required land sales

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**Instructions:**

Take out BCPL required land sale

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**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	rchampag 06/20/2005	wjackson 06/20/2005	jfrantze 06/20/2005	_____	mbarman 06/20/2005	mbarman 06/20/2005	
	rkite 06/21/2005	wjackson 06/21/2005		_____			
/2			rschluet 06/21/2005	_____	mbarman 06/21/2005	mbarman 06/21/2005	

FE Sent For:

**<END>**

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/1	rchampag 06/20/2005	wjackson 06/20/2005	jfrantze 06/20/2005		mbarman 06/20/2005	mbarman 06/20/2005	

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*1/2 WJ 6/21*

*[Handwritten signature]*  
6/15  
<END>

*5 types were requested*

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/?	rchampag	1 NJ 6/20	<i>[Signature]</i>	<i>[Signature]</i>			

FE Sent For:

<END>



State of Wisconsin  
2005 - 2006 LEGISLATURE

LRBb0137/3  
RAC&RNK:cjs:pg

LFB:.....Rhodes - Required Sale of BCPL Land Holdings

FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION

ASSEMBLY AMENDMENT ,  
TO 2005 ASSEMBLY BILL 100

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

2 **1.** Page 323, line 5: after "expended." insert "Payments may not be made from  
3 this appropriation account for principal and interest costs incurred in financing the  
4 Warren Knowles-Gaylord Nelson stewardship 2000 program under s. 20.866 (2) (ta)  
5 until all moneys available under s. 20.370 (7) (ah) have been expended.".

6 **2.** Page 323, line 5: after that line insert:

7 "SECTION 252c. 20.370 (7) (ah) of the statutes is created to read:

8 20.370 (7) (ah) Principal repayment and interest — stewardship program. All  
9 moneys received from the sale of public lands that were acquired from the board of  
10 commissioners of public lands under s. 24.59 (1), to reimburse s. 20.866 (1) (u) for the

1 payment of principal and interest of costs incurred in financing the Warren  
2 Knowles–Gaylord Nelson stewardship 2000 program under s. 20.866 (2) (ta).”.

3 **3.** Page 367, line 7: after that line insert:

4 **“SECTION 429m.** 20.507 (1) (h) of the statutes is amended to read:

5 20.507 (1) (h) *Trust lands and investments — general program operations.* The  
6 amounts in the schedule for the general program operations of the board as provided  
7 under ss. 24.04, 24.09 (1) ~~(bm)~~ (3), 24.53 and 24.62 (1). All amounts deducted from  
8 the gross receipts of the appropriate funds as provided under ss. 24.04, 24.09 (1) ~~(bm)~~  
9 (3), 24.53 and 24.62 (1) shall be credited to this appropriation account.  
10 Notwithstanding s. 20.001 (3) (a), the unencumbered balance at the end of each fiscal  
11 year shall be transferred to the trust funds, as defined under s. 24.60 (5). The amount  
12 transferred to each trust fund, as defined under s. 24.60 (5), shall bear the same  
13 proportion to the total amount transferred to the trust funds that the gross receipts  
14 of that trust fund bears to the total gross receipts credited to this appropriation  
15 account during that fiscal year.”.

16 ~~4. Page 367, line 8: delete lines 8 to 11.~~

17 **5.** Page 383, line 19: after that line insert:

18 **“SECTION 491b.** 23.0917 (3) (a) of the statutes is amended to read:

19 23.0917 (3) (a) Beginning with fiscal year 2000–01 and ending with fiscal year  
20 2009–10, the department may obligate moneys under the subprogram for land  
21 acquisition to acquire land for the purposes specified in s. 23.09 (2) (d) and grants for  
22 these purposes under s. 23.096, except as provided under ss. 23.197 (2m), (3m) (b),  
23 (7m), and (8) and 23.198 (1) (a). As soon as practicable, and not later than fiscal year  
24 2009–2010, the department shall obligate moneys under the subprogram for land

1 acquisition to acquire public land from the board of commissioners of public lands  
2 under s. 24.59 (1).

3 ~~SECTION 491e.~~ 23.0917 (3) (c) (intro.) of the statutes is amended to read:

4 23.0917 (3) (c) (intro.) In obligating moneys under the subprogram for land  
5 acquisition, the department shall give first priority to the acquisition of public land  
6 from the board of commissioners of public lands under s. 24.59 (1). The department  
7 shall give second priority to all of the following purposes and to awarding grants  
8 under s. 23.096 for all the following purposes:

9 ~~SECTION 491f.~~ 23.0917 (4) (a) of the statutes is amended to read:

10 23.0917 (4) (a) Beginning with fiscal year 2000–01 and ending with fiscal year  
11 2009–10, the department may obligate moneys under the subprogram for property  
12 development and local assistance. As soon as practicable, and not later than fiscal  
13 year 2009–10, the department shall obligate moneys under the subprogram for  
14 property development and local assistance to acquire public land from the board of  
15 commissioners of public lands under s. 24.59 (1) if the moneys obligated under the  
16 subprogram for land acquisition are insufficient to acquire that land as required  
17 under sub. (3) (a). Moneys obligated under this subprogram may be only used for  
18 nature–based outdoor recreation, except as provided under par. (cm).

19 ~~SECTION 491fg.~~ 23.0917 (4) (cm) 4m. of the statutes is created to read:

20 23.0917 (4) (cm) 4m. Acquisition of public land under s. 24.59 (1).

21 ~~SECTION 491fr.~~ 23.0917 (4) (d) 4m. of the statutes is created to read:

22 ~~SECTION 491fr.~~ 23.0917 (4) (d) 4m. If the department is required under par. (a) to obligate  
23 moneys from this subprogram to acquire public land from the board of commissioners  
24 of public lands under s. 24.59 (1), the department shall give priority to that  
25 acquisition.

msub  
9/10  
(P)

1 **SECTION 491g.** 23.0917 (6c) of the statutes is created to read:

2 23.0917 (6c) USE OF PROCEEDS OF CERTAIN SALES. If the department acquires  
3 public land from the board of commissioners of public land under s. 24.59 (1) and  
4 subsequently sells that land, it shall credit the proceeds of that sale to the  
5 appropriation under s. 20.370 (7) (ah).

6 **SECTION 491m.** 23.0917 (8) (d) of the statutes is amended to read:

7 23.0917 (8) (d) The department may not acquire land using moneys from the  
8 appropriation under s. 20.866 (2) (ta) without the prior approval of a majority of the  
9 members-elect, as defined in s. 59.001 (2m), of the county board of supervisors of the  
10 county in which the land is located if at least 66% of the land in the county is owned  
11 or under the jurisdiction of the state, the federal government, or a local governmental  
12 unit, as defined in s. 66.0131 (1) (a). Before determining whether to approve the  
13 acquisition, the county in which the land is located shall post notices that inform the  
14 residents of the community surrounding the land of the possible acquisitions. This  
15 paragraph does not apply to land acquired by the department under s. 24.59 (1).

16 **SECTION 491s.** 23.14 of the statutes is amended to read:

17 **23.14 Approval required before new lands acquired.** Prior to the initial  
18 acquisition of any lands by the department after July 1, 1977, for any new facility or  
19 project, the proposed initial acquisition shall be submitted to the governor for his or  
20 her approval. New facilities or projects include, without limitation because of  
21 enumeration, state parks, state forests, recreation areas, public shooting, trapping  
22 or fishing grounds or waters, fish hatcheries, game farms, forest nurseries,  
23 experimental stations, endangered species preservation areas, picnic and camping  
24 grounds, hiking trails, cross-country ski trails, bridle trails, nature trails, bicycle  
25 trails, snowmobile trails, youth camps, land in the lower Wisconsin state riverway



1 as defined in s. 30.40 (15), natural areas and wild rivers. This section does not apply  
2 to the acquisition of public land from the board of commissioners of public lands  
3 under s. 24.59 (1).”

4 **6.** Page 388, line 2: after that line insert:

5 ~~SECTION 508c.~~ 24.01 (1) of the statutes is amended to read:

6 24.01 (1) “Agricultural college lands” embraces all lands granted to the state  
7 by an act of congress entitled “An act donating public lands to the several states and  
8 territories which may provide colleges for the benefit of agriculture and the mechanic  
9 arts,” approved July 2, 1862, as well as any land received under s. 24.09 (1) ~~(bm)~~ (3)  
10 in exchange for such land.

11 ~~SECTION 508f.~~ 24.01 (4) of the statutes is amended to read:

12 24.01 (4) “Marathon County lands” embraces all lands acquired by the state  
13 pursuant to chapter 22 of the general laws of 1867, as well as any land received under  
14 s. 24.09 (1) ~~(bm)~~ (3) in exchange for such land.

15 ~~SECTION 508i.~~ 24.01 (5) of the statutes is amended to read:

16 24.01 (5) “Normal school lands” embraces all parcels of said “swamp lands”  
17 which the legislature has declared or otherwise decided, or may hereafter declare or  
18 otherwise decide, were not or are not needed for the drainage or reclamation of the  
19 same or other lands, as well as any land received under s. 24.09 (1) ~~(bm)~~ (3) in  
20 exchange for such land.

21 ~~SECTION 508L.~~ 24.01 (7) of the statutes is amended to read:

22 24.01 (7) “School lands” embraces all lands made a part of “the school fund” by  
23 article X, section 2, of the constitution, as well as any land received under s. 24.09  
24 (1) ~~(bm)~~ (3) in exchange for such land.

1           **SECTION 508p.** 24.01 (9) of the statutes is amended to read:

2           ~~24.01 (9)~~ "Swamp lands" embraces all lands which have been or may be  
3 transferred to the state pursuant to an act of congress entitled "An act to enable the  
4 state of Arkansas and other states to reclaim the swamp lands within their limits,"  
5 approved September 28, 1850, or pursuant to an act of congress entitled "An act for  
6 the relief of purchasers and locators of swamp and overflowed lands," approved  
7 March 2, 1855, as well as any land received under s. 24.09 ~~(1) (bm)~~ (3) in exchange  
8 for such land.

9           **SECTION 508q.** 24.01 (10) of the statutes is amended to read:

10           ~~24.01 (10)~~ "University lands" embraces all lands the proceeds of which are  
11 denominated "the university fund" by article X, section 6, of the constitution, as well  
12 as any land received under s. 24.09 ~~(1) (bm)~~ (3) in exchange for such land."

13           **7.** Page 388, line 3: ~~delete the material beginning with that line and ending~~  
14 ~~with page 389, line 6, and substitute:~~

15           ~~"SECTION 509s.~~ 24.09 (1) (a) of the statutes is renumbered 24.09 (1) and  
16 amended to read:

17           24.09 (1) Except as provided under ~~par. (e)~~ sub. (4), the board may not sell or  
18 exchange any public lands which were not appraised or appraised under s. 24.08.  
19 Except as provided under ~~pars. (b), (bm) and (c)~~ subs. (2m), (3), and (4), the board may  
20 not sell or exchange any public lands except at public auction.

21           ~~SECTION 509sg.~~ 24.09 (1) (b) of the statutes is renumbered 24.09 (2m).

22           ~~SECTION 509sm.~~ 24.09 (1) (bm) of the statutes is renumbered 24.09 (3) and  
23 amended to read:

1        ~~24.09 (3)~~ The board may exchange part or all of any parcel of public lands for  
2 any other land of approximately equal value if the board determines that the  
3 exchange will contribute to the consolidation or completion of a block of land,  
4 enhance conservation of lands or otherwise be in the public interest. Under this  
5 ~~paragraph subsection~~, an exchange is of “approximately equal value” if the difference  
6 in value between the more highly valued land and the less highly valued land does  
7 not exceed 10% of the value of the more highly valued land. All expenses necessarily  
8 incurred in making an exchange under this ~~paragraph subsection~~ shall be deducted  
9 from the gross receipts of the fund to which the proceeds of the sale of the exchanged  
10 land will be added.

11        ~~SECTION 509sr.~~ 24.09 (1) (c) of the statutes is renumbered 24.09 (4).

12        ~~SECTION 509t.~~ 24.09 (1) (d) of the statutes is renumbered 24.09 (5) and  
13 amended to read:

14            24.09 (5) All sales other than sales under ~~par. (b) or (e) sub. (2m) or (4)~~ shall  
15 be made at the times and public places the board designates. Prior to any sale, the  
16 board shall publish a class 3 notice, under ch. 985, specifying the time and place and  
17 describing the lands to be sold in a newspaper published in the county where the  
18 lands are situated.

19        ~~SECTION 509u.~~ 24.09 (2) of the statutes is repealed.

20        ~~SECTION 509um.~~ 24.09 (6) of the statutes is created to read:

21        ~~24.09 (6)~~ No parcel of public land that was acquired before the effective date  
22 of this subsection .... [revisor inserts date], may be exchanged under this section.

23        ~~SECTION 509v.~~ 24.10 of the statutes is amended to read:

24            **24.10 Procedure at sale.** At the time and place specified in the notice under  
25 s. 24.09 ~~(1) (d)~~ (5) the board shall commence the sale of the lands described in the

1 notice and thereafter continue the same from day to day, Sundays excepted, between  
2 9 a.m. and the setting of the sun, until all lands described in the notice have been  
3 offered. The order of the sale shall be to begin at the lowest number of the sections,  
4 townships and ranges in each county and proceed regularly to the highest, until all  
5 then to be sold are offered for sale. ~~Except for lands withheld from sale under s. 24.09~~  
6 ~~(2), each~~ Each lot or tract of lands to be sold shall be offered separately at the  
7 minimum price fixed by law and shall be cried at public auction long enough to enable  
8 every one present to bid. If the minimum price or more is bid, the lot or tract shall  
9 be struck off to the highest bidder, but if the minimum price is not bid the tract shall  
10 be set down unsold.

11 **SECTION 511m.** 24.59 of the statutes is created to read:

12 ~~24.59~~ **Sale of public lands to state under Warren Knowles–Gaylord**  
13 **Nelson stewardship 2000 program.** (1) Notwithstanding ss. 24.09, 24.10, 24.15,  
14 and 24.16, but subject to subs. (2) and (3), the board shall sell as soon as practicable  
15 all public lands under its jurisdiction on the effective date of this subsection ....  
16 [revisor inserts date], to the state with the state using moneys obligated by the  
17 department as specified under s. 23.0917 (3) and (4) for the acquisition.  
18 Notwithstanding s. 24.08 (4), the public lands shall be sold at the appraised value  
19 determined under sub. (2).

20 (2) The board shall have all of the public lands independently appraised under  
21 s. 24.08 (2) and (3) after the effective date of this subsection .... [revisor inserts date],  
22 but before sale under sub. (1).

23 (3) Notwithstanding s. 24.11, public lands sold under sub. (1) may not be paid  
24 for in installments.

1           (4) The board may not take any action that would in any way impede or prohibit  
2 the sale of public lands under sub. (1).”

3           **8.** Page 389, line 9: delete lines 9 to 11.

4           **9.** Page 389, line 22: delete the material beginning with that line and ending  
5 with page 390, line 7.

6           **10.** Page 390, line 16: delete lines 16 to 21.

7           **11.** Page 1087, line 5: after that line insert:

8           “(5q) SUBMISSION OF PLAN CONCERNING CERTAIN PUBLIC LANDS. No later than  
9 February 1, 2006, the department of natural resources shall submit to the governor  
10 and to the members of the joint committee on finance a plan that addresses all of the  
11 following:

12           (a) The sales status, as of December 31, 2005, of all public lands subject to  
13 purchase by the state under section 24.59 (1) of the statutes, as created by this act.

14           (b) The department of natural resource’s long term acquisition, retention, and  
15 disposal plan for land purchased by the state under section 24.59 (1) of the statutes,  
16 as created by this act.

17           (c) Identification of those lands purchased by the state under section 24.59 (1)  
18 of the statutes, as created by this act, that the department of natural resources  
19 determines can be incorporated into its land and forestry programs and activities  
20 and identification of those lands that it determines cannot be incorporated into its  
21 land and forestry programs and activities. If the department of natural resources  
22 identifies lands that it cannot incorporate into its land and forestry programs and

1 activities, it shall identify which of these lands might be appropriate for sale to local  
2 units of government.”.

3 (END)



D-Nick  
State of Wisconsin  
2005 - 2006 LEGISLATURE

LRBb0463/1

RAC: f:...

WJ

Toder

ASSEMBLY AMENDMENT ,  
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,  
TO 2005 ASSEMBLY BILL 100

# Page 130, line 9: delete lines 9 and 10

- 1 At the locations indicated, amend the substitute amendment as follows:
- 2 1. Page 272, line 25: delete the material beginning with that line and ending  
3 with page 273, line 9.
- 4 2. Page 315, line 3: delete lines 3 to 14.
- 5 3. Page 337, line 17: delete lines 17 to 25.
- 6 4. Page 338, line 1: delete lines 1 to 23.
- 7 5. Page 339, line 5: delete lines 5 to 9.
- 8 6. Page 340, line 5: delete lines 5 to 16.
- 9 7. Page 341, line 8: delete lines 8 to 20.
- 10 8. Page 345, line 9: delete the material beginning with that line and ending  
11 with page 349, line 2.

1 **9.** Page 985, line 8: delete lines 8 to 24.

2 (END)



**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRBb0463/1dn

RAC: f....

WJ

This amendment removes statutory provisions requiring DNR to purchase trust fund lands from BCPL with stewardship moneys.

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**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRBb0463/1dn  
RAC:wlj:jf

June 20, 2005

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State of Wisconsin  
2005 - 2006 LEGISLATURE

LRBb0463/1  
RAC:wlj:jf

D-Note ✓

ASSEMBLY AMENDMENT ,  
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,  
TO 2005 ASSEMBLY BILL 100

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- 5 3. Page 315, line 3: delete lines 3 to 14.
- 6 4. Page 337, line 17: delete lines 17 to 25.
- 7 5. Page 338, line 1: delete lines 1 to 23.
- 8 6. Page 339, line 5: delete lines 5 to 9.
- 9 7. Page 340, line 5: delete lines 5 to 16.
- 10 8. Page 341, line 8: delete lines 8 to 20.

#. Page 341, line 10 delete "This paragraph does not"  
#. Page 341, line 20 delete that line



RNK:WLj:  
LRB 60463/2

that was created

D-Note

¶ This ~~draft~~ <sup>amendment</sup> should have deleted language in the substitute amendment under § 23.0917(8)(e). This redraft corrects that inadvertent error.

RNK

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRBb0463/2dn  
RAC:wlj:rs

June 21, 2005

This amendment should have deleted language in the substitute amendment that was created under s. 23.0917 (8) (e). This redraft corrects that inadvertent error.

Robin N. Kite  
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