



State of Wisconsin
2005 - 2006 LEGISLATURE

LRB-4418/1 2

RNK&RAC:kjf&cjs:rs

now

2005 BILL

RMR

~~State~~
kjf & cs

- reg. cat

1 AN ACT to amend 24.06; and to create 20.507 (1) (kd), 23.0917 (4) (cm) 4m.,
2 23.1985, 24.11 (1) (c), 24.45, 24.59, 24.605, 24.61 (2) (a) 10., 24.61 (2) (cm) and
3 24.62 (3) of the statutes; relating to: sale of public lands and investment of
4 proceeds from the sale of public lands, requiring the Department of Natural
5 Resources to obligate moneys under the Warren Knowles-Gaylord Nelson
6 Stewardship 2000 Program to acquire certain public lands from the Board of
7 Commissioners of Public Lands, and making an appropriation.

Analysis by the Legislative Reference Bureau

Sale of public lands and investment of proceeds

Under current law, the Board of Commissioners of Public Lands (BCPL) may invest moneys in the common school fund, the normal school fund, the university fund, and the agricultural college fund in certain specified investments. These include: bonds or notes of the United States; bonds issued by this state or the University of Wisconsin Hospitals and Clinics Authority; and bonds issued by a town, village, city, county, or school district or certain other special districts in the state.

This bill authorizes BCPL to invest moneys in the purchase of land in this state, but establishes certain conditions on the purchase of this land for investment purposes. First, the land must be within any applicable consolidation area approved

BILL

by BCPL; second, the total acreage of public lands managed by BCPL must not exceed the total acreage of public lands managed by BCPL on the bill's effective date; third, the moneys must be derived from the sale of public lands in the future; and finally, BCPL must determine that the purchase of the land will improve timberland management, address forest fragmentation, or increase public access to the land. The bill also provides that, if the land at the time of purchase was subject to assessment or levy of a real property tax, BCPL must make annual payments in lieu of property taxes to the appropriate local governmental unit in an amount equal to 74 cents per acre.

~~The bill also requires BCPL to identify all isolated and nonproductive public lands and to make these lands available for purchase by the state in the manner, and with funds, as described below. If the lands are not purchased by the state, BCPL must offer to sell these public lands to the city, village, or town within whose jurisdiction the public lands are located. Any lands not purchased by cities, villages, or towns must be offered for sale to private parties by sealed bid to the highest bidder.~~

Stewardship program

Current law authorizes the state to incur public debt for certain conservation activities under the Warren Knowles-Gaylord Nelson Stewardship 2000 Program (stewardship program), which is administered by the Department of Natural Resources (DNR).

Current law grants the state the authority to bond for various conservation purposes under the stewardship program. The stewardship program consists of four subprograms: one for land acquisition; one for property development and local assistance; one for bluff protection; and one for the Baraboo Hills. Purposes for which bonding under the land acquisition subprogram may be used include land acquisition for habitat and natural areas and land acquisition that preserves or enhances the state's water resources. Under current law, bonding under the property development and local acquisition subprogram may be used only for nature-based outdoor recreation, as defined in rules promulgated by DNR, with limited exceptions.

This bill requires DNR, beginning in fiscal year 2006-07 and ending in fiscal year 2009-10, to set aside \$2,000,000 in each fiscal year under the stewardship program to acquire certain land from the BCPL. Under the bill, DNR must obligate these moneys to purchase lands ~~that BCPL classifies as natural areas or as isolated or nonproductive. Generally, natural areas are areas of land or water that have educational or scientific value or that are important as a reservoir of the state's genetic or biologic diversity.~~ The bill provides that the amounts set aside for this purpose may be treated as moneys obligated under either the land acquisition subprogram or the property development and local assistance subprogram of the stewardship program or both of the subprograms.

Identified by

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For further information see the *state and 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.** 20.507 (1) (kd) of the statutes is created to read:

2 20.507 (1) (kd) *Payments in lieu of property taxes.* All moneys transferred from
3 the appropriate trust funds, as defined in s. 24.60 (5), to make the payments required
4 under s. 24.62 (3).

5 **SECTION 2.** 23.0917 (4) (cm) 4m. of the statutes is created to read:

6 23.0917 (4) (cm) 4m. Acquisition of land from the board of commissioners of
7 public lands under s. 23.1985.

8 **SECTION 3.** 23.1985 of the statutes is created to read:

9 **23.1985 Acquisition of certain public lands.** Beginning in fiscal year
10 2006–07 and ending in fiscal year 2009–10, from the appropriation under s. 20.866
11 (2) (ta), the department shall set aside \$2,000,000 in each fiscal year that may be
12 obligated only to acquire land from the board of commissioners of public lands under
13 s. 24.59 (1). If the department sets aside, but does not obligate moneys in a fiscal year
14 under this section, the department may obligate those nonobligated moneys in a
15 subsequent fiscal year under this section in addition to the amounts the department
16 is required to set aside for that subsequent fiscal year. For purposes of s. 23.0917,
17 moneys provided from the appropriation under s. 20.866 (2) (ta) shall be treated as
18 moneys obligated under either or both of the subprograms under s. 23.0917 (3) and
19 (4).

20 **SECTION 4.** 24.06 of the statutes is amended to read:

BILL**SECTION 4**

1 **24.06 Plat of lands.** The board may subdivide any parcel of public lands into
2 smaller parcels or village lots, with streets and alleys if necessary, whenever it
3 believes a larger net price can be obtained by selling the land in such smaller parcels
4 or lots. A survey and plat of such subdivision, verified by its maker as true and
5 correct, shall be returned and recorded in the office of the board, and the parcels or
6 lots designated thereon shall be appraised before they are offered for sale. Such
7 subdivision shall be ordered, the proceedings therefor governed and such appraisal
8 made in substantial accord with s. 24.08. Nothing in this section shall prohibit the
9 board from selling any parcel of public lands as a whole parcel.

10 **SECTION 5.** 24.11 (1) (c) of the statutes is created to read:

11 24.11 (1) (c) Unless otherwise required by law to be deposited into a fund other
12 than any of the trust funds, as defined in s. 24.60 (5), all moneys received from the
13 sale of public lands on or after the effective date of this paragraph [revisor inserts
14 date], shall be credited to the appropriate trust fund in an account specified in s.
15 24.605.

16 **SECTION 6.** 24.45 of the statutes is created to read:

17 **24.45 Sale of isolated and nonproductive lands.** (1) The board shall
18 identify all isolated and nonproductive public lands.

19 (2) All public lands identified under sub. (1) shall be made available for
20 purchase by the state under s. 24.59.

21 (3) The board shall offer to sell any public lands that are not purchased by the
22 state under s. 24.59 to the city, village, or town within whose jurisdiction the public
23 lands are located. Any lands not purchased by cities, villages, or towns under this
24 subsection shall be offered for sale to private parties by sealed bid to the highest
25 bidder.

BILL

1 (4) Sections 24.09, 24.10, 24.15, 24.16, and 24.32 do not apply to the sale of
2 public lands under this section.

3 SECTION 7. 24.59 of the statutes is created to read:

4 **24.59 Sale of public lands to state under Warren Knowles-Gaylord**
5 **Nelson stewardship 2000 program.** (1) Notwithstanding ss. 24.09, 24.10, 24.15,

6 24.16, and 24.32, but subject to subs. (2) and (3), the board shall sell to the state under
7 s. 23.1985 public lands that the board ~~classifies as natural areas, as defined in s.~~ *identifies as available for sale to*

8 ~~23.27 (1) (e), and shall offer to sell public lands identified under s. 24.45.~~ *the state*

9 Notwithstanding s. 24.08 (4), the public lands shall be sold at the appraised value
10 determined under sub. (2).

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

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

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

18 SECTION 8. 24.605 of the statutes is created to read:

19 **24.605 Accounts in trust funds for deposit of proceeds from sale of**
20 **certain lands.** The board shall establish in each of the trust funds an account to
21 which are credited the proceeds from the sale of any public lands on or after the
22 effective date of this section [revisor inserts date], that are required by law to be
23 deposited in the funds. Moneys credited to the accounts in the funds may only be
24 used to invest in land under s. 24.61 (2) (a) 10. and for the payment of expenses
25 necessarily related to investing in land under s. 24.61 (2) (a) 10.

BILL**SECTION 9**

1 **SECTION 9.** 24.61 (2) (a) 10. of the statutes is created to read:

2 24.61 (2) (a) 10. Land in this state, but subject to the condition established
3 under par. (cm).

4 **SECTION 10.** 24.61 (2) (cm) of the statutes is created to read:

5 24.61 (2) (cm) *Investments in land in this state.* The board may not invest
6 moneys in the purchase of any land under par. (a) 10. unless all of the following occur:

7 1. The land is within any applicable consolidation area approved by the board.

8 2. The total acreage of public lands managed by the board does not exceed the
9 total acreage of public lands managed by the board on the effective date of this
10 subdivision [revisor inserts date].

11 3. The board determines that the purchase of the land will improve timberland
12 management, address forest fragmentation, or increase public access to the land.

13 4. The moneys are in an account specified in s. 24.605.

14 **SECTION 11.** 24.62 (3) of the statutes is created to read:

15 24.62 (3) If any land purchased under s. 24.61 (2) (a) 10. was at the time of
16 purchase subject to assessment or levy of a real property tax, the board shall make
17 annual payments in lieu of property taxes to the appropriate local governmental unit
18 in an amount equal to 74 cents per acre. The payments shall be made from the
19 appropriation under s. 20.507 (1) (kd).

20

(END)

Kite, Robin

From: Knudson, Steve
Sent: Thursday, February 02, 2006 8:45 AM
To: Kite, Robin
Subject: LRB-4418 - Bd of Comm of Public Lands Bill
Attachments: BCPL Revisions.doc

Hi Robin,

I write to ask that LRB make three modification to LRB-4418, Rep. Jensen's Board of Commissioners of Public Lands Bill.

First, please delete Section in its entirety. That would entail removing lines 1-4, inclusive, on page 2 of the bill.

Second I have attached a document from Tia Nelson of the BCPL outlining modifications she would like made to the bill.

Finally, the LRB Analysis says the BCPL would make payments in lieu of taxes in the amount of 74 cents per acre. I thought BCPL did not make payments in lieu of taxes. How was that 74 cent amount arrived at?

Thank you for your help. I appreciate it.

Steve Knudson
Office of State Representative Scott Jensen
Member, Joint Committee on Finance
Room 321 East, State Capitol
P.O. Box 8952
Madison, WI 53708
(608) 264-6970

MEMORANDUM

TO: STEVE KNUDSON
FROM: TIA NELSON & TOM GERMAN
RE: CHANGES TO PROPOSED LAND BANK LEGISLATION
DATE: JANUARY 30, 2006

We have drafted some alternative language for the land bank legislation. The description and rationale for the changes is shown in blue. Actual language changes are shown in red.

Section 3. 23.1985 of the statutes is created to read:...

I propose deleting the last sentence of this section and replacing it with the following:
Moneys provided from the appropriation under s 20.866(2)(ta) shall be treated as moneys obligated under the subprogram under s 23.0917(3).

This change is being proposed to identify the Stewardship Land Acquisition Subprogram as the proper fund to be used for DNR to acquire BCPL property under this legislation. Section 23.0917(4) describes the Property Development and Local Assistance Subprogram. This change would avoid local units of government being threatened with funding cuts due to passage of the legislation.

Deleted: For purposes of s. 23.0917, m
Deleted: either or both of
Deleted: s
Deleted: and (4)

Section 4. *I propose deleting the current references to 24.06 and replacing them with the following:* 24.09(d) of the statutes is amended to read:

24.09(d) All sales other than sales under par. (b) or (c) shall be made at the times and public places by either sealed bid sale or public sale as the board designates.

24.10 of the statutes is amended to read:

24.10 Procedure at sale.

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

Deleted: A

Deleted: or
Deleted: separately

(2) SEALED BID SALE. If the sale is to be by sealed bid, the highest bid for any lot, tract of land or collection of tracts of land shall be accepted unless the same is below the minimum price fixed by law, in which event all bids may be rejected. If all bids are rejected or no bid is received, the board may either readvertise the sale, adjourn the sale to a definite date, or withhold the lands from sale pursuant to s 24.09(2).

Deleted: ¶

The original draft of the legislation contained changes in sec. 24.06 that were intended to address limitations on sale contained in sec. 24.10. This language appears to have come from the governor's budget language which included a precursor to the present bill. It seems a better place to address these issues is in sec. 24.10. These changes are being proposed to give BCPL more efficient means of selling land. Currently, BCPL has the right to sell individual parcels by public auction. These changes give BCPL the option to sell land by sealed bids as well. In addition, these changes also allow BCPL to sell land in larger parcels as opposed to individual lots or parcels.

Section 6. 24.59 of the statutes is created to read:...

(4): I propose deleting the current language in Subsection (4) and replacing it with "Purchases of land by the state under s.23.1985 are also subject to the review and approval by the Natural Resources Board under NR 1.41, Administrative Code and by the Governor under s.20.914, stats."

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

The current language in Subsection 4 is unconstitutional since pursuant to Article X Section 8 of the constitution, the board has the right to withhold land from sale. The proposed language recognizes that the DNR board still has a say in determining which land is acquired under this statutory process and the proposed language further recognizes the governor's statutory authority to make sure that the acquisition is properly funded.

Section 10. I propose deleting the last part of the second-to-last sentence and replacing it as follows: ...in an amount equal to the amount of real estate taxes levied on such land in the year prior to the acquisition of the land by board.

Formatted: Font: Bold

Deleted: 74 cents per acre



State of Wisconsin
2005 - 2006 LEGISLATURE

LRB-4418/2 3

RNK&RAC:kjf cs:jf

TODAY Noon

JLD

2005 BILL

D-Note

Regen

1 AN ACT *to amend* 24.06; and *to create* 20.507 (1) (kd), 23.0917 (4) (cm) 4m.,
 2 23.1985, 24.11 (1) (c), 24.59, 24.605, 24.61 (2) (a) 10., 24.61 (2) (cm) and 24.62
 3 (3) of the statutes; **relating to:** sale of public lands and investment of proceeds
 4 from the sale of public lands, ^{and} requiring the Department of Natural Resources
 5 to obligate moneys under the Warren Knowles-Gaylord Nelson Stewardship
 6 2000 Program to acquire certain public lands from the Board of Commissioners
 7 of Public Lands, and making an appropriation.

Analysis by the Legislative Reference Bureau

Sale of public lands and investment of proceeds

Under current law, the Board of Commissioners of Public Lands (BCPL) may invest moneys in the common school fund, the normal school fund, the university fund, and the agricultural college fund in certain specified investments. These include: bonds or notes of the United States; bonds issued by this state or the University of Wisconsin Hospitals and Clinics Authority; and bonds issued by a town, village, city, county, or school district or certain other special districts in the state.

This bill authorizes BCPL to invest moneys in the purchase of land in this state, but establishes certain conditions on the purchase of this land for investment purposes. First, the land must be within any applicable consolidation area approved

BILL

✓ Insert RAC Analysis

by BCPL; second, the total acreage of public lands managed by BCPL must not exceed the total acreage of public lands managed by BCPL on the bill's effective date; third, the moneys must be derived from the sale of public lands in the future; and finally, BCPL must determine that the purchase of the land will improve timberland management, address forest fragmentation, or increase public access to the land. The bill also provides that, if the land at the time of purchase was subject to assessment or levy of a real property tax, BCPL must make annual payments in lieu of property taxes to the appropriate local governmental unit in an amount equal to

~~70 cents per acre~~

Stewardship program

Current law authorizes the state to incur public debt for certain conservation activities under the Warren Knowles-Gaylord Nelson Stewardship 2000 Program (stewardship program), which is administered by the Department of Natural Resources (DNR).

Current law grants the state the authority to bond for various conservation purposes under the stewardship program. The stewardship program consists of four subprograms: one for land acquisition; one for property development and local assistance; one for bluff protection; and one for the Baraboo Hills. Purposes for which bonding under the land acquisition subprogram may be used include land acquisition for habitat and natural areas and land acquisition that preserves or enhances the state's water resources. ~~Under current law, bonding under the property development and local acquisition subprogram may be used only for nature-based outdoor recreation, as defined in rules promulgated by DNR, with limited exceptions.~~

This bill requires DNR, beginning in fiscal year 2006-07 and ending in fiscal year 2009-10, to set aside \$2,000,000 in each fiscal year under the stewardship program to acquire certain land from ~~the~~ BCPL. Under the bill, DNR must obligate these moneys to purchase lands identified by BCPL. The bill provides that the amounts set aside for this purpose ^{shall} may be treated as moneys obligated under ~~either~~ the land acquisition subprogram ~~or the property development and local assistance subprogram~~ of the stewardship program ~~or both of the subprograms.~~

For further information see the *state and 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.** 20.507 (1) (kd) of the statutes is created to read:
2 20.507 (1) (kd) ~~Payments in lieu of property taxes. All moneys transferred from~~
3 the appropriate trust funds, as defined in s. 24.60 (5), to make the payments required
4 under s. 24.62 (3).

BILL

1 ~~SECTION 2. 23.0917 (4) (cm) 4m. of the statutes is created to read.~~

2 ~~23.0917 (4) (cm) 4m. Acquisition of land from the board of commissioners of~~
3 ~~public lands under s. 23.1985.~~

4 ~~SECTION 3. 23.1985 of the statutes is created to read:~~

5 ~~**23.1985 Acquisition of certain public lands.** Beginning in fiscal year~~
6 ~~2006-07 and ending in fiscal year 2009-10, from the appropriation under s. 20.866~~
7 ~~(2) (ta), the department shall set aside \$2,000,000 in each fiscal year that may be~~
8 ~~obligated only to acquire land from the board of commissioners of public lands under~~
9 ~~s. 24.59 (1). If the department sets aside, but does not obligate moneys in a fiscal year~~
10 ~~under this section, the department may obligate those nonobligated moneys in a~~
11 ~~subsequent fiscal year under this section in addition to the amounts the department~~
12 ~~is required to set aside for that subsequent fiscal year. For purposes of s. 23.0917,~~
13 ~~moneys provided from the appropriation under s. 20.866 (2) (ta) shall be treated as~~
14 ~~moneys obligated under either or both of the subprograms under s. 23.0917 (3) and~~

15 ~~(4)~~
16 ~~SECTION 4. 24.06 of the statutes is amended to read:~~

17 ~~**24.06 Plat of lands.** The board may subdivide any parcel of public lands into~~
18 ~~smaller parcels or village lots, with streets and alleys if necessary, whenever it~~
19 ~~believes a larger net price can be obtained by selling the land in such smaller parcels~~
20 ~~or lots. A survey and plat of such subdivision, verified by its maker as true and~~
21 ~~correct, shall be returned and recorded in the office of the board, and the parcels or~~
22 ~~lots designated thereon shall be appraised before they are offered for sale. Such~~
23 ~~subdivision shall be ordered, the proceedings therefor governed and such appraisal~~
24 ~~made in substantial accord with s. 24.08. Nothing in this section shall prohibit the~~
25 ~~board from selling any parcel of public lands as a whole parcel.~~

BILL

✓ Insert 4-1

1

SECTION 5. 24.11 (1) (c) ^X of the statutes is created to read:

2

24.11 (1) (c) Unless otherwise required by law to be deposited into a fund other than any of the trust funds, as defined in s. 24.60 (5), all moneys received from the sale of public lands on or after the effective date of this paragraph [revisor inserts date], shall be credited to the appropriate trust fund in an account specified in s. 24.605.

7

SECTION 6. 24.59 ^X of the statutes is created to read:

8

24.59 Sale of public lands to state under Warren Knowles-Gaylord

9

Nelson stewardship 2000 program. (1) Notwithstanding ss. 24.09, 24.10, 24.15, 24.16, and 24.32, but subject to subs. (2) and (3), the board shall sell to the state under s. 23.1985 public lands that the board identifies as available for sale to the state. Notwithstanding s. 24.08 (4), the public lands shall be sold at the appraised value determined under sub. (2).

14

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

17

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

19

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

21

SECTION 7. 24.605 ^X of the statutes is created to read:

22

24.605 Accounts in trust funds for deposit of proceeds from sale of certain lands. The board shall establish in each of the trust funds an account to which are credited the proceeds from the sale of any public lands on or after the effective date of this section [revisor inserts date], that are required by law to be

Insert 4-1

BILL

1 deposited in the funds. Moneys credited to the accounts in the funds may only be
2 used to invest in land under s. 24.61 (2) (a) 10. and for the payment of expenses
3 necessarily related to investing in land under s. 24.61 (2) (a) 10.

4 **SECTION 8.** 24.61 (2) (a) 10. of the statutes is created to read:

5 24.61 (2) (a) 10. Land in this state, but subject to the condition established
6 under par. (cm).

7 **SECTION 9.** 24.61 (2) (cm) of the statutes is created to read:

8 24.61 (2) (cm) *Investments in land in this state.* The board may not invest
9 moneys in the purchase of any land under par. (a) 10. unless all of the following occur:

10 1. The land is within any applicable consolidation area approved by the board.

11 2. The total acreage of public lands managed by the board does not exceed the
12 total acreage of public lands managed by the board on the effective date of this
13 subdivision [revisor inserts date].

14 3. The board determines that the purchase of the land will improve timberland
15 management, address forest fragmentation, or increase public access to the land.

16 4. The moneys are in an account specified in s. 24.605.

17 **SECTION 10.** 24.62 (3) of the statutes is created to read:

18 24.62 (3) If any land purchased under s. 24.61 (2) (a) 10. was at the time of
19 purchase subject to assessment or levy of a real property tax, the board shall make
20 annual payments in lieu of property taxes to the appropriate local governmental unit

21 in an amount equal to ~~14 cents per acre.~~ ~~The payments shall be made from the~~
22 ~~appropriation under s. 20.507 (1) (kd).~~

23 (END)

Insert
5-23 ✓

2005-2006 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-4418/3insRC
RAC:.....

RAC Analysis:

²⁰ property taxes levied on the land in the year prior to the year in which the board purchased the land ²⁰

BCPL

Insert 4-1:

SECTION 1. 24.09 (1) (d) of the statutes is amended to read:

24.09 (1) (d) All sales other than sales under par. (b) or (c) shall be made at the times and public places by sealed bid or public sale as the board designates. Prior to any sale, the board shall publish a class 3 notice, under ch. 985, specifying the time and place and describing the lands to be sold in a newspaper published in the county where the lands are situated.

History: 1983 a. 423; 1987 a. 76; 1997 a. 27.

SECTION 2. 24.10 of the statutes is renumbered 24.10 (1) and amended to read:

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

History: 1999 a. 83.

SECTION 3. 24.10 (2) of the statutes is created to read:



24.10 (2) If the sale is to be by sealed bid, the highest bid for any lot, tract of land, or collection of tracts of land shall be accepted, unless the highest bid is below the minimum price fixed by law. If the highest bid is below the minimum price fixed by law, then all bids may be rejected. If all bids are rejected or if no bid is received, the board may readvertise the sale, adjourn the sale to a definite date, or withhold the lands from sale pursuant to s 24.09 (2).

Insert 5-23:

~~no~~ property taxes levied on the land in the year prior to the year in which the board purchased the land ~~no~~

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

LRB-4418/3dn

RNK:.....

Jld

As you know, one of your instructions for this redraft was a request to include language specifying that the governor, under s. 20.914, stats., and the Natural Resources Board, under NR 1.41 of the administrative code, must approve the purchase by DNR of land from the Board of Commissioners of Public Land. I did not add this language to the draft because it is unnecessary. That is, because this draft requires DNR to obligate moneys to purchase land, and because s. 20.914, stats., provides that the purchase of land by a state agency is subject to review by the governor, it is not necessary to repeat this language in the draft. Furthermore, if the purchase requires review by the Natural Resources Board because it falls within the scope of NR 1.41, it is again not necessary to repeat this in the draft. With one exception, other current statutes concerning land purchases by the state do not cross-reference these provisions. Additionally, please note that under s. 23.14, stats., the governor must approve the proposed acquisition of lands for certain new facilities or projects.

If I have misunderstood your intent on this issue, please give me a call and I would be happy to discuss the matter with you and redraft as may be required.

Robin N. Kite
Legislative Attorney
Phone: (608) 266-7291
E-mail: robin.kite@legis.state.wi.us

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-4418/3dn
RNK:jld:rs

February 6, 2006

As you know, one of your instructions for this redraft was a request to include language specifying that the governor, under s. 20.914, stats., and the Natural Resources Board, under NR 1.41 of the administrative code, must approve the purchase by DNR of land from the Board of Commissioners of Public Lands. I did not add this language to the draft because it is unnecessary. That is, because this draft requires DNR to obligate moneys to purchase land, and because s. 20.914, stats., provides that the purchase of land by a state agency is subject to review by the governor, it is not necessary to repeat this language in the draft. Furthermore, if the purchase requires review by the Natural Resources Board because it falls within the scope of NR 1.41, it is again not necessary to repeat this in the draft. With one exception, other current statutes concerning land purchases by the state do not cross-reference these provisions. Additionally, please note that under s. 23.14, stats., the governor must approve the proposed acquisition of lands for certain new facilities or projects.

If I have misunderstood your intent on this issue, please give me a call and I would be happy to discuss the matter with you and redraft as may be required.

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Barman, Mike

From: Knudson, Steve
Sent: Monday, February 06, 2006 11:11 AM
To: LRB.Legal
Subject: Please Jacket LRB-4418/3

Please jacket LRB-4418/3.

Thank you.

Steve Knudson

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