

2005 DRAFTING REQUEST

Bill

Received: **06/16/2005**

Received By: **phurley**

Wanted: **As time permits**

Identical to LRB:

For: **John Ainsworth (608) 266-3097**

By/Representing:

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

Drafter: **phurley**

May Contact:

Addl. Drafters:

Subject: **Transportation - miscellaneous**

Extra Copies: **ARG**

Submit via email: **YES**

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

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Surplus lands

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>
/?				_____			State
/1	phurley 06/20/2005	kfollett 06/23/2005	rschluet 06/23/2005	_____	sbasford 06/23/2005	Inorthro 06/24/2005	

FE Sent For: *At intro.*

<END>

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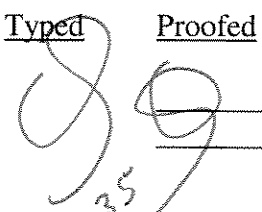
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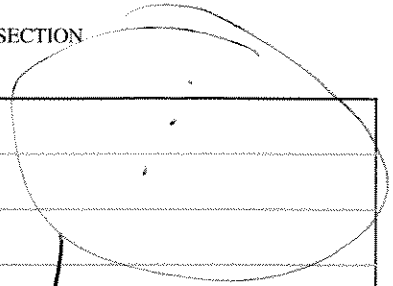
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/?	phurley	1/1gf 6/23					State

FE Sent For:

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309 N Se



UCC, gov has to appraise sales over
XYZ amount

May need to transfer that authority or
notw/stand

non-marketable; require DOT to transfer,
at no cost to landowner, of adjoining
property.

limited marketabilities; ^{offer} sell at appraised value for
six months; then offer via sealed bid.

General marketables: sell by ~~sell~~ ^{accepted} sealed bids.

John Fandrich @ dot.state.wis
266 0786

12 months of the completion of adjoining
trans. project, DOT shall offer for
sale

Will show this to speaker Hard
when we meet on transportation issues.

How does a "non-marketable" maintain
a \$ value - turn them
over at no cost as fast as possible.

May 10, 2005 WisDOT Surplus Land Inventory Report

Total number of surplus land units: 850

Sell 1/2 of \$10,000,000 in bicentennial
\$1,000,000 of \$1,300,000

Estimated Market Value (by marketability type):

Non-marketable: 100,000

The parcel has no anticipated market or value to anyone based on its characteristics.

Limited-Marketability: \$10,193,100

The parcel is of potential interest to the abutting landowners - not the general public.

General Marketability: \$2,283,900

Parcels that may be sold to the general public by competitive or sealed bid.

Estimated Market Value of All Units (regardless of marketability type): \$12,577,000

Historical Reference:

In 2003, the total value of parcels with general marketability was \$4.1 million (almost twice the current figure). Since this is significantly higher than the current total - one could argue that the Department has been selling off property quite a bit faster than new property is added.

*** Jon Dyck at the Legislative Fiscal Bureau requested the current surplus land inventory report from WisDOT, and assisted in assembling the figure totals.

2005 BILL

6-20-05
51
6-23-05

Gen

1

AN ACT ...; relating to: sale, by the department of transportation, of surplus real property.

2

Analysis by the Legislative Reference Bureau

Under current law, the Department of Transportation (DOT) may acquire real property for use in transportation projects. If DOT determines that the property is no longer necessary for the state's use for transportation purposes, it may petition the governor's office for permission to sell the property or to convey the property to the municipality in which the property is located.

Under this bill, DOT need not petition the governor before it sells or conveys real property that is no longer necessary for transportation purposes. However, the bill requires DOT to sell or convey, within 12 months of completing the transportation project for which the property was acquired, real property that is no longer necessary for transportation purposes. If the property has no marketable value, DOT must convey the property at no cost to whomever owns adjoining property. If the property has limited marketable value (i.e., the property only has value to adjoining landowners), DOT must offer the property for sale at its appraised value. If, within 6 months, the property does not sell, DOT may accept sealed bids for the sale of the property. The bill requires DOT to sell generally marketable land via sealed bids.

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BILL

For further information see the *state* 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. 84.09 (5) of the statutes is repealed and recreated to read:

2 84.09 (5) (a) The department shall sell or transfer ownership of the property
3 that the department determines is no longer necessary for the state's use for
4 transportation purposes, if the property is not the subject of a petition under s.
5 560.9810 (2). The department shall offer the property as follows:

6 1. The department shall transfer, at no cost to the prospective owner, any real
7 property that has no marketable value to the owner or owners of property adjoining
8 the property owned by the state.

9 2. The department shall offer real property that has limited marketable value
10 at its appraised value for not less than ~~six~~ ^{six} months. If the department does not sell
11 the property at or above its appraised value, the department shall solicit sealed bids
12 for the sale of the property.

13 3. The department shall solicit sealed bids for the sale of real property that has
14 general marketable value.

15 (b) The department shall sell or transfer property as provided in par. (a) within
16 12 months of completion of a transportation project for which the department
17 acquired property under this section, or within 6 months of determining that the
18 property is no longer necessary for the state's use for transportation purposes,
19 whichever occurs first.

BILL

1 (c) The funds derived from sales under this subsection shall be deposited in the
2 transportation fund, and the expense incurred by the department in connection with
3 the sale shall be paid from such fund.

4 **SECTION 2.** 84.09 (5m) of the statutes is amended to read:

5 84.09 (5m) ~~Subject to the approval of the governor in the manner and form~~
6 ~~provided by sub. (5), the~~ The department may sell or convey lands or interests therein
7 acquired pursuant to this section and improvements installed thereon to
8 municipalities within whose limits such lands or interests therein are located. The
9 sale or conveyance of said lands or interests therein and improvements shall restrict
10 the use of the premises by the municipality to the uses for which they were acquired,
11 except that said lands or interests therein declared by the department to be excess
12 may be so sold or conveyed without restrictions as to use.

History: 1971 c. 40; 1973 c. 118 s. 7; 1977 c. 29 ss. 936, 1654 (1), (8) (a), (b); 1977 c. 272, 418; 1979 c. 310; 1983 a. 27; 1991 a. 39; 1993 a. 246; 1995 a. 201, 406; 1997 a. 27, 35, 282; 1999 a. 83, 186; 2003 a. 33, 211, 327.

13

(END)

Northrop, Lori

From: Boardman, Kristina
Sent: Friday, June 24, 2005 10:21 AM
To: LRB.Legal
Subject: Draft review: LRB 05-3211/1 Topic: Surplus lands

It has been requested by <Boardman, Kristina> that the following draft be jacketed for the ASSEMBLY:

Draft review: LRB 05-3211/1 Topic: Surplus lands