



**SENATE SUBSTITUTE AMENDMENT 1,
TO 2009 SENATE BILL 287**

February 22, 2010 – Offered by Senator VINEHOUT.

1 **AN ACT to create** 86.257 of the statutes; **relating to:** transferring ownership and
2 jurisdiction of a highway to an American Indian tribe or agency of the United
3 States government that is acting on behalf of an American Indian tribe.

Analysis by the Legislative Reference Bureau

Under this substitute amendment, a city, village, town, or county (political subdivision) or the Department of Transportation (DOT) may transfer jurisdiction and ownership of, or other property interest in, a highway that is under the jurisdiction of the political subdivision or DOT to a federally recognized American Indian tribe or band in this state (tribe or band) or an agency of the United States government acting on behalf of a tribe or band (agency) by entering into a jurisdictional transfer agreement with the tribe or band or agency. The jurisdictional transfer agreement must contain a dispute resolution provision and a provision requiring that the highway remain open to vehicular traffic unless the tribe or band or agency conducts a highway discontinuation proceeding similar to the proceeding that would occur if the city, village, or town in which the highway is located were discontinuing the highway.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

