



State of Wisconsin
2015 - 2016 LEGISLATURE

LRB-4453/1
MES:wlj

2015 SENATE BILL 722

February 11, 2016 – Introduced by Senators C. LARSON, CARPENTER, L. TAYLOR and HARRIS DODD, cosponsored by Representatives SINICKI, BARNES, BOWEN, BROSTOFF, JOHNSON, KESSLER, BERCEAU, OHNSTAD and SUBECK. Referred to Committee on Elections and Local Government.

1 **AN ACT** *to repeal* 59.17 (2) (b) 3. a. to c. and 59.52 (31) (e); *to renumber and*
2 *amend* 59.17 (2) (b) 3. (intro.); and *to amend* 59.52 (6) (intro.) and 59.52 (6) (a)
3 of the statutes; **relating to:** reducing certain authority of the Milwaukee
4 County executive in the area of land transactions and increasing certain
5 authority of the Milwaukee County Board in that area.

Analysis by the Legislative Reference Bureau

With regard to certain land transactions in Milwaukee County, this bill requires that the county executive's actions to sell or lease certain property must be consistent with county board policy and must be approved by the board before the actions may take effect. Under the bill, the board may only approve or reject the contract as negotiated by the county executive. Under current law, as affected by the 2015 state budget bill, Act 55, the county executive is empowered to engage in such land transaction in a way that does not need to be consistent with county board policy and could take effect without county board approval, subject to a limitation.

For further information see the *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:

SENATE BILL 722**SECTION 1**

1 **SECTION 1.** 59.17 (2) (b) 3. (intro.) of the statutes, as affected by 2015 Wisconsin
2 Act 55, is renumbered 59.17 (2) (b) 3. and amended to read:

3 59.17 (2) (b) 3. Exercise the authority under s. 59.52 (6) (a) that would
4 otherwise be exercised by a county board, ~~except that the county board may continue~~
5 ~~to exercise the authority under s. 59.52 (6) with regard to land that is zoned as a park~~
6 ~~on or after July 14, 2015, other than land zoned as a park in the city of Milwaukee~~
7 ~~that is located within the area west of Lincoln Memorial Drive, south of E. Michigan~~
8 ~~Street, east of N. Van Buren Street, and north of E. Clybourn Avenue. With regard~~
9 ~~to the sale, acquisition, or lease as landlord or tenant of property, other than certain~~
10 ~~park land as described in this subdivision, the county executive's action need not~~
11 ~~must be consistent with established county board policy and may take effect without~~
12 ~~submission to or approval by~~ must be approved by the county board. ~~The proceeds~~
13 ~~of the sale of property as authorized under this subdivision shall first be applied to~~
14 ~~any debt attached to the property. Before the county executive's sale of county land~~
15 ~~may take effect, a majority of the following must sign a document, a copy of which~~
16 ~~will be attached to the bill of sale and a copy of which will be retained by the county,~~
17 ~~certifying that they believe the sale is in the best interests of the county: to take~~
18 ~~effect. The county board may only approve or reject the contract as negotiated by the~~
19 county executive.

20 **SECTION 2.** 59.17 (2) (b) 3. a. to c. of the statutes, as created by 2015 Wisconsin
21 Act 55, are repealed.

22 **SECTION 3.** 59.52 (6) (intro.) of the statutes, as affected by 2015 Wisconsin Act
23 55, is amended to read:

24 59.52 (6) PROPERTY. (intro.) ~~Except as provided in s. 59.17 (2) (b) 3., the~~ The
25 board may:

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1 **SECTION 4.** 59.52 (6) (a) of the statutes, as affected by 2015 Wisconsin Act 55,
2 is amended to read:

3 59.52 (6) (a) *How acquired; purposes.* ~~Take~~ Except as provided in s. 59.17 (2)
4 (b) 3., take and hold land acquired under ch. 75 and acquire, lease or rent property,
5 real and personal, for public uses or purposes of any nature, including without
6 limitation acquisitions for county buildings, airports, parks, recreation, highways,
7 dam sites in parks, parkways and playgrounds, flowages, sewage and waste disposal
8 for county institutions, lime pits for operation under s. 59.70 (24), equipment for
9 clearing and draining land and controlling weeds for operation under s. 59.70 (18),
10 ambulances, acquisition and transfer of real property to the state for new collegiate
11 institutions or research facilities, and for transfer to the state for state parks and for
12 the uses and purposes specified in s. 23.09 (2) (d).

13 **SECTION 5.** 59.52 (31) (e) of the statutes, as created by 2015 Wisconsin Act 55,
14 is repealed.

15 **SECTION 6. Initial applicability.**

16 (1) This act first applies to a land transaction for which a contract has not been
17 entered into on the effective date of this subsection.

18

(END)