



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-1630/P1
JK&ZDW:cdc

DOA:.....Ziegler, BB0536 - Sale to Tribes of Certain County Land

FOR 2021-2023 BUDGET -- NOT READY FOR INTRODUCTION

AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

NATURAL RESOURCES

FORESTRY

Withdrawal of lands for sale to American Indian tribes

Under current law, a county board may designate certain land as a county forest and enter that designation by application to DNR. The county must manage the county forest for recreational use, timber harvesting, and other specified purposes and DNR must make payment to the county based on the acreage of county forest the county maintains. A county may subsequently apply to DNR to withdraw the entry of land as a county forest and sell the land. If the sale is to be to a person other than the state or a local unit of government, DNR must establish a minimum value for the land to be withdrawn. Under the bill, county forest that is withdrawn to be sold to an American Indian tribe or band is also excluded from the requirement that DNR establish the minimum value of the land to be withdrawn.

TAXATION

PROPERTY TAXATION

Sales of certain lands to American Indian tribes

Current law provides that before a county may sell tax delinquent real estate in its possession it must provide public notice of the sale and the property's appraised

value. In addition, although the county may accept any bid on the property that is advantageous to it, the county may not accept at the first attempt to sell the property a bid that is less than the property's appraised value. After that first attempt, the property may be sold at less than its appraised value if the sale is reviewed and approved by the county board or by a committee designated by the board. Also, the county may not sell the property for less than the highest bid unless the county board prepares a written statement for public inspection that explains its reasons for accepting a lower bid. Under current law, these provisions do not apply to the sale or exchange of lands to or between municipalities or to the state. Under the bill, the provision for the sale of tax delinquent real state also does not apply to the sale or exchange of lands to or between federally recognized American Indian tribes or bands.

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:

SECTION 1. 28.11 (11) (a) 2. of the statutes is amended to read:

28.11 (11) (a) 2. Upon the filing of an application to withdraw lands under subd. 1., the department shall investigate the application. During the course of its investigation the department shall make an examination of the character of the land, the volume of timber, improvements, and any other special values. In the case of withdrawal for the purpose of sale to any purchaser other than the state or a local unit of government, or a federally recognized American Indian tribe or band, the department shall establish a minimum value on the lands to be withdrawn. In making its investigation the department shall give full weight and consideration to the purposes and principles set forth in sub. (1), and it shall also weigh and consider the benefits to the people of the state as a whole, as well as to the county, from the proposed use against the benefits accruing to the people of the state as a whole and to the county under the continued entry of the lands to be withdrawn. The department may conduct a public hearing on the application, if it considers it

advisable, at a time and place that it determines, except that if the county requests a public hearing in writing, the department shall hold a public hearing.

SECTION 2. 75.69 (2) of the statutes is amended to read:

75.69 (2) This section shall not apply to exchange of property under s. 59.69 (8), to withdrawal and sale of county forest lands, nor to the sale or exchange of lands to or between municipalities or federally recognized American Indian tribes or bands or to the state.

(END)