



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2005 Wisconsin Act 352
[2005 Assembly Bill 1012]

**Board of Commissioner of Public
Lands Sale of Public Lands and
Investment of Sale Proceeds**

2005 Wisconsin Act 352 requires the Department of Natural Resources to set aside \$2,000,000 in each fiscal year beginning in fiscal year 2006-07 and ending in fiscal year 2009-10, under the Warren Knowles-Gaylord Nelson Stewardship 2000 Program, to acquire certain lands from the Board of Commissioner of Public Lands (BCPL). The Act, in turn, requires the BCPL to sell public lands that it identifies to the state. The BCPL must have the identified public lands independently appraised after the Act's effective date, but before the sale.

The Act generally requires the BCPL to sell public lands by public auction or sealed bid. The Act provides that if the sale is by sealed bid, the highest bid must be accepted, unless the highest bid is below the minimum price fixed by law. If the highest bid is below the fixed minimum price, then all bids may be rejected; if all bids are rejected or no bid is received, the BCPL may readvertise the sale, adjourn the sale to a definite date, or withhold the land from sale.

The Act directs the BCPL to establish an account in each of the trust funds (the common school fund, the normal school fund, the university fund, and the agricultural college fund) for the deposit of the proceeds from the sale of the identified public lands. The Act authorizes the BCPL to invest this money in the purchase of land in this state, and for the payment of expenses necessarily related to investing in the land, if all of the following conditions apply:

- The land is within any applicable consolidation area approved by the BCPL;
- The total acreage of public lands managed by the BCPL does not exceed the total acreage of public lands managed by the board on the Act's effective date;
- The BCPL determines the purchase of land will improve timberland management, address forest fragmentation, or increase public access to land; and
- The money is derived from the sale of public lands on or after the Act's effective date.

The Act specifies that if the BCPL purchases land that was subject to assessment or levy of real property tax at the time of purchase, the BCPL must make annual payments in lieu of taxes from timber

This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature's Web site at: <http://www.legis.state.wi.us/>.

sales or from appropriate trust fund incomes to the appropriate local governmental unit in an amount equal to property taxes levied on the land in the year before the BCPL purchased the land.

Effective Date: Act 352 took effect on May 3, 2006.

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