



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2003 Assembly Bill 517

**Assembly
Substitute Amendment 1**

Memo published: February 12, 2004

Contact: Dan Schmidt, Analyst (267-7251)

Current law does not specify how a state agency that proposes to sell real property owned by the state must provide notice of the sale.

2003 Assembly Bill 517 requires any state agency that proposes to sell any real property that is owned by the state to post a sign on the property that is visible from a public highway, road, or street. If no such thoroughfare abutting the property exists, the sign announcing the sale must be posted in the right-of-way of the nearest public highway, road, or street at a location designated by the Department of Transportation or by the county or municipality that has jurisdiction of the right-of-way. The bill also requires an agency proposing such a sale to send an announcement of the proposed sale to at least three newspapers that are qualified to publish legal notices and that are likely to provide effective notice of the sale. The required signs and announcements must be placed at least 14 days prior to entering an agreement to sell the property.

Assembly Substitute Amendment 1 removes the specific sign and announcement requirements under the bill and requires a state agency proposing to sell real property owned by the state to promulgate rules that specify how the public may receive notice of the proposed sale and submit an offer to purchase property. The method of notice must afford the greatest possible effective notice to the public that is practical under the circumstances. An agency must notify the public in the manner specified by rule prior to selling any property owned by the state.

Assembly Substitute Amendment 1 was adopted by the Assembly Committee on Government Operations and Spending Limitations by unanimous consent and 2003 Assembly Bill 517 was recommended for passage, as amended, by a vote of Ayes, 5; Noes, 1; on February 11, 2004.

DWS:ksm