

1999 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-AB133)

Received: 06/23/99

Received By: dykmapj

Wanted: Soon

Identical to LRB:

For: Senate Democratic Caucus 6-2257

By/Representing: Walter

This file may be shown to any legislator: NO

Drafter: dykmapj

May Contact:

Alt. Drafters: gibsom

Subject: Nat. Res. - LWSR stewardship

Extra Copies:

Pre Topic:

SDC:.....Walter - 1709,

Topic:

Acquisition of land by condemnation

Instructions:

See Attached Repeal 23.0915 (1m) (b) and 23.0917

Drafting History:

| <u>Vers.</u> | <u>Drafted</u> | <u>Reviewed</u> | <u>Typed</u> | <u>Proofed</u> | <u>Submitted</u> | <u>Jacketed</u> | <u>Required</u> |
|--------------|---------------------|----------------------|----------------------|----------------|--------------------------|-----------------|-----------------|
| /1 | dykmapj 06/24/99 | wjackson 06/24/99 | hhagen 06/24/99 | _____ | ismith 06/24/99 | | |
| /2 | gibsom 06/25/99 | wjackson 06/25/99 | jfrantze 06/26/99 | _____ | lrb_docadmin 06/26/99 | | |

FE Sent For:

<END>

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| /1 | dykmapj 06/24/99 | wjackson 06/24/99 | hhagen 06/24/99 | _____ | ismith 06/24/99 | | |

FE Sent For:

J 6/26
J 6/26
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|--------------|----------------|-----------------|--------------|----------------|------------------|-----------------|-----------------|
| /? | dykmapj | /1 WLj @/29 | | _____ | | | |

FE Sent For:

<END>

yes

SDC 61188

Agency: Natural Resources - Stewardship

caucus number 1402

duplicate flag:
duplicate with:

| | |
|-------------------------------|--------------|
| Other reference numbers: | LFB Sum #: |
| bill number/amendment number: | |
| LRB draft # | LRB P-draft: |

description: Earmark \$2.5 million annually in the Stewardship Program's general land acquisition category to be used for municipal flood control and riparian restoration efforts.

other notes Modification to above: just do this: Alternatively, add \$10 million bonding to the flood prevention category of the omnibus nonpoint source pollution prevention motion adopted by finance

drafting instructions: see above and attached language for "general gist" of what we are trying to accomplish

more instructions:

caucus number 1709

duplicate flag:
duplicate with:

| | |
|-------------------------------|--------------|
| Other reference numbers: | LFB Sum #: |
| bill number/amendment number: | |
| LRB draft # | LRB P-draft: |

description: Repeal s. 23.0915(1m)(b), Stats. This would allow acquisition of land at a fair market compensation and prevent windfalls to holdout owners.

other notes

drafting instructions: Repeal s. 23.0915(1m)(b), Stats. See above. *and take similar language out of 452 15-25 453 1-6 p437, her 22-25*

more instructions: *Don't delete 23.27(5) also s. 23.0917(8)(b) OK?*

caucus number 2123

duplicate flag:
duplicate with:

| | |
|-------------------------------|--------------|
| Other reference numbers: | LFB Sum #: |
| FM 1362 | |
| bill number/amendment number: | |
| LRB draft # | LRB P-draft: |

description: Stewardship Program. Establish recording system in Land Council for intangible land sales such as the purchase of a development right. Passed JFC 16-0.

other notes

drafting instructions: See above and attached

more instructions:

caucus number 2309

duplicate flag:
duplicate with:

| | |
|-------------------------------|--------------|
| Other reference numbers: | LFB Sum #: |
| FM 1342 | |
| bill number/amendment number: | |
| LRB draft # | LRB P-draft: |

description: Require DNR to provide up to \$125,000 (\$25,000 increase from JFC allocation - FM 1342) for development of the Keyes Lake Recreational Area from the Stewardship Program

other notes

drafting instructions: Increase funding of Freestanding Motion 1342 by \$25,000. See above.

more instructions:

Stewardship

Repeal s. 23.0915(1m)(b), Stats.

This section prohibits the Department of Natural Resources from expending any moneys from the Stewardship Fund appropriation (s. 20.866 (2) (tz), Stats.) for the acquisition or development of land by a county or other local governmental unit or political subdivision if the county, local governmental unit or political subdivision acquires the land involved by condemnation.

In urban areas, savvy owners who hold key parcels in a proposed preservation area (e.g., a greenway or trail area) can hold out for an extortionate price because they know that eminent domain cannot be used to obtain the land. This would allow acquisition of land at a fair market compensation and prevent windfalls to holdout owners.

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBb1188/1dn
PJD&MGG.../.....
Wlj

June 24, 1999

STET
This amendment repeals s. 23.0914 (1m) (b) from current law as you requested, and also deletes a provision patterned after it in the substitute amendment (s. 23.0917 (8) (b)) and the amendment of another provision (s. 23.27 (5)) in the substitute amendment related to the provision. OK?

Atty. Peter J. Dykman
General Counsel
Phone: (608) 266-7098
E-mail: Peter.Dykman@legis.state.wi.us



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb1188/1
PJD&MGG.../.....
Wlj

D-NOTE

SDC:.....Walter - 1709, Acquisition of land by condemnation

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 1999 ASSEMBLY BILL 133

1 At the locations indicated, amend the substitute amendment as follows:

2 ✓ 1. Page 427, line 18: after that line insert:

3 (3) "SECTION 663gm. 23.091⁵ (1m) (b) of the statutes is repealed."

4 ✓ 2. Page 437, line 22: delete lines 22 to 25.

5 ✓ 3. Page 452, line 15: delete lines 15 to 25.

6 ✓ 4. Page 453, line 1: delete lines 1 to 6.

7 (END)

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb1188/1dn
PJD&MGG:wj:ksh

June 24, 1999

This amendment repeals s. 23.0915 (1m) (b) from current law as you requested, and also deletes a provision patterned after it in the substitute amendment (s. 23.0917 (8) (b)) and the amendment of another provision (s. 23.27 (5)) in the substitute amendment related to the provision. OK?

Atty. Peter J. Dykman
General Counsel
Phone: (608) 266-7098
E-mail: Peter.Dykman@legis.state.wi.us



State of Wisconsin
1999 - 2000 LEGISLATURE

RMR 2
LRBb1188/4
PJD&MGG:wlj:ksh

seen D-N

SDC:.....Walter - 1709, Acquisition of land by condemnation

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 1999 ASSEMBLY BILL 133

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 427, line 18: after that line insert:

3 "SECTION 663gm. 23.0915 (1m) (b) of the statutes is repealed."

4 2. Page 437, line 22: delete lines 22 to 25.

5 ~~3. Page 452, line 15: delete lines 15 to 25.~~

6 ~~4. Page 453, line 1: delete lines 1 to 6.~~

7 (END)

This redraft does the following:

1. Repeals s. 23.0915(1m)(b) ²⁰⁰⁰

2. Deletes similar language from the stewardship program.

~~3. Does~~

This redraft does not affect condemnation language

in s. 23.27(5) That language has been in effect

before there was any stewardship program

and was not part of the legislation that enacted

s. 23.0915(1m)(b) o

MBB

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBb1188/2dn
MGG:wlj:jjf

June 26, 1999

This redraft does the following:

1. Repeals s. 23.0915 (1m) (b).
2. Deletes similar language from the stewardship 2000 program.

This redraft does not affect condemnation language in s. 23.27 (5). That language has been in effect before there was any stewardship program and was not part of the legislation that enacted s. 23.0915 (1m) (b).

Mary Gibson-Glass
Senior Legislative Attorney
Phone: (608) 267-3215



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb1188/2
PJD&MGG:wlj:jf

SDC:.....Walter - 1709, Acquisition of land by condemnation

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 1999 ASSEMBLY BILL 133

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 427, line 18: after that line insert:

3 “SECTION 663gm. 23.0915 (1m) (b) of the statutes is repealed.”.

4 **2.** Page 437, line 22: delete lines 22 to 25.

5 (END)