

Fiscal Estimate - 2011 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 11-0275/2	Introduction Number SB-083	
Description Various changes to the eminent domain laws		
Fiscal Effect		
State: <input checked="" type="checkbox"/> No State Fiscal Effect <input type="checkbox"/> Indeterminate <input type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Decrease Existing Revenues <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Create New Appropriations <input type="checkbox"/> Decrease Costs		
Local: <input type="checkbox"/> No Local Government Costs <input checked="" type="checkbox"/> Indeterminate 1. <input type="checkbox"/> Increase Costs 3. <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 2. <input type="checkbox"/> Decrease Costs 4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 5. Types of Local Government Units Affected <input type="checkbox"/> Towns <input checked="" type="checkbox"/> Village <input checked="" type="checkbox"/> Cities <input type="checkbox"/> Counties <input type="checkbox"/> Others <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts		
Fund Sources Affected Affected Ch. 20 Appropriations <input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS		
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Fiscal Estimate Narratives

DOT 3/15/2011

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Assumptions Used in Arriving at Fiscal Estimate

There should be no fiscal or policy effects to DOT or local agencies as it relates to transportation related acquisitions either under eminent domain or the threat of eminent domain.

There will be some effect to cities and villages relating to non-transportation eminent domain actions (i.e. community development, redevelopment authority -- in particular if blighted areas are involved). When land is required for an economic development project, local redevelopment authorities generally consider eminent domain to be "last resort" acquisition strategy. More frequently, the land is the subject of voluntary acquisition. In some instances, the use of voluntary sale may require a higher payment to the seller than would acquisition through eminent domain; in other cases, the total transaction costs are roughly equal. In the absence of a willing seller, given the restrictions proposed in the legislation, a limited number of projects that would generate increased property tax base and economic activity may not occur at all.

There are other ripple effects. For economic development blight acquisitions, the result could be the loss of: deals, new jobs, increased tax revenue, revitalization and blight elimination. For other blight elimination or blight reduction acquisitions, the result could be the loss of opportunity (or far less opportunity) to reduce or eliminate blight, which means that the property and neighborhood suffer. It is nearly impossible to calculate the "opportunity costs" of this proposed legislation.

Long-Range Fiscal Implications

No transportation related implications. Probable implications to some non-transportation city and village projects relating to economic development and local redevelopment.