

**1999 DRAFTING REQUEST**

**Bill**

Received: **09/25/98**

Received By: **shoveme**

Wanted: **As time permits**

Identical to LRB:

For: **Tony Staskunas (608) 266-0620**

By/Representing: **Mike**

This file may be shown to any legislator: **NO**

Drafter: **shoveme**

May Contact: **Michael Sachen**

Alt. Drafters:

**414-302-8450**

**West Allis City Atty**

Subject: **Munis - miscellaneous**

Extra Copies:

**Munis - tax incrmntal financing**

---

**Pre Topic:**

No specific pre topic given

---

**Topic:**

Blighted area law, environmental pollution

---

**Instructions:**

See Attached. Add "envir. pollution" to definitions of "blight" and "blighted area" in blighted area law, s. 66.431; also add it to def. of "blighted area" in TIF law, s. 66.46

---

**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	shoveme 10/9/98	gilfokm 12/26/98	hhagen 01/6/99	_____	lrb_docadmin 01/6/99	lrb_docadminS&L 03/3/99	

FE Sent For:

03-08-99

<END>

**1999 DRAFTING REQUEST**

**Bill**

Received: 09/25/98

Received By: **shoveme**

Wanted: **As time permits**

Identical to LRB:

For: **Tony Staskunas (608) 266-0620**

By/Representing: **Mike**

This file may be shown to any legislator: **NO**

Drafter: **shoveme**

May Contact: **Michael Sachen**  
**414-302-8450**  
**West Allis City Atty**

Alt. Drafters:

Subject: **Munis - miscellaneous**  
**Munis - tax incrmntal financing**

Extra Copies:

**Topic:**

Blighted area law, environmental pollution

**Instructions:**

See Attached. Add "envir. pollution" to definitions of "blight" and "blighted area" in blighted area law, s. 66.431; also add it to def. of "blighted area" in TIF law, s. 66.46

**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	shoveme 10/9/98	gilfokm 12/26/98	hhagen 01/6/99	_____	lrb_docadmin 01/6/99		S&L

FE Sent For:

<END>

**1999 DRAFTING REQUEST**

**Bill**

Received: 09/25/98

Received By: **shoveme**

Wanted: **As time permits**

Identical to LRB:

For: **Tony Staskunas (608) 266-0620**

By/Representing: **Mike**

This file may be shown to any legislator: **NO**

Drafter: **shoveme**

May Contact: **Michael Sachen**  
**414-302-8450**  
**West Allis City Atty**

Alt. Drafters:

Subject: **Munis - miscellaneous**  
**Munis - tax incrmntal financing**

Extra Copies:

---

**Topic:**

Blighted area law, environmental pollution

---

**Instructions:**

See Attached. Add "envir. pollution" to definitions of "blight" and "blighted area" in blighted area law, s. 66.431; also add it to def. of "blighted area" in TIF law, s. 66.46

---

**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?	shoveme	cmh 11/23 1-12-98	all 1/6	_____	_____	_____	_____
11 MES 10/9/98				all 1/6			

FE Sent For:

<END>

APR 30 1998



# CITY OF WEST ALLIS

WISCONSIN



*request from  
Mike in  
Rep Staskunas'  
office  
sent to  
CRB 9/22/98*

## OFFICE OF THE CITY ATTORNEY

April 29, 1998

**Michael J. Sachen**  
City Attorney

**Thomas G. Cullen**  
**Scott E. Post**  
**Sheryl L. Kuhary**  
Assistant  
City Attorneys

State Representative  
Anthony J. Staskunas  
15th Assembly District  
P.O. Box 8953  
Madison, WI 53708

and

Senator Peggy Rosenzweig  
P.O. Box 7882  
Madison, WI 53707-7882

RE: Blight Elimination

Dear Senator Rosenzweig and Representative Staskunas:

To assist the City of West Allis in its blight elimination projects, the Legislative Committee believes it is essential to specifically include "environmental pollution" in the definition of blighted area and blighted property in the Blight Area Law (Wis. Stats. §66.43) and the Blight Elimination and Slum Clearance Act (Wis. Stats. §66.431).<sup>1</sup> Also, it should be made absolutely clear that a municipality or redevelopment authority have the right to make environmental inspections of properties in blighted areas or of individual properties which have been determined to be blighted.

We are aware that Senator Rosenzweig has procured an analysis dated April 3, 1998, from the Legislative Counsel's office that opines that the definition of "blight area" in the Blight Elimination and Slum Clearance Statute is "sufficiently broad to provide authority for environmental remediation." While a strong case can be made under existing legislation that environmental pollution is a factor that can trigger a blight area or property determination, the Committee believes that, and our experience has shown, the need to redevelop Brownfields sites in our urban areas to restore growth and vitality to these areas requires that any uncertainty regarding these matters be taken off the board.

<sup>1</sup> We also think it is advisable to amend the definition of "blighted area" in Tax Increment Law, Wis. Stats. §66.46; to provide consistency of definition and assure the availability of this extremely valuable financing tool for redevelopment projects where the blight determination is based upon environmental pollution, in whole or in part. Legislation is already in place making "environmental pollution" an "eligible cost" under the Tax Increment Law. See Wis. Stats. §66.46 and recently enacted Wis. Stats. §66.462 (1997 Wisconsin Act 27, Section 2216).

State Senator Peggy Rosenzweig and  
State Representative Anthony J. Staskunas  
April 29, 1998  
Page -2-

On the second point, it should be pointed out that a right-of-entry for inspections, surveys, appraisals, soundings or test borings currently exist under the Blight Elimination and Slum Clearance Act for properties within the boundaries of a project area. This we think needs to specifically reference "environmental investigations" and, most assuredly, be expanded to include individual properties which are determined to be blighted. The ability to investigate the nature and extent of environmental pollution in an area or on an individual property is critical to the decision to proceed with a redevelopment project or to acquire a single blighted property to eliminate its status as blighted. While a municipality or redevelopment authority is provided an exemption from environmental liability under state law with respect to property acquired through condemnation or for the purpose of slum clearance or blight elimination<sup>2</sup>, the property must, in any event, be restored to a condition that will make it acceptable for development by the private sector. This means, in most cases, a clean-up that will provide an Act 453 exemption. Therefore, a municipality or redevelopment authority must know the environmental condition of an area or property before they are acquired to determine whether a redevelopment project can be completed in a fiscally responsible and timely manner.

We have taken the liberty to prepare a draft of the changes we believe are necessary to clarify these matters. We hope you will give serious consideration to sponsoring this important legislation initiative in the upcoming session. The Legislative Committee and I look forward to working with you on this important initiative.

Yours very truly,



Michael J. Sachin  
City Attorney

MJS:da

Enclosure

Sachen\corr\Staskin.BE

cc: Mayor Jeannette Bell  
Aldersperson Paul M. Murphy, President, West Allis Common Council  
Aldersperson Rosalie L. Reinke, Chairman, Advisory Committee  
John F. Stibal, Director of Development

---

<sup>2</sup> See Wis. Stats. §292.11(9)(e)1m.c. and d., enacted as part of 1997 Wisconsin Act 27, the Biennial Budget Bill.

66.43 Blighted area law.

\* \* \*

(3) Definitions. The following terms whenever used or referred to in this section shall, for the purposes of this section and unless a different intent clearly appears from the context, be construed as follows:

(a) "Blighted area" means any area, including a slum area, in which a majority of the structures are residential or in which there is a predominance of buildings or improvements, whether residential or nonresidential, and which, by reason of dilapidation, deterioration, age or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, environmental pollution or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency and crime, and is detrimental to the public health, safety, morals or welfare.

\* \* \*

(bm) "Environmental pollution" has the meaning given in s. 299.01(4).

\* \* \*

(4) Power of cities.

(a) Every city is granted, in addition to its other powers, all powers necessary or convenient to carry out and effectuate the purposes and provisions of this section, including the following powers in addition to others herein granted:

\* \* \*

3. Within its boundaries, to acquire by purchase, eminent domain or otherwise, any real or personal property or any interest therein, together with any improvements thereon, necessary or incidental to a redevelopment project; to hold, improve, clear or prepare for redevelopment any such property; to sell, lease, subdivide, retain for its own use, mortgage, or otherwise encumber or dispose of any such property or any interest therein; to enter into contracts with redevelopers of property containing covenants, restrictions, and conditions regarding the use of such property in accordance with a

(1)

redemption plan and such other covenants, restrictions and conditions as it may deem necessary to prevent a recurrence of blighted areas or to effectuate the purposes of this section; to make any of such covenants, restrictions, conditions or covenants running with the land, and to provide appropriate remedies for any breach thereof; within the boundaries of the city to enter any building or property in any project area or any blighted property in order to make inspections, surveys appraisals, soundings or test borings, environmental investigations and to obtain an order for this purpose from a court of competent jurisdiction in the event entry is denied or resisted.

\* \* \*

**66.431 Blight elimination and slum clearance.**

\* \* \*

**(2m) Definitions.**

\* \* \*

(b) "Blighted area" means any of the following:

1. An area, including a slum area, in which there is a predominance of buildings or improvements, whether residential or non-residential, which by reason of dilapidation, deterioration, age, or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, environmental pollution or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, or crime, and is detrimental to the public health, safety, morals or welfare.

2. An area which by reason of the presence of a substantial number of substandard, slum, deteriorated or deteriorating structures, predominance of defective or inadequate street layout, faulty lot layout in relation to size, adequacy, accessibility or usefulness, unsanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the fair value of the land, defective or unusual conditions of title, environmental pollution or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, substantially impairs or arrests the sound growth of a city, retards the provision of housing accommodations or constitutes an economic or social liability and is a menace to the public health, safety, morals, or welfare in its present condition and use.

(2)

City Attorney's Office  
City of West Allis  
April 23, 1993

3. An area which is predominantly open and which because of obsolete platting, diversity of ownership, deterioration of structures or of site improvements, **environmental pollution**, or otherwise, substantially impairs or arrests the sound growth of the community.

(bm) "Blighted property" means any property within a city, whether residential or nonresidential, which by reason of dilapidation, deterioration, age or obsolescence, inadequate provisions for ventilation, light, air or sanitation, high density of population and overcrowding, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency or crime, and is detrimental to the public health, safety, morals or welfare, or any property which by reason of faulty lot layout in relation to size, adequacy, accessibility or usefulness, insanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the fair market value of the land, defective or unusual conditions of title, **environmental pollution**, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, substantially impairs or arrests the sound growth of a city, retards the provisions of housing accommodations or constitutes an economic or social liability and is a menace to the public health, safety, morals, or welfare in its present condition and use, or any property which is predominantly open and which because of obsolete platting, diversity of ownership, deterioration of structures or of site improvements, **environmental pollution**, or otherwise, substantially impairs or arrests the sound growth of the community.

\* \* \*

(fm) "Environmental pollution" has the meaning given in s. 299.01(4).

(5) Powers of Redevelopment Authorities.

(a)3. Within the boundaries of the city to acquire by purchase, lease, eminent domain, or otherwise, any real or personal property or any interest therein, together with any improvements thereon, necessary or incidental to a redevelopment or urban renewal project; to hold, improve, clear or prepare for redevelopment or urban renewal any such property; to sell, lease, subdivide, retain or make available for the city's use; to mortgage or otherwise encumber or dispose of any such property or any interest therein; to enter into contracts with redevelopers of property containing covenants, restrictions and conditions regarding the use of such property in accordance with a redevelopment or urban renewal plan, and such other covenants,

(3)

City Attorney's Office  
City of West Allis  
April 23, 1998



restrictions and conditions as the authority deems necessary to prevent a recurrence of blighted areas or to effectuate the purposes of this section; to make any of such covenants, restrictions, conditions or covenants running with the land and to provide appropriate remedies for any breach thereof; to arrange or contract for the furnishings of services, privileges, works or facilities for, or in connection with a project; to temporarily operate and maintain real property acquired by it in a project area for or in connection with a project pending the disposition of the property for such uses and purposes as may be deemed desirable even though not in conformity with the redevelopment plan for the area; within the boundaries of the city to enter into any building or property in any project area or any blighted property in order to make inspections, surveys appraisals, soundings or test borings, environmental investigations and to obtain an order for this purpose from a court of competent jurisdiction in the event entry is denied or resisted; to own and hold property and to insure or provide for the insurance of any real or personal property or any of its operations against any risks or hazards, including the power to pay premiums on any such insurance; to invest any project funds held in reserves or sinking funds or any such funds not required for immediate disbursement in property or securities in which savings banks may legally invest funds subject to their control; to redeem its bonds issued under this section at the redemption price established therein or to purchase such bonds at less than redemption price, all such bonds so redeemed or purchased to be canceled; to develop, test and report methods and techniques, and carry out demonstrations and other activities, for the prevention and elimination of slums and blight; and to disseminate blight elimination, slum clearance and urban renewal information.

#### 66.46 Tax incremental law.

- (1) **Short Title.** This section shall be known and may be cited as the "Tax Increment Law".
- (2) **Definitions.** In this section, unless a different intent clearly appears from the context:
  - (a) 1. "Blighted area" means any of the following:
    - a. An area, including a slum area, in which the structures, buildings or improvements, which by reason of dilapidation, deterioration, age or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, environmental pollution or the existence of conditions which endanger life or property by fire

(4)

City Attorney's Office  
City of West Allis  
April 23, 1998

and other causes, or any combination of these factors is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, or crime, and is detrimental to the public health, safety, morals or welfare.

b. An area which is predominantly open and which consists primarily of an abandoned highway corridor, as defined in s. 66.431(2m)(a), or that consists of land upon which buildings or structures have been demolished and which because of obsolete platting, diversity of ownership, deterioration of structures or of site improvements, environmental pollution or otherwise, substantially impairs or arrests the sound growth of the community.

2. "Blighted area" does not include predominantly open land area that has been developed only for agricultural purposes.

(am) "Environmental pollution" has the meaning given in s. 299.01(4).

Changes indicated by redlining.



RMR

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

WFO:  
It was just decided that the new style is to use cap ref. to these Acts and laws, so initial cap those which were not already typed that way - and don't change those which were typed with initial caps. KG

gen

1 AN ACT ... relating to: expanding the definitions of "blighted area" and "blighted  
2 property" under the blighted area law, the Blight Elimination and Slum  
3 Clearance Act and the tax incremental law.

initial caps remain

**Analysis by the Legislative Reference Bureau**

Under current law, cities and villages may act under the blighted area law to carry out redevelopment projects in a blighted area. Current law defines "blighted area" to include any area which endangers life or property by fire and other causes or is conducive to ill health or transmission of disease and is detrimental to the public health, safety, morals or welfare. The current Blight Elimination and Slum Clearance Act authorizes cities and villages to create a redevelopment authority to engage in blight elimination, slum clearance and urban renewal programs and projects, and defines "blighted area" and "blighted property" in a way that is similar to the definition under the blighted area law. Finally, current law authorizes cities and villages to act under the Tax Incremental Law to undertake a project that eliminates a "blighted area", which is defined in a way that is similar to the definition under the blighted area law and the Blight Elimination and Slum Clearance Act. This bill broadens the definition of "blighted area" to include "environmental pollution" and authorizes a city or village, under the blighted area law and the Blight Elimination and Slum Clearance Act, to enter blighted property to make environmental investigations and to obtain, under the blighted area law, a court order to do so in the event, entry is denied or resisted. The authority to obtain such a court order currently exists under the Blight Elimination and Slum Clearance Act.

that

For further information see the *state and 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:*

1           **SECTION 1.** 66.43 (3) (a) of the statutes is amended to read:

2           66.43 (3) (a) “Blighted area” means any area, including a slum area, in which  
3 a majority of the structures are residential or in which there is a predominance of  
4 buildings or improvements, whether residential or nonresidential, and which, by  
5 reason of dilapidation, deterioration, age or obsolescence, inadequate provision for  
6 ventilation, light, air, sanitation, or open spaces, high density of population and  
7 overcrowding, environmental pollution or the existence of conditions which  
8 endanger life or property by fire and other causes, or any combination of such factors,  
9 is conducive to ill health, transmission of disease, infant mortality, juvenile  
10 delinquency and crime, and is detrimental to the public health, safety, morals or  
11 welfare.

12 History: 1975 c. 94, 311; 1981 c. 112; 1983 a. 24; 1983 a. 189 ss. 58, 329 (7); 1983 a. 207 s. 95; 1991 a. 156, 316; 1993 a. 112, 184, 213; 1995 a. 225.

12           **SECTION 2.** 66.43 (3) (bm) of the statutes is created to read:

13           66.43 (3) (bm) “Environmental pollution” has the meaning given in s. 299.01  
14 (4).

15           **SECTION 3.** 66.43 (4) (a) 3. of the statutes is amended to read:

16           66.43 (4) (a) 3. Within its boundaries, to acquire by purchase, eminent domain  
17 or otherwise, any real or personal property or any interest therein, together with any  
18 improvements thereon, necessary or incidental to a redevelopment project; to hold,  
19 improve, clear or prepare for redevelopment any such property; to sell, lease,  
20 subdivide, retain for its own use, mortgage, or otherwise encumber or dispose of any  
21 such property or any interest therein; to enter into contracts with redevelopers of

1 property containing covenants, restrictions, and conditions regarding the use of such  
 2 property in accordance with a redevelopment plan and such other covenants,  
 3 restrictions and conditions as it may deem necessary to prevent a recurrence of  
 4 blighted areas or to effectuate the purposes of this section; to make any of such  
 5 covenants, restrictions, conditions or covenants running with the land, and to  
 6 provide appropriate remedies for any breach thereof; to enter into any building,  
 7 property in any project area or blighted area in order to make inspections, surveys,  
 8 appraisals, soundings or test borings, environmental investigations and to obtain an  
 9 order for this purpose from a court of competent jurisdiction in the event entry is  
 10 denied or resisted.

History: 1975 c. 94, 311; 1981 c. 112; 1983 a. 24; 1983 a. 189 ss. 58, 329 (7); 1983 a. 207 e. 95; 1991 a. 156, 316; 1993 a. 112, 184, 213, 1995 a. 225.

11 **66.43 (3) SECTION 4.** 66.431 (2m) (b) 1. of the statutes is amended to read:

12 66.431 (2m) (b) 1. An area, including a slum area, in which there is a  
 13 predominance of buildings or improvements, whether residential or nonresidential,  
 14 which by reason of dilapidation, deterioration, age or obsolescence, inadequate  
 15 provision for ventilation, light, air, sanitation, or open spaces, high density of  
 16 population and overcrowding, environmental pollution or the existence of conditions  
 17 which endanger life or property by fire and other causes, or any combination of such  
 18 factors is conducive to ill health, transmission of disease, infant mortality, juvenile  
 19 delinquency, or crime, and is detrimental to the public health, safety, morals or  
 20 welfare.

History: 1973 c. 172; 1973 c. 4, 94, 350; 1979 c. 89, 110, 221; 1981 c. 20, 112, 232; 1983 a. 24, 189; 1985 a. 219; 1987 a. 27, 403; 1989 a. 31, 89; 1991 a. 316; 1993 a. 16, 112, 172, 184, 268, 301; 1995 a. 27, 225.

21 **SECTION 5.** 66.431 (2m) (b) 3. of the statutes is amended to read:

22 66.431 (2m) (b) 3. An area which is predominantly open and which because of  
 23 obsolete platting, diversity of ownership, deterioration of structures or of site

1 improvements, environmental pollution or otherwise, substantially impairs or  
2 arrests the sound growth of the community.

History: 1973 c. 172; 1975 c. 4, 94, 350; 1979 c. 89, 110, 221; 1981 c. 20, 112, 232; 1983 a. 24, 189; 1985 a. 219; 1987 a. 27, 403; 1989 a. 31, 89; 1991 a. 316; 1993 a. 16, 112, 172, 184, 268, 301; 1995 a. 27, 225.

3 **SECTION 6. 66.431 (2m) (bm)** of the statutes is amended to read:

4 **66.431 (2m) (bm)** "Blighted property" means any property within a city,  
5 whether residential or nonresidential, which by reason of dilapidation,  
6 deterioration, age or obsolescence, inadequate provisions for ventilation, light, air or  
7 sanitation, high density of population and overcrowding, or the existence of  
8 conditions which endanger life or property by fire and other causes, or any  
9 combination of such factors, is conducive to ill health, transmission of disease, infant  
10 mortality, juvenile delinquency or crime, and is detrimental to the public health,  
11 safety, morals or welfare, or any property which by reason of faulty lot layout in  
12 relation to size, adequacy, accessibility or usefulness, insanitary or unsafe  
13 conditions, deterioration of site or other improvements, diversity of ownership, tax  
14 or special assessment delinquency exceeding the fair market value of the land,  
15 defective or unusual conditions of title, environmental pollution or the existence of  
16 conditions which endanger life or property by fire and other causes, or any  
17 combination of such factors, substantially impairs or arrests the sound growth of a  
18 city, retards the provisions of housing accommodations or constitutes an economic or  
19 social liability and is a menace to the public health, safety, morals or welfare in its  
20 present condition and use, or any property which is predominantly open and which  
21 because of obsolete platting, diversity of ownership, deterioration of structures or of  
22 site improvements, environmental pollution or otherwise, substantially impairs or  
23 arrests the sound growth of the community.

History: 1973 c. 172; 1975 c. 4, 94, 350; 1979 c. 89, 110, 221; 1981 c. 20, 112, 232; 1983 a. 24, 189; 1985 a. 219; 1987 a. 27, 403; 1989 a. 31, 89; 1991 a. 316; 1993 a. 16, 112, 172, 184, 268, 301; 1995 a. 27, 225.

1 SECTION 7. 66.431 (2m) (fe) of the statutes is created to read:

2 66.431 (2m) (fe) "Environmental pollution" has the meaning given in s. 299.01  
3 (4).

4 SECTION 8. 66.431 (5) (a) 3. of the statutes is amended to read:

5 66.431 (5) (a) 3. Within the boundaries of the city to acquire by purchase, lease,  
6 eminent domain, or otherwise, any real or personal property or any interest therein,  
7 together with any improvements thereon, necessary or incidental to a  
8 redevelopment or urban renewal project; to hold, improve, clear or prepare for  
9 redevelopment or urban renewal any such property; to sell, lease, subdivide, retain  
10 or make available for the city's use; to mortgage or otherwise encumber or dispose  
11 of any such property or any interest therein; to enter into contracts with redevelopers  
12 of property containing covenants, restrictions and conditions regarding the use of  
13 such property in accordance with a redevelopment or urban renewal plan, and such  
14 other covenants, restrictions and conditions as the authority deems necessary to  
15 prevent a recurrence of blighted areas or to effectuate the purposes of this section;  
16 to make any of such covenants, restrictions, conditions or covenants running with  
17 the land and to provide appropriate remedies for any breach thereof; to arrange or  
18 contract for the furnishing of services, privileges, works or facilities for, or in  
19 connection with a project; to temporarily operate and maintain real property  
20 acquired by it in a project area for or in connection with a project pending the  
21 disposition of the property for such uses and purposes as may be deemed desirable  
22 even though not in conformity with the redevelopment plan for the area; within the

23 boundaries of the city to enter into any building <sup>or plain</sup> property in any project area or into any

24 blighted property in order to make inspections, surveys, appraisals, soundings ~~or,~~

25 test borings, or environmental investigations and to obtain an order for this purpose

1 from a court of competent jurisdiction in the event entry is denied or resisted; to own  
2 and hold property and to insure or provide for the insurance of any real or personal  
3 property or any of its operations against any risks or hazards, including the power  
4 to pay premiums on any such insurance; to invest any project funds held in reserves  
5 or sinking funds or any such funds not required for immediate disbursement in  
6 property or securities in which savings banks may legally invest funds subject to  
7 their control; to redeem its bonds issued under this section at the redemption price  
8 established therein or to purchase such bonds at less than redemption price, all such  
9 bonds so redeemed or purchased to be canceled; to develop, test and report methods  
10 and techniques, and carry out demonstrations and other activities, for the  
11 prevention and elimination of slums and blight; and to disseminate blight  
12 elimination, slum clearance and urban renewal information.

**History:** 1973 c. 172; 1975 c. 4, 94, 350; 1979 c. 89, 110, 221; 1981 c. 20, 112, 232; 1983 a. 24, 189; 1985 a. 219; 1987 a. 27, 403; 1989 a. 31, 89; 1991 a. 316; 1993 a. 16, 112, 172, 184, 268, 301; 1995 a. 27, 225.

13 **SECTION 9. 66.46 (2) (a) 1. a.** of the statutes is amended to read:

14 66.46 (2) (a) 1. a. An area, including a slum area, in which the structures,  
15 buildings or improvements, which by reason of dilapidation, deterioration, age or  
16 obsolescence, inadequate provision for ventilation, light, air, sanitation, or open  
17 spaces, high density of population and overcrowding, environmental pollution or the  
18 existence of conditions which endanger life or property by fire and other causes, or  
19 any combination of these factors is conducive to ill health, transmission of disease,  
20 infant mortality, juvenile delinquency, or crime, and is detrimental to the public  
21 health, safety, morals or welfare.

**History:** 1975 c. 105, 199, 311; 1977 c. 29 ss. 724m, 725, 1646 (1), (3); 1977 c. 418; 1979 c. 221, 343; 1979 c. 361 s. 112; 1981 c. 20, 317; 1983 a. 27, 31, 207, 320, 405, 538; 1985 a. 29, 39, 285; 1987 a. 27, 186, 395; 1989 a. 31, 336; 1993 a. 293, 337, 399; 1995 a. 27 ss. 3330c to 3337, 9116 (5), 9130 (4); 1995 a. 201, 225, 227, 335; 1997 a. 3, 27, 237, 252.

22 **SECTION 10. 66.46 (2) (a) 1. b.** of the statutes is amended to read:



1           66.46 (2) (a) 1. b. An area which is predominantly open and which consists  
2 primarily of an abandoned highway corridor, as defined in s. 66.431 (2m) (a), or that  
3 consists of land upon which buildings or structures have been demolished and which  
4 because of obsolete platting, diversity of ownership, deterioration of structures or of  
5 site improvements, environmental pollution or otherwise, substantially impairs or  
6 arrests the sound growth of the community.

History: 1975 c. 103, 199, 311; 1977 c. 29 ss. 724m, 725, 1646 (1), (3); 1977 c. 418; 1979 c. 221, 343; 1979 c. 361 s. 112; 1981 c. 20, 317; 1983 a. 27, 31, 207, 320, 405, 538; 1985 a. 29, 39, 285; 1987 a. 27, 186, 395; 1989 a. 31, 336; 1993 a. 293, 337, 399; 1995 a. 27 ss. 3330c to 3337, 9116 (5), 9130 (4); 1995 a. 201, 225, 227, 335; 1997 a. 3, 27, 237, 252.

7

(END)

**SUBMITTAL  
FORM**

**LEGISLATIVE REFERENCE BUREAU  
Legal Section Telephone: 266-3561  
5th Floor, 100 N. Hamilton Street**

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and sign on the appropriate line(s) below.

**Date:** 1/6/99

**To:** Representative Staskunas

**Relating to LRB drafting number:** LRB-0354

**Topic**

Blighted area law, environmental pollution

**Subject(s)**

Munis - miscellaneous, Munis - tax incremental financing

1. **JACKET** the draft for introduction \_\_\_\_\_

in the **Senate** \_\_\_\_\_ or the **Assembly**  (check only one). Only the requester under whose name the

drafting request is entered in the LRB's drafting records may authorize the draft to be submitted. Please allow one day for the preparation of the required copies.

2. **REDRAFT.** See the changes indicated or attached \_\_\_\_\_

A revised draft will be submitted for your approval with changes incorporated.

3. Obtain **FISCAL ESTIMATE NOW**, prior to introduction \_\_\_\_\_

If the analysis indicates that a fiscal estimate is required because the proposal makes an appropriation or increases or decreases existing appropriations or state or general local government fiscal liability or revenues, you have the option to request the fiscal estimate prior to introduction. If you choose to introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon introduction. It takes about 10 days to obtain a fiscal estimate. Requesting the fiscal estimate prior to introduction retains your flexibility for possible redrafting of the proposal.

If you have any questions regarding the above procedures, please call 266-3561. If you have any questions relating to the attached draft, please feel free to call me.

Marc E. Shovers, Senior Legislative Attorney  
Telephone: (608) 266-0129