#### 1999 DRAFTING REQUEST

#### Assembly Amendment (AA-AB183)

Receive	d: <b>04/21/99</b>		Received By: shoveme													
Wanted: As time permits  For: Tony Staskunas (608) 266-0620  This file may be shown to any legislator: NO  May Contact:					Identical to LRB:  By/Representing: Rep. Staskunas  Drafter: shoveme  Alt. Drafters:											
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Instruc	tions:															
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Draftin	g History:															
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This file may be shown to any legislator: NO	Drafter: shoveme
May Contact:	Alt. Drafters:
Subject: Munis - miscellaneous	Extra Copies:
Pre Topic:	
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Topic:	
Blighted area law, environmental investigations	
Instructions:	
See Attached	
Drafting History:	
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#### Shovers, Marc

From:

Ramirez, Adrienne

Sent:

Tuesday, April 20, 1999 2:58 PM

To: Subject:

Shovers, Marc Amendment to AB 183 drafting request

Marc-Rep. Staskunas has asked that you draft the following amendment to AB 183.

On page 3 line 11 after environmental investigations delete "and to obtain an order for this purpose from a court of competent jurisdiction in the event entry is denied or resisted. And insert "; in the event entry is denied or resisted, the authority may obtain an order for this purpose from a court of competent jurisdiction, after notice and hearing thereon, upon a showing that the authority intends to acquire the property or any interest therein under this section, that there are grounds from which to conclude that there may be environmental pollution on the property and that the investigations to be conducted are needed to determine the nature and extent of the environmental pollution.

On page 5 line 25 after environmental investigations delete "and to obtain an order for this purpose from a court of competent jurisdiction in the event entry is denied or resisted; And insert ";in the event entry is denied or resisted, the authority may obtain an order for this purpose from a court of competent jurisdiction, after notice and hearing thereon, upon a showing that the authority intends to acquire the property or any interest therein under this section, that there are

Adrienne Ramirez

The of Rep. Staskunas

6-0620

Mark the investigations to be

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#### State of Misconsin 1999 - 2000 LEGISLATURE

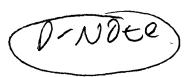
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plain

### ASSEMBLY AMENDMENT,

TO 1999 ASSEMBLY BILL 183



At the locations indicated, amend the bill as follows:

1. Page 3, line 11: delete lines 11 to 13 and substitute ("appraisals, soundings or test borings or environmental investigations, except that if entry is denied or resisted the authority may obtain an order for this purpose from a court of competent jurisdiction before an order may be entered, however, notice shall be given and a hearing before the court shall be held at which the authority shall state that it intends to acquire the property or any interest in the property under this section, that evidence exists that led the authority to conclude that there may be environmental pollution on the property and that the investigations to be conducted are needed to determine the nature and extent of the environmental pollution."

**2.** Page 3, line 14: delete "66.43 (3)".

3. Page 5, line 25: delete that line and substitute or, test borings, and to obtain an order for this.

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resisted

Fix component and substitute (INSA) delete 4. Page 6, line 1: stilled through that line 5. Page 6, line 2: strike through "resisted;" and insert thenealter "or environmental investigations, except that if entry is denied or resisted the authority may obtain an order for this purpose from a court of competent jurisdiction; before 4 an order may be entered, however, notice shall be given and a hearing before the 5 court shall be held at which the authority shall state that it intends to acquire the 6 property or any interest in the property under this section, that evidence exists that 7

led the authority to conclude that there may be environmental pollution on the property and that the investigations to be conducted are needed to determine the

nature and extent of the environmental pollution. 10

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(END)

PI believe that this amendment (intent, but its not captures your intent, but its not captures your intent, but its not captures your intent, but its notice clear to me who is to give the notice clear to be hearing and to whom it is for the purery of the given to be given. prnote

LRB

#### 1999–2000 DRAFTING INSERT FROM THE LEGISLATIVE REFERENCE BUREAU



#### Insert A

(C purpose from a court of competent jurisdiction in the event entry is denied or

# DRAFTER'S NOTE FROM THE LEGISLATIVE REFERENCE BUREAU

LRBa0322/1dn MES:jlg:jf

April 22, 1999

I believe that this amendment captures your intent, but it's not clear to me who is to give the notice for the hearing and to whom it is to be given.

Marc E. Shovers Senior Legislative Attorney Phone: (608) 266–0129

E-mail: Marc.Shovers@legis.state.wi.us



### State of Misconsin



## ASSEMBLY AMENDMENT, TO 1999 ASSEMBLY BILL 183

At the locations indicated, amend the bill as follows:

- Page 3, line 11: delete lines 11 to 13 and substitute "appraisals, soundings or test borings or environmental investigations, except that if entry is denied or resisted the authority may obtain an order for this purpose from a court of competent to the property output jurisdiction; before an order may be entered, however, notice shall be given and a hearing before the court shall be held at which the authority shall state that it intends to acquire the property or any interest in the property under this section.

  1 rounds

  that produce exists that led the authority to conclude that there may be environmental pollution on the property and that the investigations to be conducted are needed to determine the nature and extent of the environmental pollution."
  - **2.** Page 3, line 14: delete "66.43 (3)".
- 3. Page 5, line 25: delete that line and substitute "or, test borings, and to obtain an order for this".

- 4. Page 6, line 1: delete that line and substitute "purpose from a court of competent jurisdiction in the event entry is denied or".
- investigations, except that if entry is denied or resisted the authority may obtain an order for this purpose from a court of competent jurisdiction; before an order may be entered, however, notice shall be given and a hearing before the court shall be held at which the authority shall state that it intends to acquire the property or any interest in the property under this section, that wild entry exists that led the authority to conclude that there may be environmental pollution on the property and that the investigations to be conducted are needed to determine the nature and extent of the environmental pollution:".

(END)