

1999 DRAFTING REQUEST**Assembly Amendment (AA-AB183)**Received: **04/21/99**Received By: **shoveme**Wanted: **As time permits**

Identical to LRB:

For: **Tony Staskunas (608) 266-0620**By/Representing: **Rep. Staskunas**This file may be shown to any legislator: **NO**Drafter: **shoveme**

May Contact:

Alt. Drafters:

Subject: **Munis - miscellaneous**

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Blighted area law, environmental investigations

Instructions:

See Attached

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 04/21/99	jgeller 04/21/99	jfrantze 04/22/99	_____	lrb_docadmin 04/22/99	lrb_docadmin 04/22/99	
/2	shoveme 04/22/99	jgeller 04/23/99	hhagen 04/27/99	_____	lrb_docadmin 04/27/99	lrb_docadmin 04/28/99	

FE Sent For:

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12 MES 4/22/99/24/23 Jg
 FE Sent For: *04/22/99* *04/22/99*

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/1	shoveme	1 4/21 jlg	6/4/22	6/4/22			
11 MES 4/21/99							

FE Sent For:

<END>

Shovers, Marc

From: Ramirez, Adrienne
Sent: Tuesday, April 20, 1999 2:58 PM
To: Shovers, Marc
Subject: 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 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.

Please call if you have any questions regarding this request.

Adrienne Ramirez
Office of Rep. Staskunas
6-0620

What does this phrase refer to?

- 1) what stud must city meet?*
- 2) they intend to acq prop*
- 3) grounds exist that thercy poll invest'g is needed to determine*

scope
must the authority offer this evid at the hearing at which it tries to get an Order to enter the prop?



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBa0322/1

MES.....

SOON

JG (RMR)

ASSEMBLY AMENDMENT,
TO 1999 ASSEMBLY BILL 183

D-NDee

1 At the locations indicated, amend the bill as follows:

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

11 2. Page 3, line 14: delete “66.43 (3)”. ✓

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

plain

Fix component

delete

and substitute INSA

Fix component

1

4. Page 6, line 1: ~~strike through~~ that line.

resisted;

2

5. Page 6, line 2: ~~strike through~~ "resisted;" and ~~insert thereafter~~ "or

substitute

3 environmental investigations, except that if entry is denied or resisted the authority
4 may obtain an order for this purpose from a court of competent jurisdiction; before
5 an order may be entered, however, notice shall be given and a hearing before the
6 court shall be held at which the authority shall state that it intends to acquire the
7 property or any interest in the property under this section, that evidence exists that
8 led the authority to conclude that there may be environmental pollution on the
9 property and that the investigations to be conducted are needed to determine the
10 nature and extent of the environmental pollution.

semicolon

(END)

A-note

FI 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.

AMZ f

1999-2000 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB
.....

WFO-
type

Insert A

“~~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



FMR

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TO 1999 ASSEMBLY BILL 183

1 At the locations indicated, amend the bill as follows:

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

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

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

