

FISCAL ESTIMATE FORM

1999 Session

- ORIGINAL UPDATED
 CORRECTED SUPPLEMENTAL

LRB # - 3736/1

INTRODUCTION # SB 278

Admin. Rule #

Subject

Allowing property owned by the state to be condemned.

Fiscal Effect

State: No State Fiscal Effect

Check columns below only if bill makes a direct appropriation or affects a sum sufficient appropriation.

- Increase Existing Appropriation Increase Existing Revenues
 Decrease Existing Appropriation Decrease Existing Revenues
 Create New Appropriation

- Increase Costs - May be possible to Absorb Within Agency's Budget Yes No
 Decrease Costs

Local: No local government costs

1. Increase Costs
 Permissive Mandatory
 2. Decrease Costs
 Permissive Mandatory

3. Increase Revenues
 Permissive Mandatory
 4. Decrease Revenues
 Permissive Mandatory

5. Types of Local Governmental Units Affected:
 Towns Villages Cities
 Counties Others _____
 School Districts WTCS Districts

Fund Sources Affected

- GPR FED PRO PRS SEG SEG-S

Affected Ch. 20 Appropriations

Assumptions Used in Arriving at Fiscal Estimate:

Under current law, any entity that has the power of condemnation may not condemn land owned by this state, a municipality, public board or commission. This bill would allow these entities to condemn state-owned property.

Any entity that initiates condemnation proceedings will experience increase costs. Costs that may be incurred, but are not limited to, may be for property appraisals, filing fees, and court costs.

Prior to condemnation, a full narrative appraisal of the property is required. In addition, the owner may also submit an additional appraisal and submit the costs to the condemnor. Other costs may include those for distributing information on condemnation proceedings and maps of adjacent property to the owners involved. Any discrepancies need to be recorded at the register of deeds in the county where the property is located. The condemnor may also contract to pay any items of compensation that are negotiated (i.e., difference in market value from the time the appraisal was completed). If a jurisdictional offer is not accepted, the case may be referred to the county condemnation commissioners for their determination. Once a hearing has been held, the condemnor either pays the award determined by the commissioners, or files an abandonment of proceedings. The case then may go through the appeal process to a higher court. Costs associated with condemnation proceedings will increase with each additional step necessary to come to an agreement.

Since it is not possible to determine the number of entities that would condemn state-owned property, nor how many times each individual entity would file proceedings, the fiscal effect of this bill is indeterminable.

Long-Range Fiscal Implications:

Prepared By: / Phone # / Agency Name

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Date

11/10/99
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FISCAL ESTIMATE WORKSHEET

Detailed Estimate of Annual Fiscal Effect

1999 Session

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- CORRECTED
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Allowing property owned by the state to be condemned.

I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):

II. Annualized Costs:		Annualized Fiscal impact on State funds from:	
		Increased Costs	Decreased Costs
A. State Costs by Category			
State Operations - Salaries and Fringes		\$	\$ -
(FTE Position Changes)		(FTE)	(- FTE)
State Operations - Other Costs			-
Local Assistance			-
Aids to Individuals or Organizations			-
TOTAL State Costs by Category		\$	\$ -
B. State Costs by Source of Funds		Increased Costs	Decreased Costs
GPR		\$	\$ -
FED			-
PRO/PRS			-
SEG/SEG-S			-
State Revenues Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.)		Increased Rev.	Decreased Rev.
GPR Taxes		\$	\$ -
GPR Earned			-
FED			-
PRO/PRS			-
SEG/SEG-S			-
TOTAL State Revenues		\$	\$ -

NET ANNUALIZED FISCAL IMPACT

	<u>STATE</u>	<u>LOCAL</u>
NET CHANGE IN COSTS	\$ _____	\$ Indeterminable
NET CHANGE IN REVENUES	\$ _____	\$ _____

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