

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-4065/P2dnin1

ALL.....

. Concerning proposed s. 229.844 (17), we assumed you intended to limit the district's power to enter upon private property to the geographic area in which the district has eminent domain authority (rather than anywhere in the city). In this connection, see also *Redevelopment Authority v. Uptown Arts*, 229 Wis. 2d 458 (Ct. App., 1999) in which this entry power was essentially declared unconstitutional on its face. In that case, the court read in a requirement for the property owner to be afforded the opportunity to consider the necessity of the entry, the scope of the entry and the time, place and manner of the entry. Do you wish to amend the draft to address this issue?