

**2005 DRAFTING REQUEST**

**Bill**

Received: 11/09/2005

Received By: **pgrant**

Wanted: **As time permits**

Identical to LRB:

For: **Robert Jauch (608) 266-3510**

By/Representing: **Dan Kanninen**

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

Drafter: **pgrant**

May Contact:

Addl. Drafters:

Subject: **Eminent Domain - miscellaneous**

Extra Copies:

Submit via email: **YES**

Requester's email: **Sen.Jauch@legis.state.wi.us**

Carbon copy (CC:) to:

---

**Pre Topic:**

No specific pre topic given

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**Topic:**

Prohibiting condemnation of property for any purpose not expressly authorized by statute

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**Instructions:**

See Attached

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**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>
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FE Sent For:

<END>

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Please jacket

FE Sent For:

<END>

**Grant, Peter**

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**From:** Kanninen, Dan  
**Sent:** Wednesday, November 09, 2005 12:44 PM  
**To:** Grant, Peter  
**Subject:** Companion for LRB 3527/2

Peter,

Can you draft and have jacketed for us a Senate companion to Gary Sherman's LRB 3527/2 related to: Prohibiting condemnation of property for any purpose not expressly authorized by statute.

Thanks much-

dk

*Dan Kanninen*  
*Chief of Staff*  
*Office of State Senator Bob Jauch*  
*130 South, State Capitol*  
*608-266-3510 (office)*  
*608-213-3510 (cellular)*

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LRB-4570/1  
PG=wlj

# 2005 ASSEMBLY BILL 682

September 22, 2005 - Introduced by Representatives SHERMAN, AINSWORTH, BIES, SHERIDAN, FREESE, LEHMAN, STASKUNAS, OWENS, TURNER, POPE-ROBERTS, POCAN, TRAVIS, BOYLE, MOLEPSKE, ZIEGELBAUER, VRUWINK, HUBLER, NELSON and SINICKI, cosponsored by Senators HANSEN, DECKER, ERPENBACH and WIRCH. Referred to Committee on Property Rights and Land Management.

Regen

1 AN ACT to amend 32.02 (1); and to create 32.03 (6) of the statutes; relating to:  
2 prohibiting the condemnation of property for any purpose not expressly  
3 authorized.

### *Analysis by the Legislative Reference Bureau*

This bill prohibits the acquisition of property by condemnation unless the purpose of the condemnation is expressly authorized by statute.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

X

4 SECTION 1. 32.02 (1) of the statutes is amended to read:  
5 32.02 (1) Any county, town, village, city, including villages and cities  
6 incorporated under general or special acts, school district, the department of health  
7 and family services, the department of corrections, the board of regents of the  
8 University of Wisconsin System, the building commission, a commission created by  
9 contract under s. 66.0301, with the approval of the municipality in which

**ASSEMBLY BILL 682****SECTION 1**

1 condemnation is proposed, or any public board or commission, for any lawful purpose  
2 expressly authorized by statute, but in the case of city and village boards or  
3 commissions approval of that action is required to be granted by the governing body.  
4 A mosquito control commission, created under s. 59.70 (12), and a local professional  
5 football stadium district board, created under subch. IV of ch. 229, may not acquire  
6 property by condemnation.

7 **SECTION 2.** 32.03 (6) of the statutes is created to read:

8 32.03 (6) Notwithstanding any other statutory provision, property may not be  
9 acquired by condemnation unless the purpose of the condemnation is expressly  
10 authorized by statute.

11 **SECTION 3. Initial applicability.**

12 (1) This act first applies to jurisdictional offers to purchase made on the  
13 effective date of this subsection.

14 (END)