

2005 DRAFTING REQUEST

Bill

Received: **08/30/2005**

Received By: **pgrant**

Wanted: **As time permits**

Identical to LRB:

For: **Mary Williams (608) 266-7506**

By/Representing: **Cindy Polzin**

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: **Rep.WilliamsM@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Restrict exercise of condemnation authority

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>
/?	pgrant 08/30/2005	wjackson 08/31/2005		_____			
/1			jfrantze 09/01/2005	_____	mbarman 09/01/2005	sbasford 09/02/2005	

FE Sent For:

<END>

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/?	pgrant	1 WJ 8/31	Gal	ck a/i			

FE Sent For:

<END>

Grant, Peter

From: Polzin, Cindy
Sent: Tuesday, August 30, 2005 11:01 AM
To: Grant, Peter
Cc: Patrosky, Mark; Deschane, Brian
Subject: drafting

Attachments: 05-3501P3 (2).pdf



05-3501P3 (2).pdf
(13 KB)

Hi Peter and Mark -

I did not receive any comments, concerns, or questions regarding this preliminary draft, so let's go ahead and draft as is. I'm sure along the way amendments will come forward, but for the time being, let's move forward with this.

Thanks,
Cindy

CINDY POLZIN
STATE REP. MARY WILLIAMS
18 WEST
STATE CAPITOL
608.266.7506

SCOM
DJ

LRB-3512/11

PG:WLJ

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

Regen

1 AN ACT *to create* 32.03 (6) of the statutes; **relating to:** prohibiting the
2 condemnation of property under certain circumstances.

Analysis by the Legislative Reference Bureau

This is a preliminary draft. An analysis will be provided on a later version.

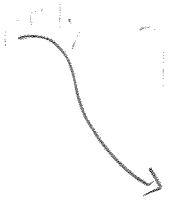
(attached) ✓

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

3 SECTION 1. 32.03 (6) of the statutes is created to read:

4 32.03 (6) (a) ~~is~~ In this subsection, ~~except as provided in subd. 2,~~ "blighted
5 property" means any property that, by reason of abandonment, dilapidation,
6 deterioration, age or obsolescence, inadequate provisions for ventilation, light, air,
7 or sanitation, high density of population and overcrowding, faulty lot layout in
8 relation to size, adequacy, accessibility, or usefulness, unsanitary or unsafe
9 conditions, deterioration of site or other improvements, or the existence of conditions
10 that endanger life or property by fire or other causes, or any combination of such
11 factors, is detrimental to the public health, safety, or welfare.

Not
= Property



1

~~2 Notwithstanding subd. 1, property~~ that includes one or more dwelling units

2 is not blighted property unless at least one of the following applies:

3

10 a. The property has been abandoned.

4

20 b. The property has been converted from a single dwelling unit to multiple dwelling units, and the crime rate in, on, or adjacent to the property is higher than in the remainder of the municipality in which the property is located.

7 (b) Property that is not blighted property may not be acquired by condemnation if the condemnor intends to convey or lease the acquired property to a private entity.

9 (c) Before commencing the condemnation of property that the condemnor intends to convey or lease to a private entity, the condemnor shall make a written finding that the property is blighted property.

12 SECTION 2. Initial applicability.

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

15 (END)

Analysis

① This bill prohibits the condemnation of property that is not blighted if the condemnor intends to convey ^{or} lease the acquired property to a private entity. The bill defines "blighted property" and provides that property that includes ^{one} ^{or} ^{more} dwelling units is not blighted unless the property ^{has been} abandoned, ^{or} the property has been converted from a single dwelling unit to multiple dwelling units, and the crime rate in ^{one} ^{or} adjacent to the property is higher than in the ~~remainder~~ rest of the municipality.

② The bill also requires a condemnor ^{to} commence the condemnation of

property that the condemnor intends to
convey or lease to a private entity,[^]
to make a written finding that the
property is blighted. \odot

Tom
6-11-94

(DN)

Cindy
Cindy -

After a short discussion with Mark
Patronsky
Patronsky, I changed the structure of
the draft to try to make the
definition a bit cleaner.

PG

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-3571/1dn
PG:wlj:jf

September 1, 2005

Cindy:

After a short discussion with Mark Patronskey, I changed the structure of the draft to try to make the definition a bit clearer.

Peter R. Grant
Managing Attorney
Phone: (608) 267-3362
E-mail: peter.grant@legis.state.wi.us

Barman, Mike

From: Polzin, Cindy
Sent: Friday, September 02, 2005 2:49 PM
To: LRB.Legal
Subject: Draft review: LRB 05-3571/1 Topic: Restrict exercise of condemnation authority

It has been requested by <Polzin, Cindy> that the following draft be jacketed for the ASSEMBLY:

Draft review: LRB 05-3571/1 Topic: Restrict exercise of condemnation authority