

2005 DRAFTING REQUEST

Assembly Substitute Amendment (ASA-AB657)

Received: **09/27/2005**

Received By: **pgrant**

Wanted: **As time permits**

Identical to LRB:

For: **Gary Sherman (608) 266-7690**

By/Representing: **Judy Kelly**

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.Sherman@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Prohibit condemnation in certain circumstances

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 09/27/2005	wjackson 09/27/2005		_____			
/1			pgreensl 09/27/2005	_____	sbasford 09/27/2005	sbasford 09/27/2005	

FE Sent For:

<END>

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1 wlj 9/27

[Handwritten signatures and initials over the Drafting History table]

FE Sent For:

<END>

Grant, Peter

From: Kelly, Judy
Sent: Tuesday, September 27, 2005 1:16 PM
To: Grant, Peter
Subject: Eminent domain

Gary wants to offer an amendment on the floor today so he needs you to draft a substitute amendment right away. He wants our eminent domain bill, AB682, to be offered as a substitute amendment to Mary Williams bill, AB657. If you have any questions, please call me. Thanks.

Judy Kelly
Legislative Aide to
Rep. Gary Sherman

166-7690

NO W

LRB's 0230 / 1
PG: - WLJ

A. SUB ST. AMDT. - 657
70 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:

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)



State of Wisconsin
2005 - 2006 LEGISLATURE

Corrected Copy

LRBS0230/1

09-30-05

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fixed

ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2005 ASSEMBLY BILL 657

September 27, 2005 - Offered by Representatives SHERMAN, VRUWINK, TURNER, MOLEPSKE, KESSLER, BENEDICT, SCHNEIDER, FIELDS, A. WILLIAMS, STASKUNAS, LEHMAN, SEIDEL, ZEPNICK, POCAN, GRONEMUS, COLON, TOLES, NELSON and SHERIDAN.

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