

2019 DRAFTING REQUEST**Assembly Amendment (AA-AB256)**

For: **Robert Brooks (608) 267-2369** Drafter: **elunder**
 By: **Christopher** Secondary Drafters:
 Date: **6/18/2019** May Contact:

Same as LRB:

Submit via email: **YES**
 Requester's email: **Rep.Rob.Brooks@legis.wisconsin.gov**
 Carbon copy (CC) to: **erika.lunder@legis.wisconsin.gov**
michael.duchek@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Imposing caps regardless of type of condemnor

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	elunder 6/18/2019	kfollett 6/18/2019			
/P1			dwalker 6/18/2019		
/1				lparisi 6/18/2019	

FE Sent For: **<END>**

Lunder, Erika

From: Schaefer, Christopher
Sent: Tuesday, June 18, 2019 12:14 PM
To: Lunder, Erika
Subject: RE: Assembly Bill 256

Yes, we would like to apply the caps on additional payments if the entity has statutory authority to be a condemnor.

Mr. Christopher Schaefer, M.A.
Legislative Assistant,
Office of Representative Rob Brooks
60th Assembly District
(608) 267-2369
Christopher.Schaefer@legis.wisconsin.gov

From: Lunder, Erika <Erika.Lunder@legis.wisconsin.gov>
Sent: Tuesday, June 18, 2019 12:08 PM
To: Schaefer, Christopher <Christopher.Schaefer@legis.wisconsin.gov>
Subject: RE: Assembly Bill 256

Hello,

No problem! I will take care of this right away. Just to make sure I understand---you want the amendment to apply the caps on additional payments in all situations, regardless of who the condemnor is?

Thanks,
Erika

From: Schaefer, Christopher <Christopher.Schaefer@legis.wisconsin.gov>
Sent: Tuesday, June 18, 2019 11:53 AM
To: Lunder, Erika <Erika.Lunder@legis.wisconsin.gov>
Subject: FW: Assembly Bill 256

Erika:

Our office received the following email from a constituent regarding Assembly Bill 256. Representative Brooks was wondering if it would make sense to draft an amendment including school districts and all other entities possessing condemnation authority?

I know it is short notice and I apologize, but would it be possible for us to get an amendment drafted in time for tomorrow's public hearing?

If you have any questions, do not hesitate to contact me.

Christopher

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60th Assembly District
(608) 267-2369
Christopher.Schaefer@legis.wisconsin.gov

From: Alyssa M. Krystosek <akrystosek@vonbriesen.com> **On Behalf Of** Alan H. Marcuvitz
Sent: Monday, June 17, 2019 9:53 AM
To: Rep.Rob.Brooks <Rep.Rob.Brooks@legis.wisconsin.gov>
Cc: Rep.Vos <Rep.Vos@legis.wisconsin.gov>; MMurphy@mtpleasantwi.gov; Alan H. Marcuvitz <amarcuvitz@vonbriesen.com>
Subject: Assembly Bill 256

Dear Representative Brooks,

Thank you for your interest in the subject of relocation benefits and authorizing Assembly Bill 256, to address what you describe as "drafting oversights" in Act 243. The fundamental flaw in Act 243 was (and remains) failing to recognize that every entity granted the power to condemn property under Section 32.02 can become a displacing agency and that, from the perspective of the displaced person, business or farmer, it makes no difference which entity is the displacing agency. If a business is displaced by a school district, the benefits should be the same as if the displacement is at the request of a city, for example. Thus, to cure the error of Act 243, all displacing agencies should either be capped or not, as the legislature decides.

Thank you for considering this.

Alan H. Marcuvitz
von Briesen & Roper, s.c.
411 East Wisconsin Avenue, Suite 1000
Milwaukee, Wisconsin 53202

Direct: 414-287-1401
Fax: 414-238-6625
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State of Wisconsin
2019 - 2020 LEGISLATURE

LRBa0368(?)

EKL: *[Signature]* (PI)

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION
ASSEMBLY AMENDMENT ,
TO ASSEMBLY BILL 256

IN: 6/18

DUE: 6/18

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 1, line 2: delete the material beginning with “condemnation” and
3 ending with “authority” on line 3 and substitute “additional payments made
4 following condemnations of property”.

5 **2.** Page 2, line 16: delete the material beginning with “If the” and ending with
6 “the payment” on line 18 and substitute “If the condemnor is a village, town, or city,
7 the The payment”.

8 **3.** Page 2, line 24: delete the material beginning with “If the” and ending with
9 “the amount” on page 3, line 2, and substitute “If the condemnor is a village, town,
10 or city, the The amount”.

11

(END)

Lunder, Erika

From: Schaefer, Christopher
Sent: Tuesday, June 18, 2019 2:52 PM
To: Lunder, Erika
Subject: RE: Assembly Bill 256

Thank you, Erika:

Could we have a slash one drafted and get the amendment drafted?

Mr. Christopher Schaefer, M.A.
Legislative Assistant,
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60th Assembly District
(608) 267-2369
Christopher.Schaefer@legis.wisconsin.gov

From: Lunder, Erika <Erika.Lunder@legis.wisconsin.gov>
Sent: Tuesday, June 18, 2019 2:47 PM
To: Schaefer, Christopher <Christopher.Schaefer@legis.wisconsin.gov>
Subject: RE: Assembly Bill 256

Hello,

Yes, it applies to all additional payments made by any condemnor under ss. 32.19 (4m) (a) (intro.) and 32.19 (4m) (b) 1.

Sincerely,
Erika

From: Schaefer, Christopher <Christopher.Schaefer@legis.wisconsin.gov>
Sent: Tuesday, June 18, 2019 2:33 PM
To: Lunder, Erika <Erika.Lunder@legis.wisconsin.gov>
Subject: RE: Assembly Bill 256

Erika

Thank you for the quick turnaround. Would you be able to explain the amendment, it was difficult to follow? Does the amendment apply to all condemnation authorities under 32.02 of statute?

Mr. Christopher Schaefer, M.A.
Legislative Assistant,
Office of Representative Rob Brooks
60th Assembly District
(608) 267-2369

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State of Wisconsin
2019 - 2020 LEGISLATURE

LRBa0368/P1

EKL:kjf

NO
Changes

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11 (END)