

Fiscal Estimate - 2019 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 19-0150/1	Introduction Number SB-065
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Description
 condemnation authority for recreational trails

Fiscal Effect

State:

No State Fiscal Effect
 Indeterminate

<input type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Create New Appropriations	<input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Decrease Existing Revenues	<input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Decrease Costs
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Local:

No Local Government Costs
 Indeterminate

1. <input type="checkbox"/> Increase Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 2. <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	3. <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	5. Types of Local Government Units Affected <input type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities <input type="checkbox"/> Counties <input type="checkbox"/> Others <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts
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Fund Sources Affected	Affected Ch. 20 Appropriations
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input checked="" type="checkbox"/> SEGS	20.395 (3)(cq)

Agency/Prepared By DOT/ Shawn Smith (608) 261-6120	Authorized Signature Joan Meier (608) 267-6978	Date 4/12/2019
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Fiscal Estimate Narratives

DOT 4/12/2019

LRB Number	19-0150/1	Introduction Number	SB-065	Estimate Type	Original
Description condemnation authority for recreational trails					

Assumptions Used in Arriving at Fiscal Estimate

STATE FISCAL EFFECT: The proposed legislation will restore the department's and local municipality's ability to condemn property in order to acquire land or interests in land for the purpose of establishing or extending recreational trails, bicycle ways or lanes, or pedestrian ways. This proposal does not require acquisition of property for bicycle or pedestrian facilities. However, the increased flexibility for WisDOT to acquire real estate could increase if the department acquires property under authority of this bill. Additionally, this legislation could decrease costs by allowing condemnation with payment of just compensation instead of negotiating a purchase with an unwilling seller for critical bikeway or pedestrian connections. Therefore, the department's analysis concludes that the state fiscal impact is indeterminate.

LOCAL FISCAL EFFECT: The department does not compel local municipalities what to include in their improvement/expansion projects. So, this proposal only provides more flexibility not new requirements. So, the local effect is indeterminate.

Long-Range Fiscal Implications

The proposal will eliminate the current condemnation prohibition for the department, and this will greatly reduce the risk of litigation that local units of government and WisDOT faces with the land acquisition process. An exact figure or percentage cannot be determined, but restoring condemnation authority improves the department's ability to complete capacity expansion projects.