

Fiscal Estimate Narratives

DNR 1/3/2024

LRB Number	23-4825/1	Introduction Number	AB-0863	Estimate Type	Original
Description condemnation authority for recreational trails					

Assumptions Used in Arriving at Fiscal Estimate

The bill allows the department to extend condemnation authority for acquisitions for the purpose of extending recreational trails, a bicycle way, or pedestrian way, as further defined in s. 340.01(5s); 340.01(5e) and 346.02(8)(a). Specifically, it grants condemnation authority to Counties, Cities, DOT and other local units of government.

A. State Fiscal Effect

The department, through the past many decades, has only dealt with willing sellers and has not acted on existing condemnation authority to acquire conservation lands. The department expects no significant change on current acquisition practices due to allowable condemnation changes in proposed the bill; therefore, no significant impact to staffing workload and expenses.

B. Local Fiscal effect

The bill provides local governments with the authority to use condemnation to establish or extend recreational trails. As an example, the department interprets the proposed changes to apply to situations where a local government or the DOT can avoid having to pay a reluctant landowner a rate above just-compensation for property providing for a continuous trail corridor.

Local governments already have broad condemnation authority under Wisconsin statutes and must strictly follow condemnation law. While the bill will have a local fiscal impact, the specifics of that impact cannot be identified and are therefore indeterminate.

Long-Range Fiscal Implications