



State of Wisconsin
2007 - 2008 LEGISLATURE

LRBs0126/1
ARG:jld:jf

**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2007 ASSEMBLY BILL 259**

December 4, 2007 - Offered by Representative NYGREN.

1 **AN ACT** *to amend* 86.255 (2) (a) of the statutes; **relating to:** the acquisition by
2 the Department of Transportation of land for mitigation related to highway
3 projects.

Analysis by the Legislative Reference Bureau

Current law generally prohibits the Department of Transportation (DOT), after October 28, 1999, from encumbering or expending highway program moneys for purposes related to the purchase of land, easements, or development rights in land, unless the land or interest in land is purchased in association with a highway project and the land or interest in land is located within one-quarter mile of the highway. An exception to this prohibition allows DOT to purchase land that is acquired as compensatory mitigation for another wetland that will suffer an adverse impact by degradation or destruction as part of a highway project.

Under this substitute amendment, this wetland mitigation exception does not apply if the land is shown on a comprehensive plan as designated for future commercial or industrial use unless the city, village, or town in which the land is located consents to the purchase.

