



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-3746/1
AJM:jld&kjf

2017 ASSEMBLY BILL 545

October 18, 2017 - Introduced by Representatives LOUDENBECK, SPREITZER, KOLSTE, NERISON, RIPP, STAFSHOLT and VRUWINK, cosponsored by Senators NASS, STROEBEL and RINGHAND. Referred to Committee on Transportation.

1 **AN ACT** *to amend* 32.02 (3); and *to create* 32.03 (7) of the statutes; **relating to:**
2 condemnation authority for certain railroad projects.

Analysis by the Legislative Reference Bureau

This bill requires that, in order for a railroad corporation to acquire by condemnation any property or property interest that exceeds 100 feet in width, the legislature must enact a law that states the legislature's findings that the railroad corporation's acquisition serves the public interest and authorizes the acquisition of the property or property interest. Generally, under current law, a railroad corporation may acquire property or a property interest by condemnation when that corporation is not able to acquire the property by gift or at an agreed price.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 **SECTION 1.** 32.02 (3) of the statutes is amended to read:
4 32.02 (3) ~~Any~~ Subject to s. 32.03 (7), any railroad corporation, any grantee of
5 a permit to construct a dam to develop hydroelectric energy for sale to the public, any
6 Wisconsin plank or turnpike road corporation, any drainage corporation, any

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SECTION 1

1 interstate bridge corporation, or any corporation formed under chapter 288, laws of
2 1899, for any public purpose authorized by its articles of incorporation.

3 **SECTION 2.** 32.03 (7) of the statutes is created to read:

4 32.03 (7) A railroad corporation may not acquire by condemnation any property
5 or property interest that exceeds a width of 100 feet unless law is enacted that
6 includes the legislative findings that the acquisition serves the public interest and
7 that authorizes the acquisition.

8 (END)