

## 1999 SENATE BILL 278

November 4, 1999 – Introduced by Senators DECKER and A. LASEE, cosponsored by Representative AINSWORTH. Referred to Committee on Economic Development, Housing and Government Operations.

1     **AN ACT to amend** 32.03 (1) of the statutes; **relating to:** allowing property owned  
2             by the state to be condemned.

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***Analysis by the Legislative Reference Bureau***

Under current law, an entity with the power of condemnation may not condemn property owned by the state or by a municipality, public board or commission. This bill allows property owned by the state to be condemned.

For further information see the ***state and local*** fiscal estimate, which will be printed as an appendix to this bill.

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

3             **SECTION 1.** 32.03 (1) of the statutes is amended to read:  
4             **32.03 (1)** The general power of condemnation conferred in this subchapter does  
5     not extend to property owned by ~~the state~~, a municipality, public board or  
6     commission, nor to the condemnation by a railroad, public utility or electric  
7     cooperative of the property of either a railroad, public utility or electric cooperative  
8     unless such power is specifically conferred by law, provided that property not to

**SENATE BILL 278****SECTION 1**

1 exceed 100 feet in width owned by or otherwise under the control or jurisdiction of  
2 a public board or commission of any city, village or town may be condemned by a  
3 railroad corporation for right-of-way or other purposes, whenever a city, village or  
4 town by ordinance consents thereto. This subchapter does not apply to the  
5 acquisition by municipalities of the property of public utilities used and useful in  
6 their business, nor to any city of the 1st class, except that every such city may conduct  
7 any condemnation proceedings either under this subchapter or, at its option, under  
8 other laws applicable to such city.

9 (END)