



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.

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.

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

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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)