2019 WI LAND+WATER RESOLUTION #3

IN SUPPORT OF REFORMING WISCONSIN’S EMINENT DOMAIN LAWS

WHEREAS, many private property owners in Wisconsin feel their property rights, under current Wisconsin Law, are not adequately protected from encroachment by outside entities, be they local, out of state, or international; and,

WHEREAS, eminent domain has historically been used sparingly for ensuring the public good with provable need and just compensation; and,

WHEREAS, public good cannot be construed to mean promotion of projects for private gain by outside corporate entities; and,

WHEREAS, a clearly defined and demonstrated “public good” has historically included issues demonstrating a true community need such as roadways, schools, public parks, public housing, and community centers; and,

WHEREAS, any other claimed cause for the taking of private property shall be proven to be for a public good in court of law; and,

WHEREAS, eminent domain shall not be used for any taking which is not for public good; and,

WHEREAS, a special legislative commission on the use of eminent domain power for private gain would be established to allow the public and local communities to voice their concerns over its use for private gain and for the State Legislator to explore revisions and amendments to the current eminent domain requirements in Chapter 32 Wisconsin Statutes; and,

NOW, THEREFORE BE IT RESOLVED that the WI Land+Water requests that State of Wisconsin establish a special legislative commission on the use of eminent domain for private gain in order to allow the State Legislature to pursue a change of law for the protection of its citizens’ private rights.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the governor, the state legislators, the Public Service Commission and the WI Counties Association.