



RESOLUTION# _____

Effective Date: August 15, 2017

Introduced by Judicial & Legislative Committee
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a new pipeline, the Line 3 Replacement in Minnesota that could carry up to 915,000 barrels per day of oil to the Enbridge terminal in Superior, which, because the current pipeline system in Wisconsin is at capacity, must continue flowing south through Wisconsin in a new pipeline; 4) announced plans to start construction on the Line 3 Replacement in Canada in the summer of 2017,

WHEREAS, during the 2015 Wisconsin budget process Enbridge instigated, drafted, and ultimately inserted an amendment to the state budget to change Wisconsin eminent domain statutes, without public hearings and without normal legislative processes. The change ensures Enbridge’s business structure is fully eligible for the state’s granting of eminent domain power to Enbridge,

WHEREAS, Enbridge is a for-profit company intended for the benefit of its investors, and as such the power Enbridge has exercised in the past and plans to exercise in the future for forcible land takings by eminent domain does not meet the US and Wisconsin constitutional standard of land takings only for public use,

WHEREAS, the rights of a landowner to own and control his or her property are the foundation of American democracy and individual liberty,

WHEREAS, other states have taken action to protect citizens’ property rights and prohibit the abuse of eminent domain powers by for-profit oil pipeline companies. State actions include: 1) South Carolina’s governor in June 2016 signed a three-year moratorium on the use of eminent domain by oil pipeline companies; 2) Georgia in 2017 passed a bill providing additional safeguards to landowners dealing with for-profit pipeline companies; 3) North Carolina has proposed a state constitutional amendment limiting the use of eminent domain to only land takings that meet the criterion of public use such as roads; 4) Nebraska, Iowa, and Illinois are considering bills to limit the abuses of eminent domain by oil pipeline companies,

WHEREAS, all authority to grant eminent domain power to oil pipeline companies resides solely at the state level, namely the Wisconsin Public Service Commission. Unlike natural gas pipelines, no federal government agencies have authority over land takings by oil pipeline companies. Therefore, the state legislature possesses the sole power and authority to revise state statutes to limit the abuses of eminent domain and restore property rights to Wisconsin citizens,

WHEREAS, residents in Wood County are threatened with the potential of having their land forcibly taken by Enbridge, a foreign company, for Enbridge’s private financial gain with little or no public benefit.

NOW, THEREFORE, THE WOOD COUNTY BOARD OF SUPERVISORS HEREBY RESOLVES to express their desire to the Wisconsin State Legislature and Governor to reform eminent domain laws to protect the property rights of Wisconsin citizens and prohibit the state from granting the power of eminent domain to for-profit oil pipeline companies.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to Governor Scott Walker, all Wood County state Senators and Assembly Representatives, to the Public Service Commissioners, and to the Wisconsin Counties Association.

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Adopted by the County Board of Wood County, this _____ day of _____ 20 _____ .

County Clerk

County Board Chairman