

**RESOLUTION
ROCK COUNTY BOARD OF SUPERVISORS**

Supervisor Wesley Davis
INITIATED BY



Supervisor Wesley Davis
DRAFTED BY

Public Works Committee &
County Board Staff Committee
SUBMITTED BY

March 28, 2019
DATE DRAFTED

In Support of Reforming Wisconsin's Eminent Domain Laws

- 1 **WHEREAS**, many private property owners in Rock County feel that their private property rights,
- 2 under current Wisconsin law, are not adequately protected from encroachment by outside entities, be
- 3 they local, out of state, or international; and
- 4
- 5 **WHEREAS**, eminent domain has historically been used sparingly for ensuring the public good with
- 6 provable need and just compensation; and
- 7
- 8 **WHEREAS**, public good cannot be construed to mean promotion of projects for private gain by
- 9 outside corporate entities; and
- 10
- 11 **WHEREAS**, a clearly defined and demonstrated "public good" might be things demonstrating a true
- 12 community need like roadways, schools, public parks, public housing, and community centers; and
- 13
- 14 **WHEREAS**, any other claimed cause for the taking of private property shall be proven to be for a public
- 15 good in a court of law by jury trial only; and
- 16
- 17 **WHEREAS**, eminent domain shall not be used for any taking which is not for public good; and
- 18
- 19 **WHEREAS**, a special legislative commission on the use of eminent domain shall be established to allow
- 20 the public and local communities to voice their concerns over its use and for the State Legislature to
- 21 explore revisions and amendments to the current eminent domain requirements in Chapter 32 Wisconsin
- 22 Statutes.
- 23
- 24 **NOW, THEREFORE, BE IT RESOLVED** that the Rock County Board of Supervisors duly
- 25 assembled this 23rd day of May, 2019, does hereby request that the State of
- 26 Wisconsin establish a special legislative commission on the use of eminent domain in order to allow
- 27 the state legislature to pursue a change of law for the protection of its citizens' private property rights.
- 28
- 29 **BE IT FURTHER RESOLVED** that a copy of this resolution will be forwarded to the Governor,
- 30 Wisconsin State Legislature, the Public Service Commissioners and to the Wisconsin Counties
- 31 Association.

19-5B-254

Respectfully submitted:

PUBLIC WORKS COMMITTEE

Betty Jo Bussie
Betty Jo Bussie, Chair

Rick Richard
Rick Richard

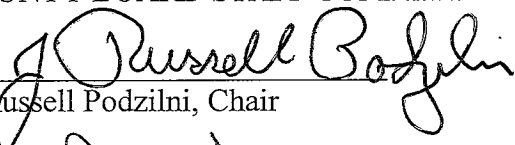
Absent
Brent Fox, Vice Chair


Jeremy Zajac
Jeremy Zajac

Absent
Brenton Driscoll


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COUNTY BOARD STAFF COMMITTEE



J. Russell Podzilni, Chair


Mary Mawhinney, Vice Chair


absent
Richard Bostwick


Henry Brill


Betty Jo Bussie


Louis Peer

absent
Alan Sweeney


Terry Thomas

NO
Bob Yeomans

FISCAL NOTE:

This resolution is advisory only and has no direct fiscal impact on Rock County operations in and by itself.


Sherry Oja
Finance Director


ADMINISTRATIVE NOTE:

Matter of Policy.


Josh Smith
County Administrator

LEGAL NOTE:

Advisory only.


Richard Greenlee
Corporation Counsel