



## Legislation Text

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**File #:** 22441, **Version:** 1

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### **Fiscal Note**

No expenditure is required.

### **Title**

Opposing 2011 Senate Bill 83 (changes to the eminent domain laws).

### **Body**

WHEREAS, as a large municipality, the City of Madison frequently exercises the eminent domain powers granted to it under the United States and Wisconsin Constitutions and the Wisconsin State Statutes to undertake highway, transportation facility (sidewalks, bicycle paths, and pedestrian paths), stormwater, sanitary sewer, water utility and park improvement and acquisition projects; and,

WHEREAS, the Community Development Authority of the City of Madison has exercised its eminent domain powers for the purposes of redevelopment activity in the redevelopment of the Block 89/Hotel Redevelopment District, the Todd Drive Redevelopment District, the Allied Drive Redevelopment District, and the Badger-Ann-Park Redevelopment District, replacing blighted and vacant commercial and residential properties with new and expanded commercial and residential properties, thereby eliminating blighting influences upon the neighborhoods, revitalizing the areas, and expanding the tax base; and,

WHEREAS, both the City and the CDA plan to continue exercising their eminent domain powers for the benefit of the City and its residents; and,

WHEREAS, on April 28, 2011 State Senator Mary Lazich (R-New Berlin) and ten cosponsors introduced 2011 Senate Bill 83, a bill making various changes to the State's eminent domain laws; and,

WHEREAS, as a result of the changes being proposed in 2011 Senate Bill 83, the City's ability to exercise its eminent domain powers will be greatly impaired, requiring additional resources and costs to be spent in all eminent domain actions, a slower overall condemnation process, and significantly affecting the City and the CDA's ability to use condemnation for the purposes of public infrastructure improvements and redevelopment respectively, to the point of making condemnation for the purposes of redevelopment no longer available as a means to improve a neighborhood and its tax base.

NOW, THEREFORE, BE IT RESOLVED that the City Of Madison opposes 2011 Senate Bill 83 in its entirety as this legislation will increase the financial and administrative costs of exercising the City and the CDA's condemnation authority and virtually eliminate the City and the CDA's ability to use condemnation to redevelop areas of the City for the betterment of its citizens, neighborhoods, and overall property values.