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To: Senate Committee on Judiciary, Utilities, Commerce, and Governing Operations
From: Dan Thompson, Executive Director, League of Wisconsin Municipalities
Date: May 3, 2011
Re: SB 83, Changing Municipal Eminent Domain Powers

The League of Wisconsin Municipalities opposes SB 83, making major changes to laws governing property condemnation by municipalities and redevelopment authorities. The bill would make it much more difficult for municipalities to condemn blighted property as part of a redevelopment project. Economic development and redevelopment are important and long accepted functions of Wisconsin municipalities. SB 83 hamstring the ability of municipalities to work with private developers to assemble land for redevelopment projects that create jobs, improve neighborhoods, and renew blighted commercial and residential districts.

The bill significantly narrows the definition of “blighted area” and “blighted property” for condemnations conducted by municipalities and redevelopment authorities. For example, under the bill a long vacant and economically obsolete retail establishment may no longer qualify as “blighted.” This would thwart future redevelopment efforts of the type that the City of Stevens Point is on the verge of commencing. Stevens Point is about to condemn its old downtown mall under the economically obsolete language in current law. This is a \$6,000,000 redevelopment project that will bring a college into the downtown to reuse the space.

Wisconsin municipalities and redevelopment authorities use eminent domain infrequently. When municipalities do use eminent domain powers, they do so carefully, prudently and in the sunshine of public scrutiny. We believe adequate controls and limitations on municipal eminent domain powers already exist under state and federal law. Further limitations, such as those included in SB 83, will frustrate municipal efforts to create jobs through economic redevelopment of blighted areas.

For these reasons we urge you to vote against recommending passage of SB 83. Thanks for considering our concerns.