



Julv 19. 2005

Governor Doyle
Office of the Governor
P.O. Box 7863
Madison, WI 53707-7863

Dear Governor Doyle:

We are writing today to express our opposition to AB 437 - Conveyance of publicly-owned property to a public utility for construction of transmission lines. This bill is detrimental to parklands and we urge you to veto this bill.

- **Sources of Funds for Local Parks.** Parks and open space systems, including trails and facilities for public use are planned in a comprehensive, long-term fashion with complete public inspection and comment. Many public lands under local parks' jurisdiction are purchased with local tax dollars. However, the public money for these purchases is often augmented by State and Federal dollars or with donations from private individuals or non-profit organizations. Some of those additional funds often come with various conditions that may include reverter clauses returning the lands to some other ownership if those conditions are not followed. Giving a private company the right to condemn public land under the provisions of this measure could open a series of unforeseen major complications and disputes relative to ownership.
- **Public lands lost to Private Interests.** Introduction of a plan to make it possible for a private company to condemn local parkland, preserved environmental corridors, or even those identified for future purchase from willing sellers flies in the face of the public interest. Money and resources from public and private sources have been used to purchase land that will benefit the public for the present and future, and are held in trust for all the people. Moreover, the public takes part in the maintenance and development by means of donated funds, labor, and in-kind donations. The potential for disruption of the planned system of local parks, open space and trails as provided in this measure has the potential to be a usurpation of public assets for, ultimately, private benefit.
- **Maintaining Public Trust.** There is enormous public trust and respect for our local park system and the way it is developed and managed, along with bi-partisan support of its goals and its availability to each and every citizen. Local parks are also an important part of the attractions that bring tourism dollars to Wisconsin's treasury. Maintenance of its integrity is essential to our state as a whole and to every resident's own neighborhood. If the land can be condemned by a third party in this fashion the public trust in local governance has been eroded.

We are well aware that the public also benefits from energy production and transmission. We in Dane County have been willing to negotiate with all sorts of public utilities involving County parkland and will continue to do so. Moreover, transmission lines can be sited using a long-term planning process similar to parks and open space planning that could reduce potential harm to our natural resources. However, we oppose any changes to condemnation law that would diminish our ability to pursue good faith negotiations with public utility companies and that would place all local units of government in a compromised position.

This bill would have negative consequences for Wisconsin residents and would jeopardize the public trust we have with future generations.

Sincerely,

Kathleen M. Falk
Dane County Executive

William G. Lunney
Chair, Dane County Park Commission