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## Nine states limit eminent domain

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Voters in nine states this week passed measures to limit governments' ability to use eminent-domain property seizures for private development, displaying extreme distaste for the concept supported by a Supreme Court ruling last year.

"After the Kelo decision, there was a huge explosion of anger by voters," said Bill Wilson, executive director of Americans for Limited Government, a group opposed to the court's eminent-domain ruling.

"Many of the states then tried to address the issue themselves. Unfortunately, what came out from the state legislatures in most cases was very weak and wasn't very effective."

Voters in Arizona, Florida, Oregon, Michigan, North Dakota, New Hampshire, South Carolina, Georgia and Nevada passed measures limiting the scope of the court's decision. Voters in California, Washington and Idaho rejected similar measures.

A collection of environmental groups and city municipalities opposed the measures.

"The voters showed us once again that they're not easily fooled," said Maria Alegria, president of the League of California Cities.

"They understood that this measure would have undermined our efforts to rebuild California's infrastructure and build the affordable housing our cities need," she said.

The landmark Kelo decision said New London, Conn., had the right to seize private residences and give them to private developers to further economic development with a planned hotel, apartments and retail space. Historically, eminent domain had been used for public projects such as highways.

The Nature Conservancy, an environmental group opposed to the California measure, spent more than \$1 million to defeat it. In literature opposing the measure, they said, "It will result in lawsuits and regulatory restrictions that will drain taxpayer dollars away from critical projects to protect our environment and build infrastructure."

Although the eminent-domain proposal failed in California 52 percent to 48 percent, Mr. Wilson said his group plans to run more state initiatives, including a possible rematch in California, in 2008.

Voters in San Bernardino County, Calif., approved their own eminent-domain measure.

"This isn't going to impede the county from improving streets and roads in any way," county Supervisor Dennis Hansberger, who supported the measure, told the Los Angeles Times.

"But it's also not going to allow people's land to be taken away and given to developers and, frankly, just making them richer."

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On Wednesday, a three judge-executives in northern Kentucky approved a decision that will allow eminent domain to be used in the construction of a 7-mile-long sewage-transport tunnel.

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