

## Senate advances bill to block eminent domain use by cities

BOISE, Idaho (AP) — A bill to block the use of eminent domain by cities to create hiking trails, bike paths and greenways has cleared the Idaho Senate.

The bill passed on a 20-13 vote on Monday and now moves to the House, where it would need passage both in committee and on the floor to pass, the Post Register reported (<http://www.postregister.com/node/74545> ). It would then go to Gov. C.L. "Butch" Otter to be signed into law.

Republican Sen. Jim Guthrie of McCammon sponsored the bill and said eminent domain gives cities too much power. He compared it to his sister once being robbed at gunpoint.

"Even though he didn't fire the gun, there's no question in my mind that he used it," Guthrie said. "How fair is it, when at the beginning of the negotiation process the other party has something in their tool bag, as the cities put it, that you don't?"

City officials across the state opposed the bill, saying eminent domain is an important bargaining power for cities and protects taxpayers from overpaying.

"Oftentimes, if a property owner senses that a municipality wants to buy their land, they will set their price very, very high," said Idaho Falls Mayor Rebecca Casper in an email asking lawmakers to reject the bill.

Eminent domain is the ability of government to seize land for roads or projects. But the current bill is aimed just at city greenways and paths. Casper said such paths are important assets for cities.

"They're characterizing bike paths and greenbelt walkways as trivial or nice things to have, but not crucial or vital," she said. "In fact, as we become a more mobile society, and we try to recognize that not everybody owns a car. Walking and biking are smart. Many cities around the nation are devoting significant resources to these kinds of things."

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Information from: Post Register, <http://www.postregister.com>