

EXHIBIT 12  
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HB 198

Northern Plains Resource Council Testimony on HB 198  
January 12, 2011

Mr. Chairman and members of the Committee, thank you for this opportunity to speak. My name is Beth Kaeding and I live in Bozeman. I am the past chair of Northern Plains Resource Council, a grassroots organization that focuses on land stewardship, the protection of Montana's waters, and the preservation of family farms and ranches and rural economies. I am here today on behalf of our members.

Northern Plains is opposed to HB 198, which would broaden the power of eminent domain by redefining the meaning of the term "public utility."

Eminent domain is a very powerful authority and should only be used as a last resort. Used wisely, eminent domain is a way – when all other ways fail – to further the public good with a public project. But to use this authority wisely requires a careful consideration of what the **public good** really is before condemnation is used, it requires a thorough consideration of all the possible alternatives to condemnation, and it requires a true effort to avoid condemnation if at all possible – **because eminent domain means that the government is taking an individual's private property.**

To the members of Northern Plains – many of whom are fighting to preserve their private property rights in the face of various development proposals – HB 198 broadens the right to condemn private property under eminent domain. It would allow corporations to take an individual's private property for the corporation's own profit. This private property is often productive agricultural land, and agriculture is Montana's #1 sustaining economy.

Northern Plains is adamantly opposed to this anti-private property rights bill, and we urge you to vote "No" on HB 198. Thank you for your consideration of my comments

