

HOUSE JOINT RESOLUTION N

September 6, 2005, Introduced by Reps. Elsenheimer, Robertson, Pastor and Moore and referred to the Committee on Government Operations.

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 54 of article X, to restrict the power of state or local government to take private property by eminent domain for the primary benefit of private entities.

Resolved by the Senate and House of Representatives of the state of Michigan, That the following amendment to the state constitution of 1963, to restrict the power of state or local government to take private property by eminent domain for the primary benefit of private entities, is proposed, agreed to, and

submitted to the people of the state:

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ARTICLE X

Sec. 2. Private property shall not be taken for public use without just compensation therefore being first made or secured in a manner prescribed by law. Compensation shall be determined in proceedings in a court of record. **A TAKING OF PRIVATE PROPERTY IS NOT CONSIDERED TO BE FOR PUBLIC USE IF THE PROPERTY IS TRANSFERRED TO A PRIVATE ENTITY OR ENTITIES FOR THE PRIMARY BENEFIT OF THE PRIVATE ENTITY OR ENTITIES.**

Resolved further, That the foregoing amendment shall be submitted to the people of the state at the next general election in the manner provided by law.