

Republican Liberty Caucus

Free Enterprise, Individual Freedom & Limited Government



NEWS RELEASE

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GOP Caucus Supports Private Property Rights

The Republican Liberty Caucus today called for critical changes to state eminent domain laws and regulations that will protect private property from unnecessary confiscation, contrary to the recent Supreme Court ruling in *Kelo v. City of New London*.

The organization of libertarian activists within the GOP also urged Congress to eliminate eminent domain takings from Housing and Urban Development [HUD] grants and to preclude the use of federal funds for state projects that take private property for "economic development."

"The RLC supported the Institute for Justice in its *Kelo* appeal," said Chair William Westmiller, "and we believe the Court's ruling should be reversed. In the meantime, our 43 chapters are working hard to strengthen their own state's protections against eminent domain abuse."

The group's official Statement of Position defends "the right of the people to be secure in their persons and property and opposes any use of eminent domain except for essential government functions."

Caucus members in several states have already initiated revisions to their state laws or constitutions. RLC Coordinator and Maine legislator R. Kenneth Lindell has introduced a bill that would forbid takings for economic development. RLC Honorary Georgia Chairman and state Sen. David Shafer is pressing for stronger restrictions on the use of eminent domain. RLC Coordinator and Washington legislator Toby Nixon has organized a bipartisan group of legislators to draft a proposed amendment to the state constitution to tighten the definition of "public use" for the next legislative session.

RLC Advisory Board Member and California State Sen. Tom McClintock has proposed legislation and a state initiative that would restore private property rights. RLC activists in Florida, Oregon, Michigan and Arizona are pressing for changes to their "economic development" takings laws.

"We are urging our members to support federal legislation that would prohibit federal grants, loans, guarantees or assistance for any taking for the benefit of private interests," says New York RLC Coordinator Stuart W. Mirsky, "Every homeowner and business needs to be protected against politically influential developers and special interests."

RLC member Logan Darrow Clements has gained wide media attention for his proposal to use eminent domain to take Supreme Court Justice David Souter's property in Weare, NH, to build a Lost Liberty Hotel featuring a Just Desserts Café. Other members have issued a warrant to take Justice David Breyer's Plainfield, NH, property for a Constitution Park. Both Justices supported the New London, CT, takings, justified solely on the basis of "economic benefits." The RLC Board commended the dissenters in *Kelo*, including retiring Justice Sandra Day O'Connor, who mourned the abandonment of "this long-held, basic limitation on government power. Under the banner of economic development, all private property is now vulnerable to being taken and transferred to another private owner..."

The RLC has joined the Castle Coalition in supporting federal legislation [H.R. 3038] by Rep. Denny Rehberg that would forbid federal support for takings that only served private interests. The RLC joins many other libertarian organizations who have condemned the *Kelo* ruling and called for a restoration of full property rights for every landowner.

"We hope state and federal legislators will pay close attention to the broad public opposition to takings that are not essential to government functions," said Westmiller, "and we would like to see a more equitable and just compensation for takings that account for other losses beyond fair market value. We applaud the Supreme Courts in Alabama and Michigan for their recent favorable rulings, but Republicans and all Americans who believe in individual property rights need to change their constitutional law to secure those rights for every citizen."

The Republican Liberty Caucus has members in all 50 states and 12 chartered state organizations dedicated to promoting the ideals of individual rights, limited government and free enterprise within the Republican Party.

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Resources:

www.ij.org
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