

*“Nothing is politically right  
which is morally wrong.”*  
– Daniel O’Connell



*“Free and fair discussion will ever be  
found the firmest friend of truth.”*  
– George Campbell

# MISSOURI SENATE

**Senator Bill Stouffer**  
District 21

**Capitol Building, Room 332**  
Jefferson City, MO 65101

**For Immediate Release:**  
July 20, 2005

**Contact: Heidi Osner**  
(573) 751-1507

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## The Eminent Domain Ruling Threatens Property Rights

I often get asked why I ran for public office. My answer has always been the same: at some point in my life I got tired of yelling at the radio.

For years the citizens of this country have cherished the ideal of the American Dream, the notion that through hard work and determination any citizen of the United States can achieve success. Our economy and our society are based on the firm ground of ownership.

However, this unique ideal has been challenged by one of America’s defining institutions – the United States Supreme Court. How did you feel when the court ruled that local governments can force property owners to sell their land to private developers? This overreaching definition of eminent domain jeopardizes the property rights of all Americans, especially farmers.

In the case of *Kelo vs. The City of New London (Conn.)*, the U.S. Supreme Court ruled that the rights of private developers trump those of individual landowners. If developers think your backyard is suitable for the next big-box store in town, all they need to get the bulldozers moving is a majority vote by the local city council.

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Along with the Missouri Farm Bureau, I have always been a staunch supporter of our private property rights. The high court's interpretation of the Constitution is an egregious assault on the rights and privacy of Americans. Our nation's founders held "public use" to mean roads, bridges and schools, not strip malls and outlet stores.

However, the Supreme Court's ruling did leave a chance of hope for Americans. The majority opinion declared that states can enact more stringent economic development laws relating to eminent domain. So the Missouri General Assembly is left to undo the damage made by the court's ruling.

Also promising is Missouri's Eminent Domain Task Force, which was recently formed by Gov. Matt Blunt to find ways to prevent instances of local governments taking private land for economic development. I will also be working with my colleagues in the Senate, where proposals on a statewide vote on this issue have already been suggested. The National Cattlemen's Beef Association (NCBA) is also working on language for bills to correct this ruling on the state level.

President Bush has appointed a conservative, Judge John G. Roberts, to the Supreme Court. This is a decision I wholeheartedly support. Hopefully, with his support and that of all Americans, we can find the just balance between the public good and each of our citizens' fundamental right to the American Dream.

If you have any questions regarding this or any other matter, or would like to receive these weekly reports electronically, please call our office toll free at (866) 768-3987 or e-mail [bstouffer@senate.mo.gov](mailto:bstouffer@senate.mo.gov).

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