



## MISSOURI SENATE

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**A Column for the Week  
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# Serving the Interests of Missourians

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### *Bills introduced in committee protect property rights, improve efficiency*

JEFFERSON CITY — Aside from all the other daily chores required in the Missouri Senate, this week I spent quite a bit of time introducing legislation to Senate committees. This week I brought forth in committee legislation limiting the threat of eminent domain abuse and allowing for improved business practices in the Missouri Department of Natural Resources (DNR).

No other issue looms larger in 2006 than the controversy over eminent domain. Although a 2005 U.S. Supreme Court decision threatens our personal property rights, I am sponsoring Senate Bill 826 to prohibit misuse of eminent domain by the state department of transportation.

In *Kelo vs. The City of New London (Conn.)*, the U.S. Supreme Court ruled that local governments can seize the property of local residents for use by private developers, an expanded interpretation of eminent domain. Previously, eminent domain, which is referenced in the Fifth Amendment of the U.S. Constitution, was only used for public projects, such as roads and bridges.

The court justified its decision with the argument that new commercial developments will earn more tax revenue for local government than will existing homes or businesses, and that new revenue can be used to improve conditions in the area. However, forcing the transfer of private property is not in line with American values, and I am working to ensure this is not allowed in Missouri.

SB 826, which I introduced this week to the Senate Transportation Committee, applies specifically to the Missouri Department of Transportation (MoDOT) and its authority over scenic byways. Current law states that the Missouri Highways and Transportation Commission, which is under the authority of MoDOT, is charged with preserving historic and scenic roads and highways as scenic byways.

My legislation clarifies that MoDOT has no additional authority over the private property along scenic byways than it did prior to the roads being designated as scenic byways. In other words, just because MoDOT designates roads as scenic byways, the department has no more authority than before over surrounding property.

This week I also introduced SB 1038 to the Senate Agriculture, Conservation, Parks and Natural Resources Committee. This measure expands DNR's ability to enter into cooperative agreements with other organizations. My legislation allows DNR to work with private, not-for-profit organizations for facility enhancement operations. It also requires documentation to be submitted to the department of all benefits gained by the state from the agreement. This legislation allows DNR to more affordably and efficiently conduct improvement projects. Meanwhile, it offers transparency to ensure the work of the state is open to public scrutiny.

Together, these measures improve accountability and efficiency for state projects and ensure our rights are not infringed upon.

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*Senator Robert Mayer represents the people of Wayne, Ripley, Butler, Stoddard, New Madrid,  
Pemiscot and Dunklin counties in the Missouri Senate.*