

“A Difference of One”

In the game of baseball, five runs to four is a box score everyone remembers. The fans get a show, the victors revel in the satisfaction of pulling off a close one, and the players on the losing effort walk away with a yearn to avenge their defeat. Aside from the playoffs, losses by one are generally harmless. Sadly, a five to four decision on the Supreme Court can have the opposite effect. The balance can be tipped by only one Justice, sending a nation of property owners reeling and inspiring an army of economic ‘re-developers’ to salivate like pack animals.

Unfortunately, this was the exact instance from the Supreme Court’s decision this past June, when their ruling came out in favor of local officials in *Kelo v. New London, Conn.* The Supreme Court Justices ruled that officials could condemn resident’s houses and raze them to make way for a private office complex, stating that the heightening economic growth outweighs homeowners’ property rights.

Let me say, this decision is both egregious and appalling, and should anger every American who has their hard earned dime vested in personal property.

While it seems as though Susette Kelo’s valiant effort to save her home has ended, she has made a nation more aware of personal property law. If any good has come from this landmark case, the States’ right to establish their own eminent domain law has been reinforced. For this reason, Florida residents can breath a little easier.

Floridian’s personal property rights are some of the most protected in the nation and thanks to Ms. Kelo, expect them to only get stronger. In the wake of the Supreme Court Case, the Florida political leaders have taken every possible step to assure this will not take place in our great state.

To start, Florida’s statutes and Constitution, as interpreted by the courts offer “greater protection of private property rights than either the U.S. Constitution or Connecticut law. They require that land taken by the process of eminent domain must 1.) be designated as “blighted” and 2.) serve the public good; two stipulations that Connecticut law lacked.

Despite our stricter requirements, there are still concerns over the interpretation of ‘blight’ and ‘public good.’ As a result, both Senate President Tom Lee and House Speaker Allan Bense have taken precautionary measures to fully study the implications of Florida’s law in an effort to improve it where necessary.

President Lee has initiated an interim work project with the Senate Committee on Judiciary to review the current breadth of eminent domain authority in this state. Likewise, Bense has appointed a select committee of Representatives to identify any

areas of ambiguity and recommend appropriate changes to make sure Florida avoids the unfortunate situation we've seen in Connecticut.

The Supreme Court is the highest court in the land and the citizens of these United States have every right to be concerned over the Kelo decision. But know this, Florida has been a consistent leader in personal property rights and I assure you that your elected state officials will make sure to keep it that way. My colleagues and I will do everything within our abilities to make the Kelo decision less relevant to the big picture; kind of like that regular season baseball loss by one.