

ALASKA STATE LEGISLATURE

News from the House Majority

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Legislation Drafted to Protect Alaskans' Property Rights

(ANCHORAGE) – Representatives Bob Lynn (R-Anchorage) and Lesil McGuire (R-Anchorage) have both requested that Legislative Legal Services draft legislation to protect Alaskan property owners from government abuse of private property rights.

In a recent U.S. Supreme Court decision the court allowed governments to use condemnation not only to clean up neighborhoods and promote economic development, but also to take homes and other property in still viable neighborhoods from owners to increase revenue from property tax.

“I have called Legislative Legal Services today to draft a bill to protect Mr. and Mrs. Alaska from government abuse of private property rights,” said Representative Lynn. “I’m shocked at the Supreme Court decision that allows government to run roughshod over individual property rights, so a developer can build a big box store where your bedroom used to be. Eminent domain has a proper place for public use, but it’s beyond outrageous to use eminent domain to increase tax revenue from commercial development, at the expense of homeowners. I hope to have a proper bill to introduce in January – or sooner if a special session is called by the governor for the gas pipeline – and I hope every Alaska legislator will co-sign the bill.”

Representative McGuire said, “As Judiciary Chair, the Supreme Court decision astonishes me and has compelled me to introduce legislation that will clarify that the Alaska Constitution and eminent domain laws will protect Alaskans from having their land taken by the government for mere economic development purposes. There is an appropriate place for eminent domain use by the government, but only in very narrow circumstances. This court ruling expands eminent domain beyond these narrow circumstances and into areas Alaskans simply should not tolerate. It is the intention of the Judiciary Committee to clarify the narrow circumstances for use of eminent domain and prevent such infringement for all Alaskans.”

Representatives Lynn and McGuire will introduce separate bills, or work together to combine the individual bills into one. Both Representatives have the same goal – to protect private property rights from invasive government actions. Legislation will be fine-tuned over the interim for introduction during the opening days of the upcoming session.

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