



# CALIFORNIA DEMOCRATIC PARTY

SENATOR ART TORRES (RET.), CHAIRMAN

MAN06.12

## CALIFORNIA EMINENT DOMAIN LIMITATION

**WHEREAS:** Californians and Americans believe we possess the right to enjoy the fruits of our hard labor, we also accept the necessity that legitimate public uses may occasionally take precedence over our private property, but our homes, businesses, and places of worship should not be taken from us by government force for another's private profit; and

**WHEREAS:** The definition of "public use" has been distorted and eminent domain powers have been widely abused in California to transfer property from ordinary people to large corporations, and seniors, working class families, people of color, and recent immigrants are most vulnerable to economic exploitation through the abuse of eminent domain powers and the United States Supreme Court in *Kelo v. City of New London* has held that the United States Constitution will not prevent the transfer of property seized through eminent domain from one owner to benefit another private owner; and

**WHEREAS:** The theme of the 2005 State Democratic Convention was "Democrats Protect Real People," and Democrats must take a courageous stand to clearly define the values of our Party to protect the homes, livelihoods, and places of worship of all Californians, and most particularly "real people" like Suzette Kelo and the working class families that are the core Democratic constituency

**THEREFORE BE IT RESOLVED:** That the California Democratic Party shall join with such California Democratic leaders as U.S. Representatives Maxine Waters, Mike Honda, Barbara Lee, Tom Lantos, and Anna Eshoo; Senator Barbara Boxer and many other Democrats; advocacy groups such as the AARP, ACLU, NAACP; and the majority of all Californians by making a public commitment to support the concept and implementation of measures limiting the use of eminent domain to reasonable public uses (such as publicly owned facilities, public right-of-way for public utilities and roads, or to remove immediate threats to public safety), and that the power of eminent domain shall not be used for economic development (the taking of private property without the consent of the owner and conveying it from one private person to another private person for their economic benefit, or to increase tax revenue or for any economic purpose).

Submitted by Judith Christensen, Annette Hipona, and Dana Smith,  
elected members of the Democratic Central Committee of San Mateo County

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Adopted by the Executive Board  
Of the California Democratic Party  
At Its Executive Board Meeting  
Manhattan Beach Marriott Hotel  
January 28, 2006