

Sierra Club Action Alert: NO on SB 333
From Glen Hooks glen.hooks@sierraclub.org
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Arkansas Sierra Club leaders:

Sierra Club needs some help in driving emails/calls toward a few State Senators on Senate Bill 333, which can be found at <http://www.arkleg.state.ar.us/assembly/2015/2015R/Bills/SB333.pdf>.

Will you take a moment to call or email three state senators for me? Information and a sample email is included below.

Sierra Club opposes SB333, and it has been referred to the Senate Judiciary Committee. Here is the membership of that committee, with all the contact info for each member:

<http://www.arkleg.state.ar.us/assembly/2015/2015R/pages/CommitteeDetail.aspx?committee=420>

Basics on SB333: this is a bill that would redefine the definition of a "taking" under the Constitution. Essentially, when it comes to government infringing upon property rights via eminent domain, government has the right to do that for the public good BUT must compensate the landowner if her land is appropriated or is made unusable (think pipelines, highways, etc).

SB333 changes the definition of a "taking" to mean essentially any government action that reduces someone's property value by 10% or more. It also gives the affected property owner the right to a jury trial to determine damages.

The end result of this is that it will essentially keep municipalities from doing "quality of life" zoning, for fear of being sued/tied up in court/having their budgets busted. It will have a chilling effect on efforts to protect habitat, keep industry out of residential neighborhoods, protect drinking water sources from development, and the like. Essentially, if municipalities wanted to do quality of life zoning, they'd have to pay landowners not to pollute!

There are US Supreme Court cases on point that define what a "taking" is, but this bill redefines it into something much more broad.

Will you take a moment to log some calls and emails into members of the Judiciary Committee? **Although contacting each committee member would be helpful, the key ones to contact are:**

Senator Jon Woods (Springdale)

Phone 479-200-3100

Email jon.woods@senate.ar.gov

Senator Jeremy Hutchinson (Benton)

Phone 501-773-3760

Email Jeremy.Hutchinson@senate.ar.gov

Senator David Burnett (Osceola)

Phone 870-563-5667

Email David.Burnett@senate.ar.gov

Here is a sample email, although I encourage you to put it in your own words as much as possible:

Dear Senator _____:

I'm writing to ask you to vote NO on Senate Bill 333, which has been referred to your Senate Judiciary Committee. This bill aims to redefine the definition of a "taking" in such a way that would dramatically affect zoning laws for the worse. By enabling landowners to sue if zoning affects property values by as little as 10%, SB333 will have a chilling effect on "quality of life" zoning that protects my neighborhood from polluting industry and other nuisances.

From an environmental standpoint, I want my elected city officials to be able to protect my quality of life through smart and common-sense zoning. SB333 will negatively impact my elected officials' ability to do so.

Please vote no on SB 333. I look forward to your reply.

Thank you,

NAME
ADDRESS

Thanks very much!

--

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